



OFFICE OF LEGISLATIVE SERVICES
ADMINISTRATIVE RULES
STATE HOUSE ANNEX
25 CAPITOL STREET, ROOM 234
CONCORD, NH 03301

Rulemaking Notice Form

Notice Number: 2026-217

Rule Number: Pes 700 various

1. **Agency:** Pesticide Control Board
Agency Address: New Hampshire Pesticide Control Board
c/o Department of Agriculture, Markets, and Food
Division of Pesticide Control
1 Granite Place South Suite 211
Concord, NH 03301
2. **RSA Authority:** RSA 430:31, IV(e)
3. **Federal Authority:**
4. **Action(s):** Adoption, Readopt w/Amendment, Readopt
5. **Short Title:** Sale and Use of Pesticides
6. **(a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:**

The intended action by the Pesticide Control Board (board) is to restrict sale and use of specific pesticides; particularly certain rodenticides used for rodent control and neonicotinoids used for insect control. The proposal is to 1) amend Pes 701.06, "Restricted Use Materials", "Table 7.1 Restricted Use Pesticides" by adding the rodenticides bromodiolone, difenacoum, and difethiolone to Table 7.1 and revising the use restriction for brodifacoum in Table 7.1; and 2) adopt section Pes 701.08, "Neonicotinoid Classification". The proposal to adopt a Neonicotinoid Classification will identify certain prohibition, restriction, and general use allowance for the neonicotinoids clothianidin, dinotefuran, imidacloprid, and thiamethoxam.

The board also proposes to readopt Pes 701.01 through Pes 701.05 and Pes 701.07 without amendment.

_ Does this rule implement a state statute for the first time?

No, the proposed rules do not implement a statute for the first time.

6. (b) Brief description of the groups affected:

Individuals that hold a certificate of registration to use pesticides.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	Specific State Statute the Rule Implements
Pes 701.01 – Pes 701.03	RSA 430:31, IV(l)
Pes 701.04 – Pes 701.05	RSA 430:31, IV(e)
Pes 701.06 – Pes 701.08	RSA 430:31, IV(e) and (l)

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: David J Rousseau	Title: Director
Address: NH Division of Pesticide Control 1 Granite Place South Suite 211 Concord, NH 03301	Phone Number: (603) 271-3640
	FAX Number: (603) 271-3640
	Email: david.j.rousseau@agr.nh.gov

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified:

Tuesday, November 24, 2026

_ Fax

X Email david.j.rousseau@agr.nh.gov

_ Other

9. Public hearing scheduled for:

Date: Monday, November 16, 2026

Time: 9:30 AM

Place: Brown Building
NH Dept of Health and Human Services
129 Pleasant Street
Concord, NH 03301

Electronic Access, if applicable: N/A

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant):

FIS #: 26:205, dated: Tuesday, September 22, 2026

1. Comparison of the costs of the proposed rule(s) to the existing rule(s):

When compared to the existing rules, the proposed rules may result in negligible costs to certain independently owned businesses. Not applicable to Pes 701.08, which is a new rule.

2. Cite the Federal mandate. Identify the impact on state funds:

No Federal mandate, no impact on state fund

3. Cost and benefits of the proposed rule(s):

A. To State general or State special funds:

None.

B. To State citizens and political subdivisions:

None.

C. To independently owned businesses:

Under Pes 701.06, the proposed rules add bromadiolone, difenacoum, and difethialone to the list of restricted use pesticides and revises the use restriction for brodifacoum. New rule Pes 701.08 establishes classifications and restrictions for certain neonicotinoid pesticides. Certain independently owned businesses that sell or use the affected pesticides may have negligible costs due to the additional sale and use restrictions.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The proposal does not impose any new, expanded, or modified programs or responsibilities upon any political subdivision of the state, and thus does not violate the NH Constitution, Part I, Article 28-a.