



General Assembly

**Amendment**

February Session, 2022

LCO No. 5966



Offered by:

SEN. COHEN, 12<sup>th</sup> Dist.

REP. GRESKO, 121<sup>st</sup> Dist.

To: Subst. Senate Bill No. 239

File No. 308

Cal. No. 227

**"AN ACT PROHIBITING THE USE OF CERTAIN RODENTICIDES FOR THE PROTECTION OF HAWKS, RAPTORS AND OTHER WILDLIFE."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2022*) (a) For purposes of this  
4 section, "second-generation anticoagulant rodenticide" means any  
5 pesticide product containing any of the following active ingredients: (1)  
6 brodifacoum; (2) bromadiolone; (3) difenacoum; or (4) difethialone.

7 (b) No person shall use, apply, sell or distribute any second-  
8 generation anticoagulant rodenticide in this state.

9 (c) The provisions of subsection (b) of this section shall not apply to  
10 any of the following uses or locations:

11 (1) The use of second-generation anticoagulant rodenticides for  
12 public health activities in accordance with any provision of the Public

13 Health Code;

14 (2) The use of second-generation anticoagulant rodenticides for the  
15 purposes of protecting water supply infrastructure and facilities in a  
16 manner that is consistent with all otherwise applicable federal and state  
17 laws and regulations;

18 (3) The use of any registered second-generation anticoagulant  
19 rodenticide to control an actual or potential rodent infestation  
20 associated with a public health need, as determined by a supporting  
21 declaration from the Commissioner of Public Health or a director of  
22 health. For purposes of this subdivision, "public health need" means an  
23 urgent, nonroutine situation posing a significant risk to human health  
24 in which it is documented that other rodent control alternatives,  
25 including nonchemical alternatives, are inadequate to control the rodent  
26 infestation;

27 (4) A medical waste generator;

28 (5) Any facility registered annually and subject to inspection under  
29 Section 510 of the Federal Food, Drug, and Cosmetic Act, 21 USC 360 et  
30 seq. and that is compliant with the Federal Insecticide, Fungicide, and  
31 Rodenticide Act, 7 USC 135 et seq.;

32 (6) Agricultural activity. For purposes of this subdivision,  
33 "agricultural activity" additionally includes activities conducted in any  
34 of the following locations:

35 (A) A warehouse used to store foods for human or animal  
36 consumption;

37 (B) An agricultural food production site, including, but not limited  
38 to, a slaughterhouse or cannery;

39 (C) A factory, brewery or winery;

40 (D) An agricultural production site housing water storage and  
41 conveyance facilities; or

42 (E) An agricultural production site housing rights-of-way and other  
43 transportation infrastructure.

44 (d) The Commissioner of Energy and Environmental Protection may  
45 adopt regulations, in accordance with the provisions of chapter 54 of the  
46 general statutes and this section, to ensure that the continued use of  
47 second-generation anticoagulant rodenticides is not reasonably  
48 expected to result in significant adverse effects to nontarget wildlife.  
49 Such regulations shall include, but not be limited to, provisions for the  
50 use of such rodenticides if the eradication of invasive rodent  
51 populations is necessary for the protection of threatened or endangered  
52 species or the habitats of such species.

53 (e) Any person who violates the provisions of subsection (b) of this  
54 section shall be subject to a civil penalty of not more than five thousand  
55 dollars by the Commissioner of Energy and Environmental Protection."

|   |                 |             |
|---|-----------------|-------------|
| This act shall take effect as follows and shall amend the following sections: |                 |             |
| Section 1   | October 1, 2022 | New section |