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Bills A1051 and S1145 Prohibits the Use of Pesticides at Children's Overnight or Summer Day Camps

A1051 Paulin Same as S1145 CARLUCCI

Public Health Law

TITLE....Prohibits the use of pesticides at children's overnight or summer day camps

S1145 01/14/19 referred to health

A1051 01/29/19 reported referred to codes

STATE OF NEW YORK

A1051

2019-2020 Regular Sessions

IN ASSEMBLY

January 14, 2019

Introduced by M. of A. PAULIN, GALEF, ENGLEBRIGHT, QUART, ZEBROWSKI, COOK, ABINANTI, L. ROSENTHAL, COLTON, WEPRIN, OTIS, DINOWITZ, THIELE, SIMON, GOTTFRIED, LUPARDO, PERRY -- read once and referred to the Committee on Health

AN ACT to amend the public health law and the environmental conservation law, in relation to prohibiting the use of pesticides at children's overnight or summer day camp

THE PEOPLE OF THE STATE OF NEW YORK,
REPRESENTED IN SENATE AND ASSEMBLY, DO
ENACT AS FOLLOWS:

Section 1. Section 1396 of the public health law is renumbered section 1397 and a new section 1396 is added to read as follows:

§ 1396. PESTICIDE ALTERNATIVES. 1. FOR PURPOSES OF THIS SECTION "PESTICIDE" SHALL HAVE THE SAME MEANING AS SET FORTH IN SUBDIVISION THIRTY-FIVE OF SECTION 33-0101 OF THE ENVIRONMENTAL CONSERVATION LAW, PROVIDED HOWEVER THAT IT SHALL NOT INCLUDE:

(A) THE APPLICATION OF ANTI-MICROBIAL PESTICIDES AND ANTI-MICROBIAL PRODUCTS AS DEFINED BY FIFRA IN 7 U.S.C. SECTION 136 (MM) AND 136 Q (H) (2);

(B) THE USE OF AN AEROSOL PRODUCT WITH A DIRECTED SPRAY, IN CONTAINERS OF EIGHTEEN FLUID OUNCES OR LESS, WHEN USED TO PROTECT INDIVIDUALS FROM AN IMMINENT THREAT FROM STINGING AND BITING INSECTS, INCLUDING

VENOMOUS SPIDERS, BEES, WASPS AND HORNETS;
(C) THE USE OF NON-VOLATILE INSECT OR RODENT
BAIT IN A TAMPER RESIST- ANT CONTAINER;
(D) THE APPLICATION OF A PESTICIDE CLASSIFIED
BY THE UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY AS AN EXEMPT MATERIAL
UNDER 40 CFR PART 152.25;
(E) THE USE OF BORIC ACID AND DISODIUM
OCTABORATE TETRAHYDRATE; OR
(F) THE USE OF HORTICULTURAL SOAP AND OILS
THAT DO NOT CONTAIN SYNTHETIC PESTICIDES OR
SYNERGISTS.

EXPLANATION--Matter in ITALICS (underscored) is new;
matter in brackets [] is old law to be omitted.

LBD00602-01-9

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