Neonicotinoid Reclassification

What Neonicotinoid pesticide products are being reclassified as restricted use?

Imidacloprid, Acetamiprid, or Thiamethoxam pesticide products that are labeled for foliar or widespread outdoor treatments or for the treatment of seeds will be reclassified as New York State Department of Environmental Conservation (DEC) Restricted Use Pesticides.

These Neonicotinoid pesticide products are being reclassified as restricted use by DEC and not the United States Environmental Protection Agency (USEPA). Consequently, they will not contain the “Restricted-Use” label statement unless they are also reclassified as restricted use by USEPA. To determine if a pesticide product is designated as restricted use in New York State, you can look it up in DEC’s pesticide database, NYSPAD.

Are treated seeds included in this DEC reclassification?

Treated seeds are not included in this Neonicotinoid pesticide product reclassification, but the products used to treat the seeds are. Since this action does not concern the treated seeds themselves those planting the seeds do not need pesticide applicator certification nor are they required to work under the supervision of a Certified Pesticide Applicator.

When does this reclassification go into effect?

After January 1, 2023, purchase, possession, or application of these pesticide products by anyone who is not a certified pesticide applicator or who does not have a purchase permit for them will be illegal. In addition, selling them without a Commercial Permit will also be illegal.

How will this reclassification affect pesticide applicators?

Applicators:

The use of these newly restricted Neonicotinoid pesticide products will require the applicator to be a Certified Pesticide Applicator or working under the supervision of a Certified Pesticide Applicator. Since these products are being restricted by DEC and not by USEPA, Commercial Pesticide Apprentices, Certified Commercial Pesticide Technicians and agricultural handlers may use these products under the off-site* direct supervision of a Certified Pesticide Applicator unless the label requires on-site direct supervision, or they become restricted use by USEPA.
Dealers/Distributors:

After January 1, 2023, to sell these reclassified Neonicotinoid pesticide products the dealer/distributor must employ a Certified Pesticide Applicator, hold a Commercial Permit, keep records of sales, and only sell them to Certified Pesticide Applicators or Purchase Permit holders.

Further information and the full list of Neonicotinoid pesticide products that are being reclassified can be found on DEC’s Pesticide Webpage under “Hot Topics”.

*Off-site direct supervision: The Certified Commercial Applicator must ensure that the apprentice or technician has a means to contact and is able to contact the supervising Certified Applicator within a reasonable time not to exceed 30 minutes.