

# 1995 SESSION

INTRODUCED

LD0253749

## SENATE BILL NO. 1070

Offered January 23, 1995

*A BILL to amend and reenact § 3.1-249.64 of the Code of Virginia, relating to pesticide use.*

Patrons—Waddell, Chichester, Hawkins, Holland, R.J., Martin, Marye, Nolen, Potts and Reasor;  
Delegates: Deeds, Jackson, Kilgore, May, Orrock and Wardrup

Referred to the Committee on Agriculture, Conservation and Natural Resources

### Be it enacted by the General Assembly of Virginia:

#### 1. That § 3.1-249.64 of the Code of Virginia is amended and reenacted as follows:

§ 3.1-249.64. Use of pesticide or container inconsistent with label directions or regulations of Board; knowing use; exemption from penalties.

A. It shall be unlawful for any person to use or cause to be used any pesticide in a manner inconsistent with its labeling or regulations of the Board, provided that such deviation may include provisions set forth in Section 2 (ee) of the Federal Insecticide, Fungicide and Rodenticide Act (7 U.S.C. § 136 et seq.); and it also shall be unlawful to dispose of containers or unused portions of pesticide inconsistent with label directions or the regulations of the Board in the absence of label directions, or if those regulations further restrict such disposal.

B. Any person who uses or causes to be used a pesticide in the manner required by subsection A shall be exempt from the penalties set forth in this chapter, §§ 62.1-44.32 or 10.1-1316 for any environmental contamination caused by such use.

BC. It shall be unlawful for any person to knowingly use any pesticide against any organism that is otherwise protected under fish, game, or migratory bird laws, without first obtaining authorization as necessary from the federal or state agency responsible for the protection of the organism.

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