

**ASSEMBLY, No. 1915**

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**STATE OF NEW JERSEY**

**220th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

**Sponsored by:**

**Assemblywoman LISA SWAIN**

**District 38 (Bergen and Passaic)**

**Assemblyman P. CHRISTOPHER TULLY**

**District 38 (Bergen and Passaic)**

**Assemblyman CLINTON CALABRESE**

**District 36 (Bergen and Passaic)**

**Co-Sponsored by:**

**Assemblyman Space, Assemblywoman Lopez and Assemblyman Freiman**

**SYNOPSIS**

Establishes “pollinator-friendly” label for plants.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Agriculture and Food Security Committee with technical review.



**(Sponsorship Updated As Of: 5/25/2023)**

1   **AN ACT** establishing a “pollinator-friendly” label for plants and  
2       amending P.L.1971, c.176.

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4       **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

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7       1. Section 4 of P.L.1971, c.176 (C.13:1F-4) is amended to read as  
8 follows:

9       4. a. The commissioner shall have the power to formulate and  
10 promulgate, amend and repeal orders, rules, and regulations  
11 prohibiting, conditioning, and controlling the sale, purchase,  
12 transportation, labeling, use and application, or any thereof, of  
13 pesticides which cause or may tend to cause adverse effects on man or  
14 the environment by any person within this State. State rules and  
15 regulations with respect to the labeling of any pesticide, the labeling of  
16 which is prescribed by Federal law and regulations, shall to the extent  
17 practicable conform to the Federal requirements.

18       b. In addition to any other training and licensing requirements  
19 established by the commissioner pursuant to P.L.1971, c.176  
20 (C.13:1F-1 et seq.), a person seeking certification and licensing as a  
21 pesticide applicator or a commercial pesticide operator shall be  
22 required to complete a continuing education or training course,  
23 approved by the department, concerning the impact of pesticides on  
24 pollinating bees.

25       For the purposes of this subsection, "pollinating bee" means any  
26 bee that causes a plant to make fruits or seeds by transferring pollen  
27 from a plant anther to a plant stigma, resulting in fertilization.

28       c. (1) The commissioner, in consultation with the Secretary of  
29 Agriculture, shall establish (a) standards for designating native, non-  
30 invasive plants as friendly to animal pollinators, which shall include  
31 but need not be limited to standards prohibiting or restricting the  
32 application or treatment of plants to be sold with pesticides or other  
33 chemicals deemed harmful or potentially harmful to animal  
34 pollinators, and (b) a “pollinator-friendly” label that a distributor or  
35 retail seller of plants may use to indicate that the plant to be sold is  
36 friendly to animal pollinators.

37       (2) No person may distribute or sell at retail a plant labeled as  
38 pollinator friendly or otherwise advertised or labeled as not harmful to  
39 animal pollinators except in compliance with this section.

40       (3) For the purposes of this subsection, “ animal pollinator” means  
41 any bee, butterfly, moth, wasp, fly, beetle, ant, hummingbird, bat, or  
42 other animal that is known to pollinate plants.

43 (cf: P.L.2017, c.296, s.1)

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

**A1915 SWAIN, TULLY**

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1        2. This act shall take effect on the first day of the seventh month  
2 following the date of enactment, but the Commissioner of  
3 Environmental Protection may take any anticipatory administrative  
4 action in advance thereof as shall be necessary for the implementation  
5 of this act.