

Recent Developments in Neonicotinoid Regulation in the U.S.



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What's Happened on Neonics Outside the U.S.?

- **Europe** – Partial, temporary ban on outdoor neonic use enacted in 2013 on three major neonic chemicals (clothianidin, imidacloprid, thiamethoxam) to protect bees and other pollinators. Ban expanded to all outdoor uses and made permanent in 2018.
- **Canada**
 - Variety of restrictions on neonics in the last 5-7 years, to protect pollinators, aquatic ecosystems, human health. Reversed course on national ban.
 - Ontario and Quebec introduced “verification of need” systems for use of neonic coatings on corn and soybean seeds (as well as other field crops seeds in Quebec).
 - In Quebec, neonic use on corn and soybean went from 100% and 50% to less than 0.5% and 0% respectively.
 - Quebec expanding program to all insecticides in 2025.



Exclusive: How a federal agency colluded with a pesticide maker to silence a Canadian researcher

By [Marc Fawcett-Atkinson](#) | [News](#) | October 17th 2024



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What's Happening Federally?



- **Endangered Species Consultation**
 - Ongoing now for all neonic active ingredients.
- **Registration Review**
 - Once-every-fifteen-year process required by federal law (FIFRA) to ensure pesticides do not have “unreasonable adverse effects on the environment.”
- **Food Tolerance Petition**
 - 2020 NRDC petition to EPA to revoke allowable levels of neonics in food under Federal Food, Drug, And Cosmetic Act.
- **Litigation Regarding the Treated Article Exemption**

		Acetamiprid	Clothianidin	Imidacloprid	Thiacloprid	Thiamethoxam
Brain tissue thinning	High dose	Yes	Yes	Yes	Yes	Yes
	Mid dose	No data	Partial data	No data	No data	Yes
	Low dose	No data	No data	No data	No data	Yes
Decreased auditory startle reflex	High dose	Yes	Yes			
	Mid dose	Yes	Yes			
	Low dose	Yes				
Decreased motor activity	High dose		Yes	Yes		
	Mid dose			Yes		
	Low dose					
Learning and behavior effects	High dose				Yes	
	Mid dose				Yes	
	Low dose					
Delayed sexual maturation	High dose				Yes	Yes
	Mid dose				Yes	Yes
	Low dose					Yes



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Areas for Change

- **Guided by Grout et al. 2020 (the “Cornell Report”)**
- **Seed Coatings**
 - Largest use of neonics in the country. Not tracked but likely 80-90% of total use, and covering upwards of 150M acres.
 - For major field crops (e.g., corn, soybean, wheat), they provide “no overall net income benefits” to farmers in vast majority of cases.
- **Lawn and Garden Uses**
 - Significant use in urban/suburban landscapes at much higher rates per acre – create “hot spots” for neonic water contamination.
 - Likewise used needlessly, and replaceable with safer alternatives (except re: invasives).
- **Regulatory Loopholes** – Failure of states to directly regulate or track seeds treated with pesticides, including neonicotinoids.



What's Happening in the States?



- **New York (and Vermont)** – Birds and Bees Protection Act, nation's first restrictions on neonic-treated seeds.
 - Similar bills introduced in other states, including MN.
- **New Jersey (and Maine/Nevada)** – Bans on lawn and garden neonic ban.
 - Similar bills introduced in other states, including CT and VT.
- **California** – First state regulatory framework for controlling non-seed neonic uses. Litigation to close the “treated seed loophole.”
- **Minnesota** – Prohibition on public lands. Petition under Minnesota Environmental Rights Act.
- **Restricted Use Laws** – Includes CA, CO, CT, MA, MD, NJ, NY, RI, VT, WA

📌 Legislation

📌 Environment

DECEMBER 22, 2023 | Albany, NY

Governor Hochul Signs "Birds And Bees" Act, Nation-Leading Legislation to Protect New Yorkers and Wildlife From Harmful Pesticides

Legislation S.1856-A/A.7640 Enacts the Birds and Bees Protection Act

The NYS Birds and Bees Protection Act Passes

- Estimated 80-90% reduction in outdoor neonic use when fully implemented.
 - Would be larger in the Midwest.
- Prohibits only high-cost/low-benefit (AKA “dumb”) uses.
 - Starting 2029 – Neonic coatings on corn, soybean, and wheat seed. First in nation.
 - Starting 2027 – Neonic lawn and garden uses. Similar to NJ, NV, and ME.
- Exceptions:
 - May use treated seeds where farmers verify need/a legitimate pest problem and get a waiver.
 - May use non-ag for invasive species affecting woody plants and environmental emergencies.



OPINION

Commentary: Québec's experience with pesticide ban offers a glimpse of what New York can expect

Despite the dire predictions, the Birds and Bees Protection Act will not hurt farmers.

By **Louis Robert**

Oct 2, 2023



Groups Call On Minnesota to Address Rampant Neonic Pollution

The NRDC Action Fund and partners have filed a legal petition demanding that the state act to stop harmful, unnecessary pesticide pollution.

October 17, 2024



Lucas Rhoads

Senior Project Attorney, Nature

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A close-up view of a monarch butterfly resting on a flower. Recent research links neonics with Monarch declines. | Shutterstock

After years of work by NRDC to rein in widespread and unnecessary neonic pesticide contamination in Minnesota, the NRDC Action Fund, Minnesota Center for Environmental Advocacy, and Minnesota Trout Unlimited have filed a legal petition against the Minnesota