HOUSE BILL 208

M41lr1037 **CF SB 375** (PRE-FILED) By: Delegates Healey and Stein Requested: October 20, 2020 Introduced and read first time: January 13, 2021 Assigned to: Environment and Transportation Committee Report: Favorable with amendments House action: Adopted Read second time: February 11, 2021 CHAPTER AN ACT concerning Agriculture - Neonicotinoid Pesticides - Sale and Storage FOR the purpose of restricting a person that sells a neonicotinoid pesticide under certain provisions of law to selling a neonicotinoid pesticide only to a certain certified applicator or farmer; requiring a person selling a neonicotinoid pesticide to store a neonicotinoid pesticide in a certain manner; making stylistic and conforming changes; defining certain terms; and generally relating to neonicotinoid pesticides. BY repealing and reenacting, without amendments, Article – Agriculture Section 5–201(a), (c), and (r) Annotated Code of Maryland (2016 Replacement Volume and 2020 Supplement) BY repealing and reenacting, with amendments, Article – Agriculture Section 5-2A-01 and 5-2A-02 Annotated Code of Maryland (2016 Replacement Volume and 2020 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows: Article - Agriculture

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

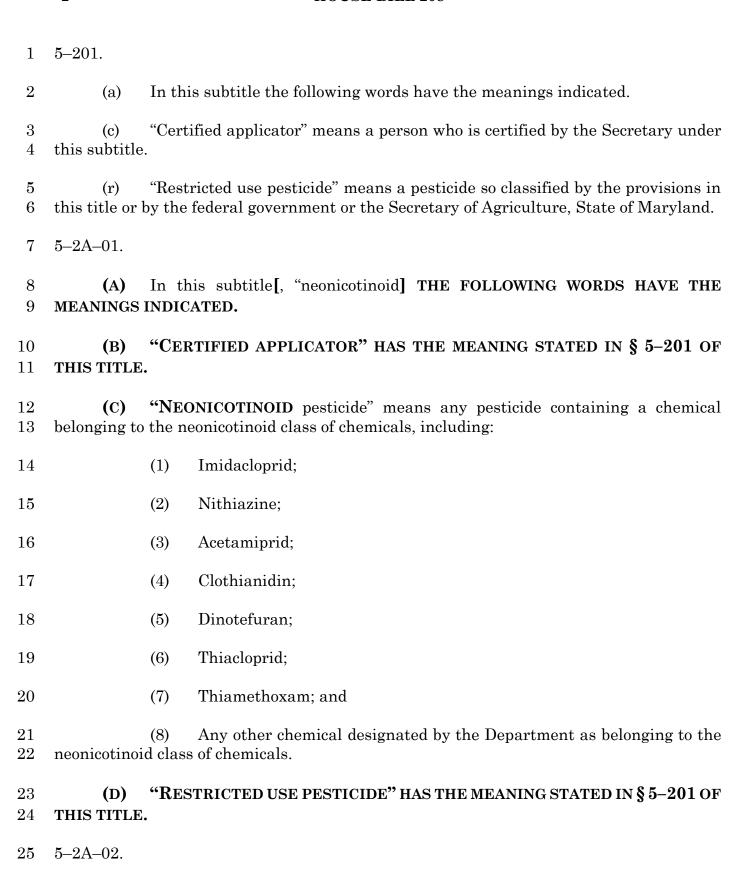
20

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



26

(a)



[(1)] This section does not apply to:

1 2	[(i)] (1) Pet care products used to mitigate fleas, mites, ticks, heartworms, or other animals that are harmful to the health of a domesticated animal;
3 4	[(ii)] (2) Personal care products used to mitigate lice and bedbugs; and
5 6	[(iii)] (3) Indoor pest control products used to mitigate insects indoors, including ant bait.
7 8 9	[(2)] (B) (1) On or after January 1, 2018, a person may not sell at retail in the State a neonicotinoid pesticide unless the person also sells a restricted use pesticide [, as defined in § 5–201 of this title].
10 11	(2) A PERSON THAT SELLS A NEONICOTINOID PESTICIDE UNDER PARAGRAPH (1) OF THIS SUBSECTION:
12 13	(I) MAY SELL A NEONICOTINOID PESTICIDE ONLY TO A CERTIFIED APPLICATOR OR A FARMER; AND
14 15 16	(II) SHALL STORE EACH NEONICOTINOID PESTICIDE BEHIND THE COUNTER AND IN A MANNER THAT IS INACCESSIBLE TO A CUSTOMER WITHOUT THE ASSISTANCE FROM THE PERSON OR AN EMPLOYEE OF THE PERSON.
17 18	[(b)] (C) On or after January 1, 2018, a person may not use a neonicotinoid pesticide unless the person is:
19 20	(1) A certified applicator or a person working under the supervision of a certified applicator [, as defined in § 5–201 of this title];
21 22 23	(2) A farmer, or a person under the supervision of a farmer, who uses the pesticide for agricultural purposes, including crop production, livestock, poultry, equine, and noncrop agricultural fields; or
24	(3) A veterinarian.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

 $\frac{25}{26}$

October 1, 2021.