
OLR Bill Analysis

sHB 5217

AN ACT CONCERNING THE USE OF CERTAIN RODENTICIDES.

SUMMARY

This bill generally prohibits the use of “second-generation anticoagulant rodenticides” in Connecticut (i.e., pesticide products containing brodifacoum, bromadiolone, difenacoum, or difethialone; see BACKGROUND). It exempts several uses from the ban, such as by state employees for public health or water supply protection reasons, agricultural activity, or at a medical waste generator location.

Under the bill, a violation of the ban is subject to a civil fine of up to \$5,000 per violation by the Department of Energy and Environmental Protection (DEEP). The bill also allows DEEP to adopt regulations on the continued use of these rodenticides to ensure that it is not reasonably expected to have significant adverse effects on nontarget wildlife. The regulations must include provisions for the rodenticides’ use if it is necessary to eradicate invasive rodent populations to protect threatened or endangered species or their habitats.

Lastly, the bill requires, by January 1, 2026, DEEP to report to the Environment Committee on the potential implications of applying existing statutory and regulatory restrictions and licensing requirements on second-generation anticoagulant rodenticide use. The report must include (1) an analysis of the consistency of applying the restrictions and requirements with federal law; (2) potential effects, including improved raptor health and expenses and delays that the changes may have on public health and agriculture in Connecticut; and (3) required administrative resources to oversee the restrictions.

EFFECTIVE DATE: October 1, 2024

RODENTICIDE EXEMPTIONS

The bill exempts the following uses from the ban:

1. by a state employee within the scope of his or her duties (a) for public health activities conducted in accordance with the Public Health Code or (b) to protect water supply infrastructure and facilities in a way that is consistent with federal and state laws and regulations;
2. by a health director to control mosquito or vector breeding areas to protect public health;
3. in a location that is a medical waste generator or a drug or device production facility that is annually registered, subject to inspection under the federal Food, Drug, and Cosmetic Act, and complies with the Federal Insecticide, Fungicide, and Rodenticide Act;
4. to eradicate nonnative invasive species inhabiting or found on offshore islands in a way that is consistent with federal and state laws and regulations;
5. to control an actual or potential rodent infestation associated with a public health need that the public health commissioner or a health director determines by a supporting declaration; and
6. for agricultural activities, including those done at a warehouse for storing foods for human or animal consumption; a factory, brewery, or winery; an agricultural food production site (e.g., slaughterhouse or cannery); or an agricultural production site housing water storage or conveyance facilities or rights-of-way and other transportation infrastructure.

Under the bill, a “public health need” is an urgent, nonroutine situation posing a significant human health risk. It must also be documented that other rodent control methods, including nonchemical ones, are inadequate to control the infestation.

BACKGROUND

Second-Generation Anticoagulant Rodenticide

Most rodenticides are anticoagulant compounds that interfere with blood clotting and cause death from excessive bleeding. Second-generation anticoagulants were developed to control rodents that are resistant to first-generation anticoagulants. These pesticides are more likely to be effective after a single feeding and may remain in animal tissue longer than first-generation products. They are registered only for the commercial and structural pest control markets and are currently under federal Environmental Protection Agency registration review.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 33 Nay 1 (03/08/2024)