



General Assembly

Substitute Bill No. 5217

February Session, 2024



AN ACT CONCERNING THE USE OF CERTAIN RODENTICIDES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2024*) (a) No person shall engage
2 in the use in this state of any second-generation anticoagulant
3 rodenticide. For purposes of this section, "second-generation
4 anticoagulant rodenticide" means any pesticide product containing any
5 one of the following active ingredients: (1) Brodifacoum; (2)
6 bromadiolone; (3) difenacoum; or (4) difethialone.

7 (b) The provisions of subsection (a) of this section shall not apply to:

8 (1) The use of second-generation anticoagulant rodenticides by any
9 state employee who uses second-generation anticoagulant rodenticides
10 for public health activities in accordance with any provision of the
11 Public Health Code and in furtherance of such employee's duties;

12 (2) The use of second-generation anticoagulant rodenticides when
13 used by any state employee for the purposes of protecting water supply
14 infrastructure and facilities in a manner that is consistent with all
15 otherwise applicable federal and state laws and regulations and in
16 furtherance of such employee's duties;

17 (3) The use of second-generation anticoagulant rodenticides by a

18 director of health to control mosquito or vector breeding areas in order
19 to protect the public health;

20 (4) The use of any second-generation anticoagulant rodenticides for
21 the eradication of nonnative invasive species inhabiting or found to be
22 present on offshore islands in a manner that is consistent with all
23 otherwise applicable federal and state laws and regulations;

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

32 (6) The use of second-generation rodenticides in any of the following
33 locations: (A) A medical waste generator; or (B) any facility registered
34 annually and subject to inspection under Section 510 of the federal Food,
35 Drug and Cosmetic Act, 21 USC 360 et seq., and that is compliant with
36 the federal Insecticide, Fungicide and Rodenticide Act, 7 USC 135 et
37 seq.; or

38 (7) The use of second-generation anticoagulant rodenticides for
39 agricultural activities. For purposes of this subdivision, "agricultural
40 activities" additionally includes activities conducted in any of the
41 following locations:

42 (A) A warehouse used to store foods for human or animal
43 consumption;

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

46 (C) A factory, brewery or winery;

47 (D) An agricultural production site housing water storage and
48 conveyance facilities; or

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

51 (c) The Commissioner of Energy and Environmental Protection may
52 adopt regulations, in accordance with the provisions of chapter 54 of the
53 general statutes, to ensure that the continued use of second-generation
54 anticoagulant rodenticides, in accordance with the provisions of section
55 22a-50 of the general statutes is not reasonably expected to result in
56 significant adverse effects to nontarget wildlife. Any such regulations
57 shall include, but are not limited to, provisions for the use of such
58 rodenticides if the eradication of invasive rodent populations is
59 necessary for the protection of threatened or endangered species or the
60 habitats of such species.

61 (d) Not later than January 1, 2026, the Commissioner of Energy and
62 Environmental Protection shall submit a report, in accordance with the
63 provisions of section 11-4a of the general statutes, to the joint standing
64 committee of the General Assembly having cognizance of matters
65 relating to the environment on the potential implications of the
66 application of existing statutory and regulatory restrictions and
67 licensing requirements for the use of second-generation anticoagulant
68 rodenticides. Such report shall include, but is not limited to, an analysis
69 of the consistency of applying such restrictions and requirements with
70 federal law and any potential effects, including, but not limited to,
71 improved raptor health and expenses and delays that such changes may
72 have on public health and agriculture in the state and requisite
73 administrative resources for overseeing such restrictions.

74 (e) Any person who violates the provisions of subsection (a) of this
75 section shall be subject to a civil penalty of not more than five thousand
76 dollars by the Commissioner of Energy and Environmental Protection
77 for each such violation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	New section

ENV *Joint Favorable Subst.*