

Senate File 52 - Introduced

SENATE FILE 52

BY JOCHUM

A BILL FOR

1 An Act prohibiting the sale or use of pesticides containing a
2 compound belonging to the neonicotinoid class of chemicals,
3 making penalties applicable, and including effective date
4 provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 206.32A Neonicotinoid class of
2 chemicals — prohibition.

3 1. A person shall not offer for sale, sell, purchase, apply,
4 or use a pesticide containing a compound belonging to the
5 neonicotinoid class of chemicals.

6 2. *a.* A compound belonging to the neonicotinoid class of
7 chemicals shall at least include any of the following:

- 8 (1) Acetamiprid.
- 9 (2) Clothianidin.
- 10 (3) Dinotefuran.
- 11 (4) Imidacloprid.
- 12 (5) Nitenpyram.
- 13 (6) Nithiazine.
- 14 (7) Thiacloprid.
- 15 (8) Thiamethoxam.

16 *b.* The department may adopt by rule other compounds
17 belonging to the neonicotinoid class of chemicals.

18 3. The department, in conjunction with the department of
19 natural resources, shall do all of the following:

20 *a.* Identify existing stocks of pesticides containing a
21 compound belonging to the neonicotinoid class of chemicals.

22 *b.* Prepare recommendations for the safe disposal of existing
23 stocks of pesticides containing a compound belonging to the
24 neonicotinoid class of chemicals. Each department shall
25 publish those recommendations on their respective internet
26 sites.

27 Sec. 2. EFFECTIVE DATE. This Act takes effect January 1,
28 2022.

29 EXPLANATION

30 The inclusion of this explanation does not constitute agreement with
31 the explanation's substance by the members of the general assembly.

32 GENERAL. This bill amends Code chapter 206, which
33 provides for the regulation of pesticides by the department of
34 agriculture and land stewardship (DALs), including provisions
35 that prohibit certain chemicals such as chlordane (Code section

1 206.32) and daminozide (Code section 206.33).

2 PROHIBITION. The bill prohibits a person from offering
3 for sale, selling, purchasing, applying, or using a pesticide
4 that includes a compound belonging to the neonicotinoid class
5 of chemicals (new Code section 206.32A). A neonicotinoid is
6 derived from nicotine, acts as a neurotoxin, and is used as
7 an insecticide when managing plant production through a wide
8 variety of methods including by spraying crops and treating
9 crop seeds. It is also used in nursery and garden care
10 products, as part of animal husbandry practices (including
11 livestock and pet care), and in aquaculture. DALs, in
12 cooperation with the department of natural resources, is
13 required to identify existing stocks of such pesticides and
14 assist owners to provide for the pesticide's safe disposal.

15 PENALTY. A person who violates a provision of Code
16 chapter 206 is guilty of a serious misdemeanor (Code section
17 206.22(2)). A serious misdemeanor is punishable by confinement
18 for no more than one year and a fine of at least \$430 but not
19 more than \$2,560.

20 EFFECTIVE DATE. The bill takes effect January 1, 2022.