

## Pesticide Bills before the ENRA Committee

Below you will find a partial listing of pesticide-related bills which have been referred to the [Joint Committee on Environment, Natural Resources and Agriculture](#) to receive a

**PUBLIC HEARING is on December 14, 2021 at 1PM**

The bills listed below are those which NOFA/Mass has been tracking. Priority bills are indicated. **For a complete listing of all the bills which will be heard on December 14th, visit the [committee hearing page](#).**

For more background, details and ways to take action, please visit our website at <https://www.nofamass.org/articles/2021/06/be-heard-on-pesticides-reform/>

*(click to go to expanded section with bill details and background)*

### [Pesticide Bills before the ENRA Committee](#)

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### [\[PRIORITY\] Protect Schoolchildren from Pesticides](#)

**“An Act Relative to improving pesticide protections for Massachusetts schoolchildren”**

**H.926:** Rep. Carmine Gentile (ENRA Committee member)

**Bill Status (as of Dec. 7, 2021):** Referred to the [Joint Committee on Environment, Natural Resources and Agriculture](#)

Many Massachusetts schools and child care centers permit the use of an arsenal of toxic pesticides on outdoor grounds, including glyphosate and 2,4-D, potentially endangering children’s health.

### [Children are especially vulnerable to toxic pesticides.](#)

- Children absorb more pesticides relative to their body weight than adults.
- Children's organ systems are still developing and are [less able to detoxify harmful chemicals.](#)
- In 2012 the [American Academy of Pediatrics \(AAP\) called for](#) governments to reduce children's exposure to pesticides writing that scientific evidence "demonstrates associations between early life exposure to pesticides and pediatric cancers, decreased cognitive function, and behavioral problems."

Learn more about children and pesticides [HERE](#)

### ***What The Massachusetts Schoolchildren Pesticide Protection Act would do:***

Under this proposed law, only pesticides considered minimum risk by the U.S. EPA and those permitted for organic use will be allowed near schools and child care centers in Massachusetts, except in the case of a health emergency when school officials could apply for a waiver. In 2010 NY passed a similar law as did CT in 2015.

This legislation was previously approved by the Joint Committee on the Environment, Natural Resources and Agriculture during the 2019-20 session. We are now asking them to report this bill out favorably again in 2021 in hopes that it can make it to the floor for a full vote.

*If you are a parent, grandparent, teacher, school committee member, city or town official, or just a concerned citizen -- we need you!*

**ACTION:** Here is an [action page to send a quick message to legislators](#) in support of this bill.

### Background

- Since 2001, schools and day care centers have been required to develop Integrated Pest Management (IPM) plans and submit them to the Massachusetts Department of Agricultural Resources (MDAR).
- Many IPM plans now in effect permit the outdoor use pesticides that are hazardous to children's developing bodies and organ systems.
- Although the law currently forbids cosmetic pesticide use, toxic pesticides such as glyphosate are eligible to be used on outdoor landscapes "to maintain quality appearance" or under the guise of protecting student "safety."

### Bill Summary:

H.926 updates the outdated list of pesticide products eligible for use on the outdoor grounds of schools, child care centers and school age child care programs within the state of Massachusetts (See Chapter 132B, Section 6G of General Laws). This list of eligible products, created in 2001, no longer reflects the

current state of science around the harm pesticides pose to children. The proposed update would allow only pesticides considered minimum risk by EPA, or certified organic. H926 will stop the outdoor use of toxic pesticides like glyphosate and 2,4-D, currently permitted in IPM programs “to maintain quality appearance” or under the guise of student “safety,” and provide uniform understanding for parents and school employees that toxic pesticides will not be used where children are learning.

H.926 does not address the current list of products eligible for use in the indoor school environment (Chapter 132B, Section 6F), which remains mostly in line with scientific data on pesticide hazards.

In the event of a human health emergency, school officials or child care operators may still file for a pesticide waiver under Chapter 132B, Section 6H.

Talking points in support of H.926

### **Improving Protections**

- H.926 brings the list of pesticides eligible for outdoor use around schools in line with the latest science of the dangers pesticides pose to children.
- Eligible products under H.926 would be limited to those that are considered minimum risk by the EPA, or certified organic. These are the least-toxic, yet still effective, pest management products on the market, ensuring that children are not exposed to chronic poisons where they learn.
- Minimum risk pesticides are considered to be of such low toxicity that the products containing them don't have to go through the formal EPA registration process.
- Organic products undergo another level of review as part of the organic certification process by an independent board of experts at the National Organic Standards Board, further considering health and safety.
- This legislation leaves groundskeepers with a wide range of “[tools in the toolbox](#)” to be used as part of an IPM plan.
- Students, parents, and school employees will now have uniform understanding of what pesticides are permitted for use on turf at any particular school in the state. Currently, toxic pesticides may be permitted under one school's IPM plan, but not another's.

### **Why Update the Law? Health Effects of Pesticides to Children**

- In 2012 the [American Academy of Pediatrics \(AAP\)](#) called for governments to reduce children's exposure to pesticides. AAP wrote that scientific evidence “...demonstrates associations between early life exposure to pesticides and pediatric cancers, decreased cognitive function, and behavioral problems.”
- [Children take in more pesticides](#) relative to their body weight than adults and have developing organ systems that are more vulnerable and less able to detoxify harmful chemicals.

- Young infants and toddlers exposed to herbicides within their first year of life are 4.5 times more likely to develop asthma by the age of five and almost 2.5 times more likely when exposed to insecticides, [a 2004 study shows](#).
- Children with elevated levels of commonly used pyrethroid insecticides, often applied to manage ants and other common schoolyard pests, are [more likely to have emotional and behavioral problems](#). Boys with detectable urinary 3-PBA, a biomarker of exposure to pyrethroids, are [three times as likely to have ADHD compared with those without detectable 3-PBA](#).
- Of the [30 most commonly used lawn pesticides](#), 16 are possible and/or known carcinogens, 17 have the potential to disrupt the endocrine (hormonal) system, 21 are linked to reproductive effects and sexual dysfunction, 12 have been linked to birth defects, 14 are neurotoxic, 25 can cause kidney or liver damage, and 26 are sensitizers and/or irritants.

### Tracking State and Local Reform

- In 2007, Connecticut expanded pesticide prohibitions, updating legislation that originally only required school IPM programs be put in place. New requirements limit outdoor pesticide use to products considered minimum risk or designated as biopesticides by EPA on school playing fields and playgrounds up to grades eight. In 2015, the state again amended the law to include protections from pesticides [for all municipal playgrounds in the state](#).
- [In 2010](#), the state of New York passed the Safe Playing Fields Act. This law prohibits the use of all pesticides on school playing fields and playgrounds save for those considered minimum risk by EPA. It provides for an emergency exemption approval process in the event of a public health emergency.
- Over 150 communities throughout the United States have passed policies that restrict the use of toxic pesticides, including 15 within the state of Massachusetts: Andover, Ashland, Chatham, Eastham, Falmouth, Marblehead, Newburyport, Orleans, Reading, Sandwich, Townsend, Warwick, Wellesly, Wellfleet, Westford.

### Related bill: “An Act to restrict the use of pesticides around children”

**S.498: Sen. Bill Brownsberger**

**Bill Status (as of Dec. 7, 2021):** Referred to the [Joint Committee on Environment, Natural Resources and Agriculture](#)

This bill clarifies the definitions of areas where youth are to be protected from pesticides regardless of whether the application-hiring entity is public or private. The bill expands the Children and Families Support Act (which resulted in 333 CMR 14.04) to include playing fields where children play, DCF and DYS facilities, Juvenile Courts and abutters within 150 feet of a school.

## [PRIORITY] Move the Pesticide Board to the Dept. of Environmental Protection

### **“An Act relative to the pesticide board”**

[H.4143](#): Rep. Mindy Domb (ENRA Committee Vice Chair!)

**Bill Status (as of Sept. 30, 2021)**: Referred to the [Joint Committee on Environment, Natural Resources and Agriculture](#)

*Click the bill number above to go to the official legislative website for that bill - where you can view current cosponsors and read the full text of the bill.*

This legislation will cause a systemic improvement in the pesticide regulatory framework of the Commonwealth by shifting the administration of the Pesticide Board and Subcommittee from the Department of Agricultural Resources (MDAR) to the Department of Environmental Protection (DEP).

Giving the Department of Environmental Protection (DEP) authority over the Pesticide Board and Subcommittee will reflect popular support for pesticide regulations which prioritize environmental health. Regrettably, the administration of the Pesticide Board and Subcommittee by the Department of Agricultural Resources to date has not kept pace with scientific revelations of the impact of pesticides on human and environmental health, nor has it reflected popular demand for reduction in use of toxins in our food supply.

Three other northeast states charge their environmental departments with pesticide regulation: Connecticut, New York, and New Jersey. DEP is the state equivalent of US Environmental Protection Agency (EPA), which has responsibility for pesticide registration at the Federal level, so it is logical for DEP to lead here in the Commonwealth, as well.

Further background:

The Federal Government regulates pesticides through the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). FIFRA gives the federal Environmental Protection Agency (EPA) the power to register pesticides and to regulate the use, storage and disposal of containers and manufacturing wastes. FIFRA also allows states to have primary enforcement responsibility.

Massachusetts regulates pesticides under the authority of the Massachusetts Pesticide Control Act (MPCA, Chapter 132B of the Massachusetts General Laws). This law, enacted in 1978, places the power of pesticide regulation with the Massachusetts Department of Agricultural Resources.

## [PRIORITY] Ecological Mosquito Control

### **“An Act Providing for the Public Health by Establishing an Ecologically Based Mosquito Management Program”**

[S.556/H.937](#): Sen. Adam Hinds and Rep. Tami Gouveia

**Bill Status (as of Dec. 7, 2021):** Referred to the [Joint Committee on Environment, Natural Resources and Agriculture](#)

This proposed legislation replaces the Commonwealth's outdated and expensive mosquito management system with one that is more effective, affordable, transparent, ecologically responsible, and scientifically based.

NOFA/Mass supports a scientifically based mosquito-borne disease management program to protect public health while minimizing environmental and public health risks associated with some forms of mosquito control. The existing programs for mosquito control in Massachusetts are antiquated and fragmented, and reform is needed.

Ecological mosquito management prioritizes preventative measures, and includes:

- Monitoring and surveillance
- A strong focus on public education and personal protective measures
- Emphasis on eliminating breeding sites
- Consideration of local ecology
- A tiered approach to management:
- Non-toxic approaches, such as habitat manipulation must be attempted first
- Larvaciding should be conducted based on monitoring for predefined thresholds
- Adulticiding (spraying for adult mosquitoes) should be permitted only during public health emergencies, when there is significant threat of mosquito-borne disease based on predefined thresholds, and all other, less toxic methods have been attempted and found ineffective

In coordination with [numerous advocacy organizations](#), NOFA/Mass is supporting as a priority

**S.556/H.937, filed by Sen. Adam Hinds and Rep. Tami Gouveia, which would:**

- Protect health and the environment by prioritizing public education, mosquito monitoring, and habitat modification, and only using pesticides when scientifically defined levels of disease carrying mosquitoes have been found in the area.
- Increase funding and capacity for mosquito monitoring, surveillance, and public education efforts.
- Provide full transparency and accountability within any mosquito borne disease management program, including publicly available notification around larviciding and adulticiding applications, and honoring local opt out agreements.

See the [coalition fact sheet on this bill, here](#).

Please see our coalition website for extensive resources on ecological mosquito control and more details on this proposed legislation: <https://www.nofamass.org/massquito/>

**[PRIORITY] Protect Raptors from Rat Poison, update Pesticide Reporting**

**“An Act relative to pesticides.”**

**H.3991:** Rep. James Hawkins

**Bill Status (as of Dec. 7, 2021):** Referred to the [Joint Committee on Environment, Natural Resources and Agriculture](#).

A female bald eagle found dead in her nest on the Charles River in March 2021 suffered a fatal hemorrhage after consuming smaller animals who had themselves consumed rat poison, as [confirmed by MassWildlife officials](#). This is the first confirmed case of such poisoning in Massachusetts and evokes a clarion call to reign in pesticides use in our Commonwealth.

According to information presented by [Raptors Are the Solution \(RATS\)](#):

- Of the 161 dead raptors submitted to and tested at Tufts Wildlife Clinic in a study between 2006 and 2010, 86% had poison residues in their liver tissues.
- For an additional 94 Massachusetts raptors necropsied from 2012 through 2017 at Tufts, 96% had detectable poisons
- 9 Snowy Owls died from lethal levels of rodenticides while they were in Massachusetts over the winter of 2017/18 (from Mass Audubon)

The Charles River eagle was the victim of second-generation anticoagulant rodenticide (SGAR) poisoning. As explained by [MassAudubon](#):

“Second-generation anticoagulants don’t kill rodents immediately. While these rodenticides can kill rats with a single dose (which is why many consumers prefer them), poisoned rats can still live for a few days and continue eating poisoned bait. This delay means that rats can ingest enough poison to kill a much larger animal by the time they finally succumb. While any rodenticide can kill a raptor, second-generation anticoagulants are the most dangerous.”

**While personal use of these second-generation anticoagulants (SGARS) is already banned in MA, licensed pest companies can still use it when hired to deal with rodent problems.**

Proposed legislation, HD.4206, “An Act relative to pesticides,” would do more than protect raptors like bald eagles. It could go a long way to reducing pesticides use across the Commonwealth.

The bill promotes Integrated Pest Management, an “ecosystem-based strategy” which focuses on long-term prevention of pests through such techniques as biological control, habitat manipulation and modification of cultural practices. (To be clear, IPM may still include toxic pesticides as a “last resort...”)

**Regarding pesticide reporting**, the [Dept. of Ag. Resources \(MDAR\)](#) does already require that “Licensed and certified pesticide applicators... submit annual reports detailing the quantities of all pesticides used.” Existing law (Ch. 132 Sec. 7A) directs MDAR to collect the data at least once a year “... in a manner that will allow such data to be used for public health purposes, including, but not limited to, epidemiological studies, and for environmental protection purposes.” However, the current analog reporting system relies on handwritten forms, making the information almost unusable for the stated goals. A provision in the proposed law would update the reporting system to allow for effective data

utilization, with a goal of establishing at least a baseline of the volume/locations of pesticides being used in the Commonwealth. That data could then also be used to inform future policy initiatives.

**This bill would:**

- require the use of integrated pest management plans on public lands and publicly-owned property;
- require MDAR (Dept. of Agricultural Resources) to use an online database for pesticide use reporting records;
- require pest control companies to discuss IPM with consumers when they are providing services;
- require MDAR to create some educational programs regarding IPM.

*This legislation is cosponsored by Animal Legal Defense Fund, The Humane Society of the United States – Massachusetts, Mass Audubon, MSPCA, New England Wildlife Center, NOFA/Mass and Raptors Are The Solution (RATS) and endorsed by The Center for Biological Diversity, MASSPIRG and the Massachusetts Sierra Club.*

Related bill: **Establish a commission to study the effects of rat poison on wildlife ([H.922](#), Rep. Garballey)**

**ACTION:** Please use [this form](#) to contact your legislators today to ask them to cosponsor HD.4206, “An Act relative to pesticides.”

## [PRIORITY] Return Local Control over pesticides

**“An Act empowering towns and cities to protect residents and the environment from harmful pesticides”**

[S.2551](#): Sen. Susan Moran

[H.910](#): Rep. Dylan Fernandes

**Bill Status (as of Dec. 7, 2021):** Referred to the [Joint Committee on Environment, Natural Resources and Agriculture](#)

This bill would return power to communities to protect their families, food and water from harmful pesticide exposure. With the approval of a municipality's Board of Health, a city or town government would be able to “restrict or prohibit the use and application or disposal of pesticides within the city or town that are more stringent than the standards and restrictions [adopted by the state].”

[Fact sheet on state preemption of pesticides regulation, from Beyond Pesticides.](#)

**Background:**

Under the 1978 Mass. Pesticide Control Act, local town/city governments don't have the legal right to restrict pesticide use on private property.

*For more on the history of State Preemption in the context of pesticides, please refer to this report from Beyond Pesticides: [State Preemption Law - The battle for local control of democracy](#)*

[Excerpt from above] While local governments once had the ability to restrict the use of pesticides on all land within their jurisdictions, pressure from the chemical industry led many states to pass legislation that prohibits municipalities from adopting local pesticide ordinances affecting the use of pesticides on private property that are more restrictive than state policy.

[Excerpt from above, continues] State preemption laws effectively deny local residents and decision makers their democratic right to better protection when a community decides that minimum standards set by state and federal law are insufficient. Given this restriction, local jurisdictions nationwide have passed ordinances that restrict pesticide use on the towns public property, or school districts have limited pesticides on its land.

The following Massachusetts communities have passed local ordinances restricting the use of pesticides on municipal property (according to our records, as of May 2021): Andover, Ashland, Attleboro, Chatham, Eastham, Falmouth, Marblehead, Newburyport, Northampton, Orleans, Reading, Sandwich, South Hadley, Springfield, Swampscott, Townsend, Warwick, Wellesly, Wellfleet, Westford.

While residents across the Commonwealth are organizing to reduce or eliminate pesticides and promote organic landcare practices, local democracy is stymied by this outdated law. With the challenges facing aggressive action on pesticides at the state and federal level, the Mass.state legislature should, at the very least, restore the rights of local governments to restrict pesticide use and enable them to protect their residents and ecosystems from toxic pesticides by passing H.910 this legislative session.

More talking points about local control over pesticides

Article: [State Court Upholds the Right of Local Governments in Maryland to Restrict Pesticides on All Lawns in Their Jurisdiction, May 2019 \(Beyond Pesticides\)](#)

Preemption denies citizens the right to protect their health and the environment.

Many towns have site-specific needs to further restrict pesticide use on private land, for example to protect local drinking water resources, children, chemically sensitive adults, natural resources, pollinators, hunting and fishing resources, commercial fishery and shellfish resources such as rivers, lakes, ponds, estuaries, bays and harbors, and environmental justice communities already burdened by other pollutants.

Allowing local restrictions that are more stringent than state law would allow towns choice in implementing locally enforceable regulations to protect their own water, land, air, people, animals and environmental resources in a more cost efficient manner than currently exists at the state level. The

same way local police enforce local bylaws. This would enable more widespread implementation of organic integrated pest management and facilitate significant pesticide use reduction to improve the health of the citizenry and environment in Massachusetts.

The democratic process is foundational to the culture of the country. Preemption in state law betrays that process.

State pesticide regulators rely too heavily on the federal regulatory process. It is evident from recent news that the EPA is not doing its job to protect public health or the environment. Communities must have the right to protect their citizens and ecosystems.

Permitting local action on pesticides is no different than permitting action on zoning, building codes, second hand smoke, coal tar sealants, plastic bag bans, etc.

Speed limits change based on whether you're in a neighborhood or on a highway, and communities should have the right to decide whether pesticide laws should change based on whether you're applying to a wetland/pollinator habitat/playground or other sensitive site.

There is no evidence that the prospect of local democratic decision making is a threat to agriculture or other business interests in local communities. In fact, those closely aligned with these interests are well-represented in local decision making bodies.

The pesticide industry recently tried to impose federal pesticide preemption with a proposed amendment to the 2018 Farm Bill and was rebuffed by an outpouring of support for local rights.

Numerous studies by the U.S. Government Accountability Office and scientific studies indicate that federal and state governments alone are not adequately protective of health and the environment.

Some communities want to take a more precautionary approach to pesticides than the state or federal government based on emerging evidence of harm.

Communities need the authority to take legislative action in response to specific local problems.

## Ban Consumer Use of Glyphosate (“gly-fo-sate”)

**“An Act Governing the use of pesticides containing the herbicide substance Glyphosate in the commonwealth”**

**S.575, H.929:** Sen. Jason Lewis and Rep. Carmine Gentile (ENRA Committee member)

**Bill Status (as of Dec. 7, 2021):** Referred to the [Joint Committee on Environment, Natural Resources and Agriculture](#)

This "probable human carcinogen" (as determined by the World Health Organization), is the world's most commonly used herbicide. Recent studies have found glyphosate residues in lakes, rivers, rainwater, soil and in human urine.

As the latest scientifically-validated proverbial nail in the coffin (hopefully) for glyphosate, a draft biological evaluation released on Nov. 25th, 2020, by the US Environmental Protection Agency (really!) concludes that glyphosate is [likely to adversely affect 93% of threatened and endangered species](#).

Fortunately, proposed state legislation which would ban consumer use of glyphosate was approved by the Joint Committee on the Environment, Natural Resources and Agriculture during the 2019-20 session. We are now asking them to report this bill out favorably again in 2021 in hopes that it can make it to the floor for a full vote.

### ***What would this bill do?***

This bill, quite simply, would restrict the purchase and use of glyphosate-containing herbicides to licensed pesticide applicators and remove such products from retail stores.

Find our [resource page on the human health risks associated with glyphosate](#).

**[ACTION: Here is an action page to send a quick message to legislators in support of this and other glyphosate related bills](#)**

## Restrict glyphosate on public lands

**“An Act relative to the use of glyphosate on public lands”**

**[S.574: Senator Jason Lewis](#)**

**Bill Status (as of Dec. 7, 2021):** Referred to the [Joint Committee on Environment, Natural Resources and Agriculture](#)

*Click the bill number above to go to the official legislative website for that bill - where you can view current cosponsors and read the full text of the bill.*

### **Background:**

This "probable human carcinogen" (as determined by the World Health Organization), is the world's most commonly used herbicide. Recent studies have found glyphosate residues in lakes, rivers, rainwater, soil and in human urine. Humans and animals have adverse reactions to glyphosate when coming in contact with it (as mentioned by the National pesticide Information Center). Glyphosate herbicide is harmful to the environment because it binds closely with soil, which means it can last in the soil for many months and is harmful to fish and other wildlife because it kills plants and alters habitats (National Pesticide Information Center).

Glyphosate fact sheet from the National Pesticide Information Center:

<http://npic.orst.edu/factsheets/glyphogen.html>

**Purpose of the bill:** This bill would end the application of glyphosate on any public lands owned or maintained by the Commonwealth without a special permit (and only when the a situation “poses an immediate threat to human health and the environment” and “there is no viable alternative to the use of the proposed glyphosate herbicide.” It would also outlaw the use of “any pesticide in a manner inconsistent with its label.”

**Summary of the bill:** This bill, quite simply, would restrict the purchase and use of glyphosate-containing herbicides to licensed pesticide applicators and remove such products from retail stores.

““Glyphosate” or “glyphosate herbicides” includes all herbicides that contain glyphosate as one of the active ingredients and tank mixes of herbicides containing glyphosate as one of the active ingredients.” For the purpose of this bill, “public lands” includes “state parks, playgrounds, school buildings, highway medians owned and maintained by the Commonwealth, and buildings owned and operated by the State” (as mentioned in [S.574](#)).

Sources: <https://malegislature.gov/Bills/192/S574/BillHistory>

## Protection Against Chemical Trespass

**“An Act providing for protections from chemical protections from pesticide chemical trespass in the Commonwealth”**

[S.555](#), [H.1001](#): **Senator Adam Hinds, Rep. Lindsay Sabadosa**

**Bill Status (as of Dec. 7, 2021):** Referred to the [Joint Committee on Environment, Natural Resources and Agriculture](#)

**Purpose of the bill:** To protect Massachusetts residents from harmful pesticide drift from agricultural pesticide use.

### **Summary of the bill:**

1. Prohibits applying pesticides for agricultural use within buffer zones around designated protected areas.
2. Establishes “protected areas,” including:
  - Residential, commercial, and municipal buildings;
  - Hospitals, nursing homes, assisted living facilities, and other medical facilities;
  - Schools and child care centers;
  - Any other building where people live or gather;
  - Developed recreation areas, such as parks and playgrounds; and
  - Other areas designated by the Department of Agricultural Resources (MDAR).
3. Establishes “buffer zones” where agricultural pesticide application is not allowed, including:
  - 1 mile around protected areas;
  - 250 feet around surface waters, except irrigation ditches and farm ponds; and
  - Additional buffer zones established by MDAR.
4. Requires posted notice when pesticides are applied next to a buffer zone.

5. Directs MDAR to create a process for residents to file complaints about violations of the buffer zone protections or other pesticide laws. Requires MDAR to keep a public docket of complaints received, investigations performed, and enforcement actions taken.
6. Establishes penalties for applying pesticides in buffer zones, including suspension of pesticide applicator licenses and certifications.
7. Empowers municipalities to designate additional protected areas and expand buffer zones to further protect the health and safety of residents, within certain limits.

## Ban neonicotinoids

**“An Act protecting pollinators by eliminating harmful products”**

**[S.528](#): Sen. Jamie Eldridge**

**Bill Status (as of Dec. 7, 2021)**: Referred to the [Joint Committee on Environment, Natural Resources and Agriculture](#)

**Background:** A [2019 Scientific Literature Review](#) performed by the Mass. Dept. of Agricultural Resources found that the broad majority of impact-based studies reviewed (42 of 43) cited neonicotinoid insecticides (“neonics”) as a contributor to pollinator declines. In response, the department subsequently [decided to end consumer use](#) of neonic products. However, the agricultural sectors use significantly higher volumes of these pollinator-killing pesticides. A [recent study](#) found that U.S. Agriculture is 48 times more toxic to insect life than it was in the early 1990s; neonicotinoids account for more than 90% of that increase.

**What this bill would do:** This bill would protect pollinators by making it illegal for any neonic product to be “sprayed, released, deposited or applied on any property within the commonwealth.” However, the bill does exempt neonic-treated nursery plants from the prohibition. Any blooming or flowering plant, plant material or seed that has been treated with a neonicotinoids would have to be “clearly and conspicuously labeled as having been treated with a neonicotinoid” and include “a brief description of the risks to pollinators and other non-target organisms associated with the use of neonicotinoids.”

More talking points on Neonics:

[What the Science Shows \(summaries by Beyond Pesticides\)](#)

[National Geographic: “Insect Apocalypse in U.S. Driven by 50X Increase in Toxic Pesticides”](#)

[“Sowing Seeds of Doubt: Addressing Industry Myths on Pollinator Decline” \(Beyond Pesticides\)](#)

[“How Neonicotinoids Can Kill Bees” \(Xerces Society report\)](#)

Guardian article: [Is America's most common pesticide responsible for killing our bees?](#)

## Ban chlorpyrifos

**“An Act relative to banning Chlorpyrifos in the Commonwealth”**

**[S.522](#), [H.936](#): Rep. Kenneth Gordon (senate bill filed “by request”)**

**Bill Status (as of Dec. 7, 2021):** Referred to the [Joint Committee on Environment, Natural Resources and Agriculture](#)

**Background:** For half a century, staple food crops in the United States — such as corn, wheat, apples and citrus — have been sprayed with chlorpyrifos, an organophosphate pesticide that can [permanently damage the developing brains of children](#), causing reduced IQ, loss of working memory, and attention deficit disorders. The U.S. Environmental Protection Agency’s own scientific analysis ([2016](#)) showed that the amount of chlorpyrifos ingested by young children through sprayed fruits and vegetables could exceed safety levels by 140 times.

Chlorpyrifos is a product that contains the broad-spectrum chlorinated organophosphate pesticide that also goes by the name of O,O-diethyl O-(3,5,6-trichloro-2-pyridyl) phosphorothioate.

**What this bill would do:** This bill would prohibit the use of “chlorpyrifos or any products containing chlorpyrifos for use on agricultural land or crops within the Commonwealth of Massachusetts without (i) license issued by the State or any agency of the federal government to conduct chlorpyrifos research; or (ii) a permit issued by the State to apply chlorpyrifos because there is no viable alternative to the use.”

It would also establish a “task force to study the impact of using chlorpyrifos in non-agricultural settings in Massachusetts.” The task force would study non-agricultural uses of chlorpyrifos including, but not limited to, its use on golf courses, turf, green houses, and non-structural wood treatments, mosquito abatement, and its use as a mosquito adulticide and in roach and ant bait stations in child resistant packaging. The task force would consider methods of pest control for such uses and make policy recommendations based on the findings.

[EPA to Ban Chlorpyrifos, Finally, August 18, 2021, Earthjustice](#)

[More on chlorpyrifos, from EarthJustice](#)

## Provide for Mosquito Spray Opt-out

“An Act relative to pesticide applications”

**S.618: Sen. Bruce Tarr**

**Bill Status (as of Dec. 7, 2021):** Referred to the [Joint Committee on Environment, Natural Resources and Agriculture](#)

**Background:** The current process for individuals to “opt out” of mosquito spraying is cumbersome and confusing. Private residents who wish to avoid being sprayed must submit an opt out request annually and to post signs saying “no spray” along their property border.

**What this bill would do:** This bill seeks to create simple, alternative exclusion processes for residents from wide area pesticide applications by the state (such as by the Mosquito Control Board). Alternatives might include allowing residents to opt-out through their annual town or city census form.

**Read more about mosquito spraying, opting out, and the need for reform, [here](#).**  
[How to Request an Exclusion or Opt out from Wide Area Pesticide Applications](#)

## Protect groundwater from pesticides

“An Act relative to the pesticide board”

**S.510: Sen. Julian Cyr**

**Bill Status (as of Dec. 7, 2021):** Referred to the [Joint Committee on Environment, Natural Resources and Agriculture](#)

**Background:** The widespread application of pesticides to farmland, non-crop land, residential and urban areas in the United States results in the United States being the largest producer of food in the world, but has resulted in concerns over their potential negative impact on the environment and public health.

The use of pesticides for agriculture, lawns, golf courses and other natural areas is problematic because pesticides can travel to areas other than the places where they are originally applied, such as infiltrating into our groundwater, and cause contamination of our groundwater supply. Groundwater is a major source of clean drinking water for about 50 percent of the Nation’s population (USGS), which makes this source of water increasingly important to protect from contamination from pesticides.

**What this bill would do:** This bill would require the commissioner of food and agriculture to “consult and concur with the commissioner of environmental protection and commissioner of public health when rendering a decision... relative to the protection of groundwater sources of drinking water from pesticide contamination.”

[Read about Pesticides in groundwater, from the USGS](#)

## Restrict pesticides use on golf courses

**“An Act relative to the prohibition of chemical pesticides on golf courses”**

**H.975:** (filed by request)

**Bill Status (as of Dec. 7, 2021):** Referred to the [Joint Committee on Environment, Natural Resources and Agriculture](#)

**Background:** A survey (“[Toxic Fairways](#)”, 1995) calculated that golf courses applied about 50,000 pounds of pesticides in one year, which can be anywhere from four to seven times more than the average amount utilized in agriculture on a pound/acre basis. Golf course superintendents are subject to higher mortality rates from specific cancers. Concerns about pesticide drift affecting nearby residents, particularly children whose developing brains and bodies are extremely susceptible to chemical toxicity, has inspired environmental and health advocacy groups to push for limited pesticide use on courses.

**Summary of the bill:** This bill specifies the prohibition of the use of pesticides on golf courses in order to prevent additional risks to public health in a time of pandemic as well as curb the environmental impacts of chemical use on large swathes of land.

Pesticide use on golf courses would be prohibited unless the department is able to waive a golf course that has been technically evaluated to prove that the use of pesticides on their land has no environmental impact and no risks to public health.

Report: [Toxic Fairways: Risking Groundwater Contamination From Pesticides on Long Island Golf Courses](#)

Beyond Pesticides resource on [Golf, Pesticides, and Organic Practices](#)

Golf course pesticide pollution in Massachusetts:

<https://storymaps.arcgis.com/stories/83ca0d508eea4e5fa967b7ad5c2347e7>