

# STATE OF NEW YORK

5656

2019-2020 Regular Sessions

## IN ASSEMBLY

February 14, 2019

Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to establishing commercial sod products pesticide information requirements

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The agriculture and markets law is amended by adding a new  
2 article 11-B to read as follows:

### ARTICLE 11-B

#### COMMERCIAL SOD PRODUCTS PESTICIDE INFORMATION REQUIREMENTS

##### Section 151-p. Definitions.

###### 151-q. Purpose.

###### 151-r. Commercial sod products pesticide information requirements.

###### 151-s. Penalties.

10 § 151-p. Definitions. For purposes of this article, the following  
11 definitions shall apply:

12 1. "Commercial sod products" shall mean surface earth containing grass  
13 and its matted roots, otherwise called turf, which is offered for whole-  
14 sale or retail sale.

15 2. "Pesticides" shall have the same meaning as is ascribed to such  
16 term by subdivision thirty-five of section 33-0101 of the environmental  
17 conservation law.

18 § 151-q. Purpose. The purpose of this article is to ensure that  
19 purchasers of commercial sod products receive information regarding  
20 pesticides which have been applied to such products.

21 § 151-r. Commercial sod products pesticide information requirements.  
22 1. Every person who grows commercial sod products shall be required to  
23 provide information on all pesticides which were applied to the soil in  
24 which commercial sod products were grown or which were applied to the  
25 commercial sod products directly, to all purchasers of such products.

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

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1     2. Every person who sells commercial sod products or who installs  
2 commercial sod products shall be required to provide information on all  
3 pesticides which were applied to the soil in which commercial sod  
4 products were grown or which were applied to the commercial sod products  
5 directly, as provided by the grower on a form approved by the department  
6 which is consistent with the pesticide use requirements of the depart-  
7 ment of environmental conservation, to all purchasers of such products  
8 or services.

9     3. The information required to be provided pursuant to this section  
10 shall include the following:

11     a. the pesticide product name and the chemical name of each pesticide  
12 product applied;

13     b. the toxicity category of each pesticide product applied; and

14     c. any label warnings relating to contact by humans and animals, and  
15 any list of relevant environmental hazard warnings for each pesticide.

16     § 151-s. Penalties. Any person who fails to provide the information  
17 required in this article shall be subject to the penalties contained in  
18 section thirty-nine of this chapter.

19     § 2. This act shall take effect on the ninetieth day after it shall  
20 have become a law.