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HOUSE BILL NO. 1153

Offered January 22, 1996

A BILL to amend the Code of Virginia by adding a section numbered 3.1-249.51:1, relating to pesticide application.

Patrons—Darner, Connally, Cooper, Spruill and Van Yahres; Senators: Couric and Lucas

Referred to Committee on Agriculture

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 3.1-249.51:1 as follows:**

§ 3.1-249.51:1. Application of pesticides; notification; records to be kept.

A. No person shall use, apply or supervise the application of a pesticide in indoor or outdoor areas of public buildings or grounds or areas leased or operated by a public entity without posting in a conspicuous place of common access a notice of intent to apply such pesticide. The notice of intent to apply any pesticide shall be posted at least seventy-two hours prior to each application and shall provide the date of the planned application and the type of pesticide to be applied. If application is to occur in an enclosed area, the notice shall also be given to the employer or building manager who shall notify the personnel likely to be in the area at the time of the application. Personnel at a school or educational institution or a day care center are required to inform the parents or guardians of the children attending the school or day care center, at the time the child is registered, that the school or day care center periodically applies pesticides indoors and shall provide information on the application of pesticides at the request of the parent or guardian.

B. Subsequent to the application of a pesticide, notice of such application shall be posted for a period of at least seventy-two hours stating (i) the name of the person applying the pesticide, (ii) the date and time of the application, (iii) the trade name and components of the pesticide used, (iv) any label information prescribing safe reentry time, and (v) a statement of availability of records on the premises and where they can be located.

C. Records of every pesticide application pursuant to this section shall be kept by the person requesting the application for two years and shall include: (i) the name of the individual or company who applied the pesticide; (ii) the address and specific areas in which the pesticide was applied; (iii) the pests or pest against which the pesticide was applied; (iv) the date and time of application; (v) the brand name of each pesticide, adjuvant and carrier applied; (vi) the name of the pesticide manufacturer, or the federal environmental protection agency registration number of the pesticide; (vii) and the rate of application or the amount of pesticide applied and the total area treated.

INTRODUCED

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