

SENATE No. 479

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act protecting pollinators by eliminating harmful products.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>1/31/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/1/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/1/2023</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/16/2023</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>3/3/2023</i>
<i>Paul W. Mark</i>	<i>Berkshire, Hampden, Franklin and Hampshire</i>	<i>9/28/2023</i>

SENATE No. 479

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 479) of James B. Eldridge, Michael J. Barrett, Lindsay N. Sabadosa, Vanna Howard and other members of the General Court for legislation to protect pollinators by eliminating harmful products. Environment and Natural Resources.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 528 OF 2021-2022.]

The Commonwealth of Massachusetts

—————
**In the One Hundred and Ninety-Third General Court
(2023-2024)**
—————

An Act protecting pollinators by eliminating harmful products.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1 of chapter 132B of the General Laws, as appearing in the 2018
2 Official Edition, is hereby further amended by inserting after the definition of “Nematode” the
3 following definition:-

4 “Neonicotinoid,” a pesticide belonging to the neonicotinoid class of chemicals which act
5 selectively on nicotine acetylcholine receptors of organisms and are absorbed into plant tissue
6 and can be present in pollen and nectar, including but not limited to, imidacloprid, acetamiprid,
7 clothianidin, dinotefuran, nithiazine, nitenpyram, thiacloprid, and thiamethoxam and any other
8 pesticide identified as a neonicotinoid by the United States Environmental Protection Agency.

9 SECTION 2. Section 6 of said chapter 132B, as so appearing, is hereby amended by
10 adding the following:-

11 No person shall distribute a neonicotinoid, or any substance containing a neonicotinoid,
12 except a neonicotinoid-treated nursery plant.

13 SECTION 3. Section 6 of said chapter 132B, as so appearing, is hereby amended by
14 striking the words “, except a neonicotinoid-treated nursery plant”.

15 SECTION 4. Said chapter 132B is hereby further amended by inserting after section 6K
16 the following section:-

17 Section 6L. (a) Neonicotinoids shall not be sprayed, released, deposited or applied on any
18 property within the commonwealth.

19 (b) No blooming or flowering plant, plant material or seed that has been treated with a
20 neonicotinoid shall be sold within the commonwealth unless it is clearly and conspicuously
21 labeled as having been treated with a neonicotinoid and includes a brief description of the risks
22 to pollinators and other non-target organisms associated with the use of neonicotinoids.

23 SECTION 5. Section 6L of said chapter 132B, as so appearing, is hereby amended by
24 striking the words “unless it is clearly and conspicuously labeled as having been treated with a
25 neonicotinoid and includes a brief description of the risks to pollinators and other non-target
26 organisms associated with the use of neonicotinoids”.

27 SECTION 6. Section 14 of said chapter 132B, as so appearing, is hereby amended by
28 inserting after the word “inclusive”, in lines 9 and 10, the following words:- , section 6L.

29 SECTION 7. Sections 1, 2, 4, and 6 shall take effect on January 1, 2024.

SECTION 8. Sections 3 and 5 shall take effect on January 1, 2025.