

SSB 5972 - H COMM AMD

By Committee on Agriculture & Natural Resources

ADOPTED AS AMENDED 03/01/2024

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that
4 pollinators, including bees, butterflies, and birds, play a critical
5 role in sustaining biodiversity and ecosystem health. The legislature
6 further finds that pollinators are vital to agricultural production
7 in the state and that approximately 35 percent of food crops depend
8 upon pollinators.

9 (2) The legislature finds that neonicotinoids are the most widely
10 used pesticides in the world. Neonicotinoids are less toxic to
11 mammals and vertebrates than older insecticides and have beneficial
12 uses such as those associated with pet care and veterinary treatment,
13 personal care, indoor pest control, wood preservation, and structural
14 insulation. However, neonicotinoids can be toxic to pollinators and
15 misapplication of neonicotinoids contributes to bee colony collapse
16 and the decline of pollinator species. The legislature intends to
17 protect pollinators by restricting the use of neonicotinoids and
18 supporting consumer education so that people do not inadvertently
19 apply neonicotinoids in ways that are harmful to pollinators.

20 (3) The legislature recognizes that agricultural production
21 depends on reliable pest management and allows applications of
22 neonicotinoids for agricultural production. Products designed to
23 control pests in home gardens and landscapes that contain
24 neonicotinoids should also be limited to applications that do not
25 harm pollinators. Understandable information about the impact of
26 products designed to manage pests in home gardens and landscapes on
27 pollinators should be provided to customers. Private and nonprofit
28 organizations engaged in public outreach and education regarding the
29 role of pollinators and pollinator health are important partners in
30 consumer education.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 15.58
2 RCW to read as follows:

3 (1) Beginning January 1, 2026, a person may not use neonicotinoid
4 pesticides on nonproduction outdoor ornamental plants, trees, and
5 turf in this state, unless the application is made as part of a
6 licensed application, a tree injection, or during the production of
7 an agricultural commodity.

8 (2) The director, upon identification of an urgent pest threat,
9 may authorize the sale, possession, or use of neonicotinoid
10 pesticides that are restricted under subsection (1) of this section
11 by written order. The director must make reasonable efforts to inform
12 the public of the urgent pest threat identified. The written order
13 must include:

14 (a) The urgent pest threat identified;

15 (b) The neonicotinoid pesticide to be used in addressing the
16 urgent pest threat;

17 (c) All other less harmful pesticides or pest management
18 practices considered that were not deemed to be effective in
19 addressing the urgent pest threat;

20 (d) The geographic scope of the written order; and

21 (e) The duration that the order is in effect, not to exceed one
22 year.

23 (3) By June 30, 2025, and every four years thereafter, the
24 department shall review and update rules under RCW 15.58.040 to
25 administer and enforce this chapter as those rules relate to
26 neonicotinoid pesticides.

27 (4) The definitions in this subsection apply throughout this
28 section unless the context clearly requires otherwise.

29 (a) "Agricultural commodity" means any plant, or part of a plant,
30 or animal, or animal product, produced by farmers, ranchers,
31 vineyardists, plant propagators, Christmas tree growers,
32 aquaculturists, floriculturists, orchardists, foresters, or other
33 persons primarily for sale, consumption, propagation, or other use by
34 people or animals.

35 (b) "Neonicotinoid pesticide" means any pesticide containing a
36 chemical belonging to the neonicotinoid class of chemicals including,
37 but not limited to, acetamiprid, clothianidin, dinotefuran,
38 imidacloprid, nitenpyram, nithiazine, thiacloprid, thiamethoxam, or
39 any other chemical designated by the department as belonging to the
40 neonicotinoid class of chemicals.

1 (c) "Urgent pest threat" means an occurrence of a pest that
2 presents a significant risk of harm or injury to the environment or
3 human health or significant harm, injury, or loss to agricultural
4 crops including, but not limited to, an invasive species as defined
5 in chapter 77.135 RCW."

6 Correct the title.

EFFECT: (1) Prohibits a person from using neonicotinoid pesticides on nonproduction outdoor ornamental plants, trees, and turf, beginning January 1, 2026, unless the application is made as part of a licensed application, a tree injection, or during the production of an agricultural commodity.

(2) Allows the director of the Washington state department of agriculture (WSDA) to authorize the use of neonicotinoid pesticides upon identification of an urgent pest threat.

(3) Requires the WSDA to review and update rules related to neonicotinoid pesticides by June 30, 2025, and every four years thereafter.

--- END ---