

JAN 19 2007

A BILL FOR AN ACT

RELATING TO PESTICIDES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 149A-2, Hawaii Revised Statutes, is
2 amended by adding a new definition to be appropriately inserted
3 and to read as follows:

4 ""Structural pest control applicator" means a commercial
5 pesticide applicator that possesses a valid license for pest
6 control under chapter 460J."

7 SECTION 2. Section 149A-11, Hawaii Revised Statutes, is
8 amended by amending subsection (b) to read as follows:

9 "(b) It shall be unlawful to:

10 (1) Detach, alter, deface, or destroy, in whole or in
11 part, any label or alter any labeling of a pesticide
12 unless it is approved by the department to correct an
13 improper label or labeling under section 24(c),
14 FIFRA[+];

15 (2) Add any substance to, or take any substance from, a
16 pesticide in a manner that may defeat the purpose of
17 this chapter[+];



- 1 (3) Use for a person's own advantage or to reveal any
2 information relative to formulas of products acquired
3 in the administration of this chapter, to persons
4 other than to the chairperson or proper officials or
5 employees of the State or the federal government; to
6 the courts of this State or the federal government in
7 response to a subpoena; to physicians; or, in
8 emergencies, to pharmacists and other qualified
9 persons for use in the preparation of antidotes[+];
10 (4) For any pesticide dealer, wholesaler, or retailer to
11 expose or to offer for sale or to solicit or receive
12 orders for the sale of restricted use pesticides
13 unless the dealer, wholesaler, or retailer has applied
14 for and has obtained a license from the department[+];
15 (5) For any pesticide dealer, wholesaler, or retailer to
16 expose or to offer for sale or to solicit or receive
17 orders for the sale of restricted use pesticides to
18 any person other than a certified pesticide
19 applicator[+];
20 (6) For any pesticide dealer, wholesaler, or retailer to
21 make any verbal or written claim or representation



1 relating to any pesticide product that is inconsistent
 2 with the specific pesticide product label[-]; or
 3 (7) Expose to or offer for sale or to solicit or receive
 4 orders for the sale of restricted use pesticides by a
 5 pesticide dealer to a structural pesticide applicator
 6 unless the applicator is directly employed or
 7 supervised by a person licensed under chapter 460J and
 8 whose license is valid within one hundred and twenty
 9 days of the purchase date."

10 SECTION 3. This Act does not affect rights and duties that
 11 matured, penalties that were incurred, and proceedings that were
 12 begun, before its effective date.

13 SECTION 4. Statutory material to be repealed is bracketed
 14 and stricken. New statutory material is underscored.

15 SECTION 5. This Act shall take effect upon its approval.

16 INTRODUCED BY: Russell Kohlb B/R



Report Title:

Pesticides

Description:

Prohibits sales of restricted use pesticides to a structural pesticides applicator unless the applicator is employed by a licensed pest control operator.

