

JAN 20 2023

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 of 2022,
2 there was a chemical spill at a private, beachfront residence in
3 Mokuleia that affected about twenty homes. It was a
4 concentrated form of the substance malathion that 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. The concentrate is meant to be diluted five
8 hundred to one in water, or one and a half teaspoon per gallon.
9 During the Mokuleia incident, when the concentrated form was
10 accidentally spilled by children, they attempted to clean it up
11 with a hose, washing the chemical towards the storm drain. The
12 dangerous chemical spread throughout the neighborhood. The fire
13 department, police, and neighborhood members attempted to assist
14 in the cleanup for days. Even though appropriate personal
15 protection equipment was used, two people were sent to the
16 emergency room. Days later, many neighbors experienced severe
17 symptoms and a downwind neighbor had to go to the hospital.



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

6 The purpose of this Act is to classify malathion as a
7 restricted use pesticide.

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

10 1. By adding a new definition to be appropriately inserted
11 and to read:

12 "Malathion" means an organophosphate insecticide."

13 2. By amending the definition of "restricted use
14 pesticide" to read:

15 "Restricted use pesticide" means:

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

17 (A) The Administrator~~[7]~~ of the ~~EPA~~~~[7]~~ for use by
18 certified applicators or competent persons under
19 their direct supervision and so designated on its
20 label; or



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

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

7 SECTION 3. Statutory material to be repealed is bracketed
 8 and stricken. New statutory material is underscored.

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

10

INTRODUCED BY:  _____



S.B. NO. 1010

Report Title:

Malathion; Restricted Use Pesticide

Description:

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

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