

RCW 15.58.485 Neonicotinoid insecticides. (1) Beginning January 1, 2026, a person may not use neonicotinoid insecticides on nonproduction outdoor ornamental plants, trees, and turf in this state, unless the application is made as part of a licensed application, a tree injection, or during the production of an agricultural commodity.

(2) The director, upon identification of an urgent pest threat, may authorize the sale, possession, or use of neonicotinoid insecticides that are restricted under subsection (1) of this section by written order. The director must make reasonable efforts to inform the public of the urgent pest threat identified. The written order must include:

(a) The urgent pest threat identified;

(b) The neonicotinoid insecticide to be used in addressing the urgent pest threat;

(c) All other less harmful insecticides or pest management practices considered that were not deemed to be effective in addressing the urgent pest threat;

(d) The geographic scope of the written order; and

(e) The duration that the order is in effect, not to exceed one year.

(3) By June 30, 2025, and every four years thereafter, the department shall review and update rules under RCW 15.58.040 to administer and enforce this chapter as those rules relate to neonicotinoid insecticides.

(4) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Agricultural commodity" means any plant, or part of a plant, or animal, or animal product, produced by farmers, ranchers, vineyardists, plant propagators, Christmas tree growers, aquaculturists, floriculturists, orchardists, foresters, or other persons primarily for sale, consumption, propagation, or other use by people or animals.

(b) "Neonicotinoid insecticide" means any insecticide containing a chemical belonging to the neonicotinoid class of chemicals including, but not limited to, acetamiprid, clothianidin, dinotefuran, imidacloprid, nitenpyram, nithiazine, thiacloprid, thiamethoxam, or any other chemical designated by the department as belonging to the neonicotinoid class of chemicals.

(c) "Urgent pest threat" means an occurrence of a pest that presents a significant risk of harm or injury to the environment or human health or significant harm, injury, or loss to agricultural crops including, but not limited to, an invasive species as defined in chapter 77.135 RCW. [2024 c 338 s 2.]

Findings—Intent—2024 c 338: "(1) The legislature finds that pollinators, including bees, butterflies, and birds, play a critical role in sustaining biodiversity and ecosystem health. The legislature further finds that pollinators are vital to agricultural production in the state and that approximately 35 percent of food crops depend upon pollinators.

(2) The legislature finds that neonicotinoids are the most widely used insecticides in the world. Neonicotinoids are less toxic to mammals and vertebrates than older insecticides and have beneficial uses such as those associated with pet care and veterinary treatment, personal care, indoor pest control, wood preservation, and structural

insulation. However, neonicotinoids can be toxic to pollinators and misapplication of neonicotinoids contributes to bee colony collapse and the decline of pollinator species. The legislature intends to protect pollinators by restricting the use of neonicotinoids and supporting consumer education so that people do not inadvertently apply neonicotinoids in ways that are harmful to pollinators.

(3) The legislature recognizes that agricultural production depends on reliable pest management and allows applications of neonicotinoids for agricultural production. Products designed to control pests in home gardens and landscapes that contain neonicotinoids should also be limited to applications that do not harm pollinators. Understandable information about the impact of products designed to manage pests in home gardens and landscapes on pollinators should be provided to customers. Private and nonprofit organizations engaged in public outreach and education regarding the role of pollinators and pollinator health are important partners in consumer education." [2024 c 338 s 1.]