
A BILL FOR AN ACT

RELATING TO PESTICIDES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that in March 2022, there
2 was a chemical spill at a private beachfront residence in
3 Mokuleia that affected about twenty homes. The spill was a
4 concentrated form of the substance malathion, which is available
5 for purchase over the counter in Hawaii. Malathion is a man-
6 made organophosphate insecticide that is commonly used to
7 control mosquitoes. In its concentrated form, malathion is
8 meant to be diluted five hundred to one in water, or one and a
9 half teaspoons per gallon. During the Mokuleia incident, when
10 the concentrated form was accidentally spilled by children, they
11 attempted to clean it up with a hose, which washed the chemical
12 toward the storm drain. The dangerous chemical then spread
13 throughout the neighborhood. The fire department, police, and
14 neighborhood members attempted to assist in the cleanup for
15 days. Even though appropriate personal protection equipment was
16 used, two people were sent to the emergency room. Days later,



1 many neighbors experienced severe symptoms and a downwind
2 neighbor had to go to the hospital.

3 The legislature also finds that malathion interferes with
4 the normal function of the nervous system and can indirectly
5 affect many additional organs and functions. Furthermore, many
6 other states regulate concentrated forms of malathion in order
7 to protect the health of their people and the environment.

8 The purpose of this Act is to classify malathion as a
9 restricted use pesticide.

10 SECTION 2. Section 149A-2, Hawaii Revised Statutes, is
11 amended as follows:

12 1. By adding a new definition to be appropriately inserted
13 and to read:

14 "Malathion" means an organophosphate insecticide.

15 2. By amending the definition of "restricted use
16 pesticide" to read:

17 "Restricted use pesticide" means:

18 (1) A pesticide or pesticide use classified by ~~the~~:

19 (A) The Administrator ~~of the~~ EPA ~~for use by~~

20 certified applicators or competent persons under



H.B. NO. 2647

1 their direct supervision and so designated on its
2 label; or

3 (B) The board for use by certified applicators or
4 competent persons under their direct supervision;
5 or

6 (2) [~~A pesticide or pesticide use classified by the board~~
7 ~~for use by certified applicators or competent persons~~
8 ~~under their direct supervision.~~] Malathion."

9 SECTION 3. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon its approval.

12

INTRODUCED BY: *Elle Gerber*
JAN 23 2024



H.B. NO. 2647

Report Title:

Hawaii Pesticides Law; Malathion; Restricted Use Pesticide

Description:

Amends the definition of "restricted use pesticide" to include malathion.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

