

# Senate Energy and Natural Resources Committee

*Joshua Schauer 271-3077*

**HB 1676**, limiting consumer access to certain high-risk rodenticides.

**Hearing Date:** March 31, 2026

**Time Opened:** 9:21 a.m.

**Time Closed:** 10:23 a.m.

**Members of the Committee Present:** Senators Avard, Pearl, Watters and Rosenwald

**Members of the Committee Absent :** Senator McConkey

**Bill Analysis:** This bill prohibits the sale of certain rodenticides to persons not licensed or registered with the department of agriculture, markets, and food.

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**Sponsors:**

Rep. Barbour

Rep. J. Aron

Rep. Bixby

Rep. N. Germana

Rep. Dupont

Sen. Pearl

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**Who supports the bill:** 220 Individuals signed in Support of the legislation. Please contact [Joshua.Schauer@gc.nh.gov](mailto:Joshua.Schauer@gc.nh.gov) for more information.

**Who opposes the bill:** 101 Individuals signed in Opposition of the legislation. Please contact [Joshua.Schauer@gc.nh.gov](mailto:Joshua.Schauer@gc.nh.gov) for more information.

**Summary of testimony presented:**

**Representative Peter Bixby, Strafford 13**

- Rep. Bixby introduced the legislation and said it was created by the leadership of the House Environment and Agriculture Committee.
- He explained that the legislation would create a requirement that first or second generation anti-coagulant rodenticides can only be sold to persons in the state who hold an applicator license. This would allow the state more oversight into the use of these rodenticides.
- He explained that anti-coagulant rodenticides become a problem when they are consumed by non-target animals such as raptors. He stated that there is a significant secondary poisoning problem with raptors. They have increasingly shown up at rehabilitation centers, either dead or dying, as a result of ingestion of poisoned prey animals.
- He stated that Fisher cats are also significantly impacted by secondary poisoning. A study in New Hampshire and Vermont showed that 93% of Fisher

Cats show exposure to anti-coagulant rodenticides. Anti-coagulant rodenticides are a threat to wildlife and pets.

- He stated that the first-time legislation on anti-coagulant rodenticides came to the House was in 2023 and was a categorical ban. They were concerned that a categorical ban would be overly restrictive.
- He explained that they were told that the EPA would be creating new rules related to anti-coagulant rodenticides in early 2024. They retained the bill in order to see what the federal government decided. At the time of the hearing there had not been any decisions by the federal government or by the NH Pesticide Control Board.
- He stated that in 2023 there were two bills related to Anti-coagulant rodenticides. The first was the categorical ban. He stated that the committee did not feel this was a good solution and worried it would take a tool out of their tool box. The second bill aimed to restrict sale of anti-coagulant rodenticides to only licensed applicators. He stated that there was concern that if the restriction was created through rules, it could easily be circumvented by purchasing the rodenticide in a neighboring state.
- He stated that by putting the restriction into statute rather than rules, it would give other states a model through which they could pass their own legislation. This would begin to address the problem of people bringing rodenticide purchased out of state into NH. It also benefits industry when regulation is consistent across the region.

### **Representative Nick Germana, Cheshire 15**

- Representative Germana was one of the sponsors of the legislation and stated the legislation was the result of a multi-year bipartisan effort. They have collaborated with the industry, department, and various environmental groups.
- He restated Rep. Bixby's point that an outright ban of anti-coagulant rodenticides would not have worked for multiple reasons. He re-iterated Rep. Bixby's point that the pest management industry would benefit from regional regulation. This bill would provide the regulatory framework needed to make regional regulation happen.

**Senator Watters** stated that he supports what the bill intends to do. He mentioned that limiting consumer access to restricted products is very difficult to do in practice. He asked Rep. Germana if he understood what he was trying to say.

**Rep. Germana** stated he did understand. He explained that they worked with the Department of Agriculture, Markets, and Food to make this legislation work in statute.

### **Kurt Ehrenberg, Humane World for Animals**

- Mr. Ehrenberg was in support of the legislation as it restricts the sale of anti-

coagulant rodenticides to licensed professionals only and closes the online sale loop-hole. The legislation also protects the predator species from inadvertent poisoning.

**Senator Rosenwald** stated she had been doing research on rickettsial diseases. She asked Mr. Ehrenberg if he knew how many cats had been made sick as a result of exposure to fleas that carry rickettsia from rats.

**Kurt Ehrenberg** stated he did not know and he was not qualified to answer that question.

### **Roger Stephenson**

- Mr. Stephenson was in support of the legislation because it protects bald eagles from secondary ingestion of poison.
- The Bald Eagle was eliminated from NH in the 1960s as a result of secondary ingestion of poisons. Those poisons have since been banned and as a result the Bald Eagle population was able to make a comeback and even leave the endangered species list.
- He spoke about the various forms that wildlife protection can take. He empathized the importance legislative action in wildlife protection. He stated that without legislative action, the poisons will continue to persist, and the efforts of conservationists would be futile.

### **Caelin Graber, Rodenticide Free NH**

- Ms. Graber was opposed to the legislation because they believe that restricting SGARs (second generation anti-coagulant rodenticides) will not solve the problem of secondary ingestion by predator species. They believe that a full ban of SGARs is the only viable option.
- She stated that restricting the use will to licensed applicators only would make the problem worse over time. It's expected that commercial use of SGARs will continue to grow. She stated that the global SGAR market is expected to grow from \$3.8 billion in 2020 to \$5.8 billion in 2027. The US accounts for 1/3 of that market.
- She stated that despite the EPAs ban on consumer use of SGARs, the rate of secondary poisoning has increased.
- She briefly spoke about alternative methods of rodent control such as birth control and exclusion techniques. She stated that rodents are not a significant public health problem. If rodents do become a significant public health problem there is the potential to carve out exemptions for emergency use of SGARs.
- She provided the committee with a petition that was signed by over 300 NH residents. She stated that the some of the people who signed the petition had previously hired pest control companies. Those people were shocked to hear the adverse effects on wildlife due to the services that they hired. This led them to sign the petition.

- She asked the committee to consider an amendment that would phase out the use of SGARs over time. She also suggested that they amend the bill to include an information campaign that informs potential pest control customers on the dangers of SGARs. She additionally suggested that the SGARs should be labeled to highlight the dangers they pose to wildlife.
- She stated that pesticides like SGARs are not working to manage the problem over the long term due to increased resistance over time. She said that pesticide use peaked in the 1980s and has remained at that level since. While pesticide use has remained stable the pest problem has gotten worse. Pesticides contribute to biodiversity loss and expansion of pest population because they kill off natural pest enemies.

### **Anita Fernandez, NH Audubon**

- Ms. Fernandez was in support of the legislation because it would reduce the impact of secondary poisoning on predator species.
- She explained that anti-coagulant rodenticides work by inhibiting the production of vitamin K in the body. This causes internal bleeding and fatal hemorrhaging.
- She explained that SGARs pose a particular threat to wildlife and pets due to the increased potential for bio-accumulation compared to first generation anti-coagulant rodenticides. This increases the risk that the poison will move up the food chain and cause secondary poisoning in wildlife and pets.
- A Concord based veterinary emergency service know as CAVES treated 265 dogs and 12 cats for rodenticide poisoning in 2025.
- She stated that there are more responsible alternatives to pest control that are already being used by pest control companies. She gave the example and explained integrated pest management strategies. IPM strategies employ the use of non-lethal pest control methods such as sanitation, repellants and birth control. These methods are safer for homeowners to use on their own.
- She stated that even though there was a ban on consumer purchase of SGARs, they are still available through many online sources. This has led to increased risk of improper use and storage by homeowners who purchase SGARs in large quantities.
- There are two benefits to restricting the use of SGARs to licensed applicators only. One benefit is the increased reliability of SGAR use data. The Division of Pest Control currently tracks SGAR use by licensed applicators. Restricting the use to just licensed applicators would increase the reliability of data, allowing for better identification of high-risk areas. The second benefit would be increased education about the dangers of SGAR use.

**Senator Rosenwald** stated that she had read a study by UNH that showed the rat population in Manchester and Nashua was increasing. She asked Ms. Fernandez what her take on this study was.

**Anita Fernandez** stated that she did not have data on that study. She stated that she

has spoken to several members of the public who confirmed that rat population problems have been popping up in areas around farms and outside of industrial areas. She agreed that there was an increase in the problem.

**David Rousseau, NH Department of Agriculture, Division of Pesticide Control**

- Mr. Rousseau was opposed to the legislation because he felt that SGAR restrictions should be imposed by the Pesticide Control Board rather than the legislator.
- He stated that the Department as well as the board is moving toward restricting the use of SGARs. The Pesticide Control Board can restrict the sale and use of pesticides through rule making.
- He explained that the proposed legislation is a sales restriction not a use restriction. He stated that the board would be taking a stricter approach than the proposed legislation by restricting both the sale and use of SGARs. First generation anti-coagulant rodenticide restrictions are not being considered by the board.
- If SGARs are restricted through rules rather than statute, sale and use would both become restricted. It would also require sale and use data be reported. He explained that penalties for non-compliance have also already been established by the board. He feels that the amendment is redundant.

**Senator Pearl** asked if Mr. Rousseau agreed that the proposed legislation sends a clear message to the department that the legislature wants them to act on this issue.

**David Rousseau** answered yes.

**Senator Pearl** asked if he had a time frame on when the Pesticide Control Board would be making a decision on restricting SGARs.

**David Rousseau** answered that they were waiting for the outcome of the proposed legislation. He said that they would be ready to respond as soon as a decision is made.

**Senator Pearl** asked how they currently deal with enforcement of online sales of SGARs.

**David Rousseau** answered that currently they do random checks and they have an enforcement team. He stated that they work closely with other states, who are quick to flag when a restricted use product shows up on the online marketplace. He also stated that work with the attorney generals office.

**Senator Pearl** asked about regional regulation of restricted use products. Asked Mr. Rousseau to give his thoughts on enforcement between states and how varying

regulation between states impacts enforcement.

**David Rousseau** answered that from an industry perspective it can be difficult to follow multiple state regulations. NH is usually stricter than other states when it comes to pesticides. He stated that if the EPA makes a decision other states will have to follow.

**Senator Pearl** stated that he holds a restricted use license in both Massachusetts and New Hampshire and New Hampshire is definitely more strict about pesticide use.

### **Dan Bergeron, New Hampshire Fish and Game**

- Mr. Bergeron was in support of the legislation because it has the potential to curb secondary poisoning of predator species. He clarified that he was not a public health expert and he would be testifying to the impact on wildlife.
- He stated that SGAR impacts on wildlife are well documented. He stated that raptor deaths have directly been related to secondary poisoning. He stated that the more they look into this issue the more aware of how widespread the effects are.
- He stated that there is increasing evidence that there are sub-lethal impacts to populations. He described that there has been evidence that SGAR exposure has an effect on immune systems.
- He described a study by UNH that investigates the decline of the Fisher Cat population. He stated that a study that investigated Fisher Cats and Grey Foxes found that 34 out of 35 of the animals studied had evidence of rodenticide ingestion. A larger study that was conducted from Pennsylvania to Maine found that 50% of animals had evidence of rodenticides in their bodies. The number in NH was higher at around 93% of all animals studied.
- He made the point that licensed applicators have more oversight than members of the general public. This legislation would make oversight on SGAR use more comprehensive. He stated that there was wide spread off label use by regular consumers. He suggested that the committee go on Amazon and look at the reviews of pesticide products to see how wide spread off label use is.

### **Angela Brenan, Household & Commercial Product Association**

- Ms. Brenan was strongly opposed to the legislation. She stated that rodents carry diseases and it's important to control their populations. She stated that this legislation would restrict consumer access to needed pest control products.
- She stated that it was important to let NH citizens decide for themselves how to best deal with rodents. She stated that by restricting consumer use of these products they make pest control less affordable. She stated that it would also make pest control more difficult for the average homeowner. She stated that rodents can do structural damage to homes and businesses, leading to further costs.

- She stated that these products are already highly regulated by the federal government. She added that there is already a science based regulatory framework in place, and this bill would create something brand new for NH alone. She stated that this was the most extreme legislation in NE and the country as a whole. She finished by saying that this was not the right time for this legislation as it would further the ongoing affordability crisis.

### **Robert Johnson, NH Farm Bureau**

- Mr. Johnson was opposed to the legislation as it would remove an important tool that farmers use to protect animal feed stocks.
- He stated that he believed that the use and sale of pesticides should be regulated by the Pesticide control board, not the legislature. He mentioned that the legislature had the wisdom to establish the Pesticide Control Board over 50 years ago because of the complexity of pesticide regulation. He stated he did not feel the legislature had the knowledge or expertise to make this kind of decision.
- He compared this issue to the legislature's previous failure in the 1980s to properly set the hunting season. He said that decisions were made without the knowledge and expertise of biologists.
- He described that licensed applicators understand that the "label is the law". Regular consumers do not understand this and it leads to misuse. He stated that the Bureau sent a letter to the board asking that they act on rodenticides as soon as possible.

**Senator Avard** stated that they wanted to encourage the board to act with this legislation

**Robert Johnson** responded that they are well on their way to making a decision and did not feel they needed any encouragement.

### **Adam Carace, New England Pest Management Association**

- Mr. Carace was in support of the legislation because it keeps SGARs in the hands of licensed professionals and will curb misuse by regular consumers.
- Three years ago, he was apart of a rodenticide task force that looked into what action, if any, should be taken on anti-coagulant rodenticides. After the task force concluded he testified before the house that they should wait for the EPA to make a ruling before acting. At the time it was expected that the ruling would be made 3 to 6 months from that point. The EPA did not end up making a ruling at all and three years later still have not made a ruling. He stated he did not think that would change any time soon.
- He stated that he worked with NH Audubon and several house members to create a framework that would work for everyone. He personally contacted manufactures and distributors of rodenticides to confirm that the language worked for them as well.
- He countered claims made by the opposition that manufactures and distributors

are against this bill. He stated that this was untrue. Several of the largest manufacturers and distributors have confirmed that they are in support of the bill.

- He countered the claim that this would take away tools from pest control professionals. He said that this claim was not accurate. He also said it does not limit options for the general consumer.
- He said that he is also concerned about the use of first generation anti-coagulant rodenticides. He stated that if they don't address both second and first generation rodenticides, they will be back again next year.
- He finished by saying that NH has the opportunity to be the first in the nation to pass this important and needed regulation. He stated that other states are watching NH to see what they decide.

**Senator Pearl** asked if Mr. Carace agreed that they are sending a strong message to the Pesticide Control Board to put SGARs on the restricted use list.

**Adam Carace** answered yes, but there is a downside that they are not addressing first generation anti-coagulants. They want this framework to avoid categorical bans.

#### **Joan O'Brien, NH Animal Rights League**

- Ms. O'Brien was opposed to the legislation because she would like to see a full ban not a restriction. She stated that NH citizens want to see the end of animal deaths by rodenticide.
- She stated that the only responsible use of SGARs is no use at all. She discussed the death of the "Seabrook" the snowy owl as an example of secondary poisoning by rodenticides. She stated that by only restricting the use of SGARs they would be continuing to allow animals to die horrible deaths. She made the point that this bill would not end the problem.
- She stated that this would allow the pesticide industry to continue to operate business as usual. She said that business as usual has led them to where they are today. She re-stated that there is no responsible way to use these chemicals. She said that since there is money to be made in pesticides, they are allowing more animals to die by secondary poisoning.

**Senator Rosenwald** asked how they should evaluate human health verse animal health in terms of importance. There is a growing number of rats in Southern California and Texas has led to the spread of typhus. Asked how we balance human and animal health.

**Joan O'Brien** did not think that its one or the other. She said that they can use other methods to manage the rat population rather than just lethal rodenticides. She stated that she had read that the rat population had actually decreased after they banned certain rodenticides. She suggested that they look into typhus cases in NH.