

State of Misconsin 2021 - 2022 LEGISLATURE

LRB-4131/1 MCP:skw&wlj

2021 SENATE BILL 457

July 21, 2021 - Introduced by Senators Agard, Smith, Carpenter, Larson, Roys, L. Taylor and Wirch, cosponsored by Representatives Snodgrass, Considine, Anderson, Andraca, Baldeh, Behnke, Billings, Cabrera, Conley, Neubauer, Ohnstad, Pope, Shelton, Sinicki, Stubbs, Subeck and Vining. Referred to Committee on Labor and Regulatory Reform.

- 1 AN ACT to create 94.51 of the statutes; relating to: labeling plants as beneficial
- 2 to pollinators.

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Analysis by the Legislative Reference Bureau

This bill prohibits a person who sells plants at retail or provides plants from labeling or advertising the plant as being beneficial to pollinators if the plant has been treated with and contains a certain concentration of insecticides that contain warnings about pollinator hazards on their labels.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- **Section 1.** 94.51 of the statutes is created to read:
- 4 **94.51 Pollinator labeling.** (1) In this section:
- 5 (a) "Plant" means an annual plant, bedding plant, or other plant and includes plant material and nursery stock, as defined under s. 94.10 (1) (f).
 - (b) "Pollinator" means an insect that pollinates flowers.

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- (c) "Systemic insecticide" means an insecticide that is absorbed by a plant and moves through the plant's vascular system.
- (2) No person that sells a plant at retail or provides a plant to an end user may label or advertise the plant as being beneficial to pollinators if all of the following apply:
- (a) The plant has been treated with a systemic insecticide that has a pollinator protection box on its label or that has a pollinator, bee, or honeybee precautionary statement in the environmental hazards section of its label.
- (b) The plant has in its flowers a concentration of the insecticide described under par. (a) that is greater than the no observed adverse effect level as established by the federal Environmental Protection Agency for acute oral toxicity for adult honeybees.

SECTION 2. Effective date.

(1) This act takes effect on the first day of the 7th month beginning after publication.

16 (END)