

JAN 18 2013

A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 **"CHAPTER**

5 **SAFE PESTICIDES USE ACT**

6 § -1 **Definitions.** As used in this chapter:

7 "Agriculture" means the production of crops for commercial
8 use or sale.

9 "Cosmetic" means non-commercial use intended to improve or
10 maintain an aesthetic quality.

11 "Defoliant" means any substance or mixture of substances
12 intended for causing the leaves or foliage to drop from a plant,
13 causing or without causing abscission.

14 "Department" means the department of agriculture.

15 "Desiccant" means any substance or mixture of substances
16 intended for artificially accelerating the drying of plant
17 tissues.



1 "Glyphosate" means a synthetic compound that is a non-
2 selective systemic herbicide, also known as *N*-(phosphonomethyl)
3 glycine with a chemical formula of C₃H₈NO₅P.

4 "Pest" means any insect; rodent; nematode; fungus; weed; or
5 any other form of terrestrial or aquatic plant or animal life or
6 virus, bacterium, or any other microorganism, except viruses,
7 bacterium, or any other microorganisms on or in living humans or
8 other living animals, that the administrator of the United
9 States Environmental Protection Agency determines to be a pest
10 pursuant to the Federal Insecticide, Fungicide, and Rodenticide
11 Act, as amended.

12 "Pesticide" means:

13 (1) Any substance or mixture of substances intended for
14 preventing, destroying, repelling, or mitigating any
15 pest; and

16 (2) Any substance or mixture of substances intended for
17 use as a plant regulator, defoliant, or desiccant.

18 "Weed" means any plant that grows where not wanted.

19 § -2 **Glyphosate; cosmetic use.** No product containing
20 any amount of glyphosate shall be sold, distributed,
21 transferred, or used in the State for any cosmetic use,



1 including but not limited to use as a pesticide, weed control
2 agent, desiccant, defoliant, or pest control agent.

3 § -3 **Exceptions.** This chapter shall not apply to:

4 (1) Uses related to agriculture; and

5 (2) Uses related to the preservation and promotion of
6 public health and safety.

7 § -4 **Rules.** The department of health shall adopt rules
8 in accordance with chapter 91 for the purposes of implementing
9 this chapter."

10 SECTION 2. This Act shall take effect upon its approval.

11

INTRODUCED BY: John M. Lee

Proctor

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Report Title:

Health; Safe Pesticides Use Act; Cosmetic Use; Glyphosate

Description:

Prohibits the sale, distribution, transfer, and use of pesticides containing glyphosate for cosmetic application. Exempts agricultural uses of glyphosate and uses related to the preservation and promotion of public health and safety.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

