Town of SOUTH HADLEY

Board of Health

Glyphosate Regulation on Town-Owned/Operated Property

A. Purpose:

Glyphosate is the primary active ingredient in glyphosate-based herbicides (GBHs) -- such as RoundUp® and Rodeo. Glyphosate poses harm to developing children and humans generally, bees and other pollinators, pets, domestic animals, wildlife and other living resources. Many glyphosate restrictions or bans throughout the world have been introduced following the 2015 glyphosate report by the World Health Organization International Agency for Research on Cancer (IARC) that concluded “Glyphosate is probably carcinogenic to humans (Group 2A)”, that there was a positive association between glyphosate exposures and non-Hodgkin lymphoma (NHL) and that glyphosate exposure caused DNA and chromosomal damage in human cells, as well as genotoxic, hormonal and enzymatic effects in mammals.

Because it is in the best interest of public health and the environment to eliminate the use of glyphosate-based herbicides (e.g., GBHs) on town-owned/operated lands, ponds and waterways: to encourage the reduction and elimination of the use of such herbicides on private property: and to introduce and promote ecologically sound, organic and other management practices to prevent and/or manage unwanted vegetation on town owned/operated land, the South Hadley Board of Health adopts the following regulation.

B. Authority:

This regulation is promulgated to the authority granted to the South Hadley Board of Health by Massachusetts General Laws Chapter 111, Section 31 that “Boards of Health may make reasonable health regulations.”

C. Definitions:

For the purpose of this regulation, the following words shall have the following meanings:

**Glyphosate**: a systemic organophosphate herbicide C3H8NO5P used to control herbaceous and woody weeds and the primary ingredient in many broad-spectrum herbicides (e.g., Roundup®, Rodeo® Ranger Pro®, Bonide® Ground Force® Vegetation Killer).

**Herbicide**: a substance that is toxic to plants, used to destroy unwanted vegetation.

**NOFA**: the Northeast Organic Farming Association, Massachusetts Chapter, a non-profit organization that provides guidelines for Organic Land Management.
Organic land management: a method of preventing and managing unwanted vegetation problems that does not use GBHs. This includes only NOFA’s Standards for Organic Land Care: Practices for the Design and Maintenance of Ecological Landscapes and/or Beyond Pesticides’ Products Compatible with Organic Landscape Management or another comparable equivalent to be determined by the South Hadley Board of Health.

Pesticide: a substance used to manage any unwanted organism - insects, rodents, birds, unwanted plants ("weeds"), fungi, or microorganisms such as bacteria and viruses. The term pesticide applies to insecticides, rodenticides, herbicides, fungicides, microbicides, and various other substances used to manage unwanted species.

D. Protocol

The use and application of glyphosate-based herbicides by town employees and/or by private contractors for managing lawns, turf, ornamental beds, and trees is prohibited on all town-owned/operated lands.

This shall include, but not limited, to the following spaces owned and managed by the Town of South Hadley park commissioners, school committee, conservation commission and library board of trustees on the grounds listed below, but not limited to: athletic fields, playgrounds, grounds of town buildings (police, fire, town hall, department of public works, council on aging), town museums, greens, parks, picnic areas, cemeteries, conservation areas, water protection districts, traffic islands, parking lots, beaches, roadsides, golf courses, and food production plots.

Organic Land Management (OLM) shall be the methodology of choice to understand, prevent and manage unwanted vegetation problems on town-owned properties. This limits management products and interventions to those approved by NOFA, Beyond Pesticides and/or Organic Materials Review Institute (OMRI) or another comparable equivalent determined by the South Hadley Board of Health.

All glyphosate-based herbicide products currently stored in or on town-owned premises shall be compiled by the Director of Public Works or Solid Waste Coordinator, who shall have the authority to dispose of any such products, including all GBHs, through a Massachusetts Department of Environmental Protection (MassDEP) approved method.

This regulation shall only apply to properties owned by the Town and not to private property. Accordingly, it shall not infringe upon any state laws or regulations including Massachusetts General Law Chapter 132B (the "Massachusetts Pesticide Control Act") and Chapter 333 of the Code of Massachusetts Regulations, nor any Federal Laws or regulations.
E. Exemption:

A request for an exemption shall be made to the South Hadley Board of Health in writing.

An exemption can only be granted by the South Hadley Board of Health, or its designated agent(s), due to an imminent threat to public health. An exemption shall only be granted after all non-toxic interventions have been exercised and failed to produce a tolerable outcome.

F. Enforcement:

Enforcement of this regulation shall be by the South Hadley Board of Health or its designated agent(s).

Any person who desires to register a complaint pursuant to this regulation may do so by contacting the South Hadley Board of Health or its designated agent(s) and the Board shall investigate.

G. Severability:

If any provision of this regulation is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.

H. Effective Date:

This regulation shall take effect on March 11, 2020.

[Signatures]

Dr. Diane Dietzen, MD, Chair

Jessica Collins, Vice Chair

Dr. Walter R. Wolf, DPM, Clerk