



2021 ASSEMBLY BILL 473

July 26, 2021 - Introduced by Representatives SNODGRASS, CONSIDINE, ANDERSON, ANDRACA, BALDEH, BEHNKE, BILLINGS, CABRERA, CONLEY, HEBL, HONG, NEUBAUER, OHNSTAD, POPE, SHELTON, SINICKI, SPREITZER, STUBBS, SUBECK and VINING, cosponsored by Senators AGARD, SMITH, CARPENTER, LARSON, ROYS, L. TAYLOR and WIRCH. Referred to Committee on Agriculture.

1 **AN ACT to create** 94.51 of the statutes; **relating to:** labeling plants as beneficial
2 to pollinators.

Analysis by the Legislative Reference Bureau

This bill prohibits a person who sells plants at retail or provides plants from labeling or advertising the plant as being beneficial to pollinators if the plant has been treated with and contains a certain concentration of insecticides that contain warnings about pollinator hazards on their labels.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1.** 94.51 of the statutes is created to read:

4 **94.51 Pollinator labeling.** (1) In this section:

5 (a) "Plant" means an annual plant, bedding plant, or other plant and includes
6 plant material and nursery stock, as defined under s. 94.10 (1) (f).

7 (b) "Pollinator" means an insect that pollinates flowers.

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1 (c) "Systemic insecticide" means an insecticide that is absorbed by a plant and
2 moves through the plant's vascular system.

3 (2) No person that sells a plant at retail or provides a plant to an end user may
4 label or advertise the plant as being beneficial to pollinators if all of the following
5 apply:

6 (a) The plant has been treated with a systemic insecticide that has a pollinator
7 protection box on its label or that has a pollinator, bee, or honeybee precautionary
8 statement in the environmental hazards section of its label.

9 (b) The plant has in its flowers a concentration of the insecticide described
10 under par. (a) that is greater than the no observed adverse effect level as established
11 by the federal Environmental Protection Agency for acute oral toxicity for adult
12 honeybees.

13 **SECTION 2. Effective date.**

14 (1) This act takes effect on the first day of the 7th month beginning after
15 publication.

16 (END)