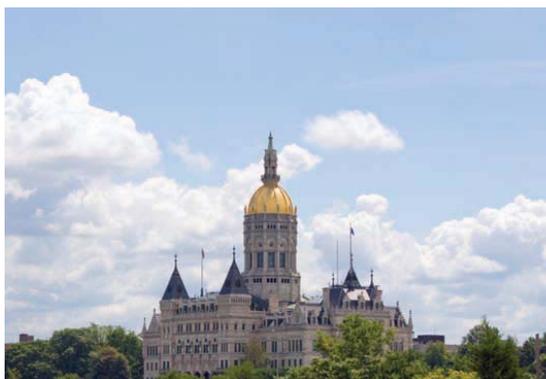


The following organizations are interested in the lawn-care pesticide preemption issue:

ARTFARM's Circus for a Fragile Planet
Audubon Connecticut
Citizens Campaign for the Environment
The Connecticut Fund For The Environment/
Save the Sound
Connecticut Coalition for Environmental Justice
Clean Up Stonington Harbor
Ecological Health Organization, Inc.
Environment and Human Health, Inc.
Farmington Land Trust
Farmington River Watershed Association
Friends of Greenwich Harbor
Green Village Initiative
Menunkatuck Audubon Society
Middlesex Land Trust
Middletown Garden Club (Zone II,
The Garden Club of America)
Milford Environmental Concerns Coalition
New Haven Urban Design League
Northeast Organic Farming
Association of Connecticut
Northwest Conservation District
Quinnipiac River Watershed Association
Rivers Alliance of Connecticut
Sierra Club - Connecticut Chapter
Sustainable Southington
Sustainable Stamford
Sustainable West Hartford
Toxics Action Center
Trout Unlimited
Watershed Partnership



Lawn-Care Pesticide Preemption Statute Enacted in 1983 in Connecticut

Under Sec. 22a-54 of Connecticut's State Statutes, the commissioner shall have exclusive authority in the regulation of pesticide spraying, including, but not limited to, practices and procedures prior to and during any spraying, except as provided in section 22a-66z. The commissioner may by regulations adopted in accordance with the provisions of chapter 54 establish procedures for municipalities to designate watercourses or other sources of water which applicators may draw upon for pesticide spraying.



*This educational brochure was
designed and paid for by EHHI.*

Safe lawns for healthy communities

What the lawn-care preemption law means for cities and towns



For more information, see www.ehhi.org.



Safe lawns for healthy communities



Why can't municipalities currently choose their own preferred method of lawn care for their towns or cities?

Connecticut, along with 41 other states, has enacted pesticide "preemption laws" that include lawn-care pesticides.



What are lawn-care preemption laws and why do we need to know about them?

We need to be aware of these laws so that towns and municipalities can function within the law as it pertains to lawn-care pesticide uses. Lawn-care preemption laws state that no town or municipality can have stricter lawn-care pesticide regulations than the state lawn-care pesticide laws.

What is Connecticut's 1983 pesticide preemption law?

In 1983, Connecticut passed a pesticide preemption law. Such a law prohibits towns and municipalities, in a state where a pesticide preemption law exists, from having stricter lawn-care pesticide regulations than the state government.



In 1991, the U.S. Supreme Court ruled that states and localities were allowed to regulate pesticides as long as the state's regulations did not allow practices forbidden by the Federal Insecticide, Fungicide and Rodenticide Act, known as "FIFRA," which governs our federal pesticide laws.



Why might lawn-care preemption laws be a problem for states that have them?

As is well-established, the application of pesticides can have significant harmful effects on the health and well-being of exposed persons. Those effects are influenced by the particular locality where they are applied, which differs according to the local conditions. Municipalities are primarily responsible for the health and welfare of the people who live there. The harmful effects may be particularly deleterious in places where inhabitants depend on wells for their drinking water. Groundwater may be affected by what is applied on the surface. Many argue that municipalities need to protect their particular localities from perceived health risks.



Why might municipalities want to be allowed to control lawn-care pesticide uses in their own cities and towns?

A general standard may be helpful to those who make, sell and apply lawn-care pesticides on a statewide basis. However, that argument is outweighed by the fact that particular lawn-care applications affect municipalities in particular ways, and the municipalities need the right to choose stricter lawn-care methods than the state preemption laws allow.



Congress was faced with much the same issue when the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) was enacted. Should a single country-wide standard apply, as urged by the pesticide lobbyists, or should the states be allowed to have their own lawn-care regulations, provided they were not more lenient than the state or federal law?

Congress decided to empower the states in the same way—many would argue now—that towns and municipalities should be empowered by removing the lawn-care pesticide preemption law that exists at the state level.



If some towns choose to allow their town to use organic methods on lawns and other towns do not, how will lawn-care companies and lawn-care providers know what kind of lawn-care is allowed in each town and what methods they should use?

Towns and municipalities all have their own planning and zoning regulations, their own building codes, and many other of their own particular laws. Contractors, building companies and other providers have all worked within this framework for a very long time—and they have managed well. The system has proven to be workable.

