STATE OF NEW YORK

10795

IN ASSEMBLY

April 1, 2026

Introduced by M. of A. BURDICK -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to enacting the restriction of anticoagulant pesticide transactions for online and retail stores act

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

Section 1. Short title. This act shall be known and may be cited as the "restriction of anticoagulant pesticide transactions for online and retail stores act" or "RAPTORS act".

§ 2. Legislative intent. The legislature hereby finds and declares that it is the policy of this state to ensure that aquatic, terrestrial, and avian wildlife species remain a fully functional component of the ecosystems they inhabit and move through in New York. It is the intent of this act to facilitate this goal by prohibiting the general public from purchasing and utilizing the world's deadliest rodenticides, which, when misapplied or improperly used, can cause significant unintended harm to non-target wildlife and the ecosystem.

This legislation also comes in the wake of Flaco's passing. Flaco, the Eurasian eagle-owl whose escape from the Central Park Zoo and life on the loose captivated New York, had been exposed at the time of his death to four of the seven pesticides this bill restricts. The legislature takes this action to protect all non-target species, not only raptors such as eagles, hawks, and owls, but also the thousands of children and pets exposed to anticoagulants that poison control centers receive calls for each year.

§ 3. Section 33-1301 of the environmental conservation law is amended by adding a new subdivision 14 to read as follows:

14. a. Except as provided in paragraph b of this subdivision, no person, business, or entity shall sell, offer for sale, distribute, or use any pesticide containing first-generation anticoagulant rodenticides (FGARs) or second-generation anticoagulant rodenticides (SGARs) within the state. This prohibition applies to all forms of sale, including but

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

LBD11733-06-6

not limited to retail establishments, agricultural suppliers, and online or digital marketplaces serving customers located in the state.

b. (1) The prohibitions set forth in paragraph a of this subdivision shall not apply where a public safety risk, a risk to critical infrastructure, or specific agricultural circumstances exist, as described in paragraph c of this subdivision.

(2) The commissioner, in consultation with the commissioner of health and the commissioner of agriculture and markets, shall promulgate regulations to govern the exceptions pursuant to this paragraph and paragraph c of this subdivision. Such regulations shall require that alternative pest control methods are exhausted prior to the use of FGARs or SGARs and shall prohibit any application within five hundred feet of a designated wildlife habitat area.

c. The prohibitions in paragraph a of this subdivision shall not apply to the use of FGARs or SGARs for an agricultural activity, defined in section three hundred one of the agriculture and markets law, when conducted in any of the following locations:

(1) Warehouses used for the storage of foods intended for human or animal consumption;

(2) Agricultural food, beverage and condiment processing and production sites;

(3) Agricultural production sites housing water storage and conveyance facilities; or

(4) Agricultural production sites housing rights-of-way and other transportation infrastructure.

d. For the purposes of this subdivision the following terms shall have the following meanings:

(1) "First-generation anticoagulant rodenticide" or "FGAR" means any pesticide product containing any of the following active ingredients:

(i) Diphacinone.

(ii) Warfarin.

(iii) Chlorophacinone.

(2) "Second-generation anticoagulant rodenticide" or "SGAR" means any pesticide product containing any of the following active ingredients:

(i) Brodifacoum.

(ii) Bromadiolone.

(iii) Difenacoum.

(iv) Difethialone.

(3) "Wildlife habitat area" means any park, conservation area, wetland buffer zone, nature preserve, or wildlife refuge.

(4) "Alternative pest control methods" means non-chemical control measures, including but not limited to habitat modification, exclusion, and sanitation, as well as physical control measures such as snap traps, zap traps, live traps, repellants, owl boxes, and rodent birth control.

§ 4. This act shall take effect 1 year after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.