

ACT 174

H.B. NO. 1646

A Bill for an Act Relating to Pesticides.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 149A, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§149A- Pesticide information signs. (a) Every retailer that sells pesticides to the public shall post a warning sign with respect to the sale of pesticides, pursuant to rules adopted by the department; provided that retailers may post the warning sign or place the warning sign at the product display areas.

(b) The department shall adopt rules pursuant to chapter 91 and subsection (a) to require the posting of pesticide warning signs containing but not limited to the following information:

- (1) The proper handling, storage, and disposal of all pesticides sold;
- (2) Emergency telephone numbers to call in case of poisoning from the pesticides; and
- (3) Any other related information the department deems helpful and appropriate for consumers.

The department may also adopt any other rules pursuant to chapter 91 necessary to effectuate this section, including rules relating to the size and placement of warning signs.”

SECTION 2. Section 149A-2, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

““Distribute or sell” means to distribute, sell, offer for sale, hold for distribution, hold for sale, hold for shipment, ship, deliver for shipment, release for shipment, or receive and deliver or offer to deliver; provided that the term does not include the holding or application of registered pesticides or the use of dilutions of registered pesticides by any applicator who provides a service of controlling pests without delivering any unapplied pesticide to any person so served.”

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun, before its effective date.

SECTION 4. New statutory material is underscored.¹

SECTION 5. This Act shall take effect on July 1, 2007.

(Approved June 13, 2007.)

Note

1. Edited pursuant to HRS §23G-16.5.