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# 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. 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 teaspoons 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           Accordingly, the purpose of this Act is to classify  
 7 malathion as a restricted use pesticide.

8           SECTION 2. Section 149A-2, Hawaii Revised Statutes, is  
 9 amended by amending the definition of "restricted use pesticide"  
 10 to read as follows:

11           "Restricted use pesticide" means:

12           (1) A pesticide or pesticide use classified by [~~the~~]:

13           (A) The Administrator[7] of the EPA[7] for use by  
 14           certified applicators or competent persons under  
 15           their direct supervision and so designated on its  
 16           label; or

17           (B) The board for use by certified applicators or  
 18           competent persons under their direct supervision;

19           or



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

4           SECTION 3. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

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



**Report Title:**

Malathion; Restricted Use Pesticide

**Description:**

Amends the definition of "restricted use pesticide" to include malathion. (SD1)

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

