

STATE OF NEW YORK

7532--A

2025-2026 Regular Sessions

IN SENATE

April 22, 2025

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- recommitted to the Committee on Environmental Conservation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

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

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

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

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

3 14. a. For any person within the state to sell, offer for sale or use,
4 distribute, use, or deploy any pesticide or rodenticide containing a
5 restricted SGAR or FGAR, in any concentration, unless such a purchaser
6 or user has a valid purchase permit or certification identification card
7 pursuant to section 33-0903 of this article or the user is a commercial
8 pesticide technician or commercial pesticide apprentice.

9 b. For any person, including but not limited to, certified pesticide
10 applicators, commercial pesticide technicians, or commercial pesticide
11 apprentices, and government officials, to use a pesticide containing any
12 restricted SGAR or FGAR in, or within five hundred feet of, a wildlife
13 habitat area. The commissioner, in consultation with the commissioner of
14 agriculture and markets, may promulgate rules and regulations to permit
15 the use of pesticides containing SGARs or FGARs by pesticide applicators
16 certified pursuant to section 33-0905 of this article, and commercial
17 pesticide technicians, or commercial pesticide apprentices acting under
18 the instructions and control of a pesticide applicator certified pursu-
19 ant to section 33-0905 of this article, who is available if and when
20 needed, even though such certified pesticide applicator is not phys-
21 ically present at the time and place the pesticide is applied, where
22 such use is not reasonably expected to result in significant adverse
23 effects to non-target wildlife.

24 c. For the purposes of this subdivision the following terms shall have
25 the following meanings:

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

28 (i) Diphacinone.

29 (ii) Warfarin.

30 (iii) Chlorophacinone.

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

33 (i) Brodifacoum.

34 (ii) Bromadiolone.

35 (iii) Difenacoum.

36 (iv) Difethialone.

37 (3) "Wildlife habitat area" means any park, wetland, wetland buffer,
38 nature reserve or preserve, or wildlife refuge managed by a state agen-
39 cy, regional government, or quasi-government agency, or by a special
40 district.

41 (4) "Significant adverse effect" means a direct or indirect activity
42 that negatively affects the health or viability of a wildlife population
43 or that damages or threatens wildlife habitats.

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