

ASSEMBLY, No. 1724

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman JAMES J. KENNEDY

District 22 (Middlesex, Somerset and Union)

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District 14 (Mercer and Middlesex)

Assemblywoman JOANN DOWNEY

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SYNOPSIS

Prohibits use of chlorpyrifos insecticide.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** prohibiting the use of chlorpyrifos and amending P.L.1971,
2 c.176.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 4 of P.L.1971, c.176 (C.13:1F-4) is amended to read
8 as follows:

9 4. a. (1) The commissioner shall have the power to formulate
10 and promulgate, amend and repeal orders, rules and regulations
11 prohibiting, conditioning and controlling the sale, purchase,
12 transportation, labeling, use and application, or any thereof, of
13 pesticides which cause or may tend to cause adverse effects on man
14 or the environment by any person within this State. State rules and
15 regulations with respect to the labeling of any pesticide, the labeling
16 of which is prescribed by Federal law and regulations, shall to the
17 extent practicable conform to the Federal requirements.

18 (2) Notwithstanding the provisions of paragraph (1) of this
19 subsection, or any rules or regulations promulgated pursuant
20 thereto, to the contrary, the sale, purchase, use, and application of
21 chlorpyrifos shall be prohibited.

22 b. In addition to any other training and licensing requirements
23 established by the commissioner pursuant to P.L.1971, c.176
24 (C.13:1F-1 et seq.), a person seeking certification and licensing as a
25 pesticide applicator or a commercial pesticide operator shall be
26 required to complete a continuing education or training course,
27 approved by the department, concerning the impact of pesticides on
28 pollinating bees.

29 For the purposes of this subsection, "pollinating bee" means any
30 bee that causes a plant to make fruits or seeds by transferring pollen
31 from a plant anther to a plant stigma, resulting in fertilization.
32 (cf: P.L.2017, c.296, s.1)

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34 2. This act shall take effect on the first day of the seventh
35 month following the date of enactment.

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STATEMENT

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40 This bill would prohibit the sale, purchase, use, and application
41 of the insecticide chlorpyrifos. This prohibition would take effect
42 on the first day of the seventh month after the bill is enacted into
43 law.

44 Exposure to chlorpyrifos has been linked to many negative
45 health effects in humans, including neurological defects,
46 developmental disorders, and autoimmune disorders. Exposure also

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 poses special risk to pregnant women, even in small doses, as the
2 chemical may retard the mental development of a fetus.
3 In New Jersey, chlorpyrifos is currently regulated as a “restricted
4 use” insecticide, which means that it “can be purchased and/or used
5 only by certified and licensed responsible pesticide applicators or
6 used only by persons working under their direct supervision.”
7 N.J.A.C.7:30-2.10. Despite these restrictions and the negative
8 implications for public health that are associated with chlorpyrifos
9 exposure, the chemical is still widely used. This bill would
10 promote the health and safety of the people of the State by
11 protecting them from this harmful chemical.