

THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1860 Session of  
2001

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INTRODUCED BY McCALL, GEORGE, MELIO, WALKO, BEBKO-JONES,  
CALTAGIRONE, D. EVANS, FRANKEL, GRUCELA, JAMES, LAUGHLIN,  
MANN, PRESTON, SATHER, SHANER, STABACK, STEELMAN, J. TAYLOR,  
TRICH, WASHINGTON, J. WILLIAMS AND YOUNGBLOOD, JULY 11, 2001

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REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,  
JULY 11, 2001

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AN ACT

1 Providing for control of certain types of herbicide applications  
2 by counties of the sixth class.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Definitions.

6 The following words and phrases when used in this act shall  
7 have the meanings given to them in this section unless the  
8 context clearly indicates otherwise:

9 "Defoliant." Any substance or mixture of substances intended  
10 for causing the leaves or foliage to drop from a plant, with or  
11 without causing abscission.

12 "Desiccant" Any substance or mixture of substances intended  
13 for artificially accelerating the drying of plant tissue.

14 "Herbicide." Any substance or mixture of substances intended  
15 for use as a plant regulator, defoliant or desiccant.

16 "Plant regulator." Any substance or mixture of substances

1 intended, through physiological action, for accelerating or  
2 retarding the rate of growth or rate of maturation, or for  
3 otherwise altering the behavior of plants or the produce  
4 thereof, but shall not include substances to the extent that  
5 they are intended as plant nutrients, trace elements,  
6 nutritional chemicals, plant inoculants, and soil amendments.  
7 Also, the term "plant regulator" shall not be required to  
8 include any of such of those nutrient mixtures or soil  
9 amendments as are commonly known as vitamin-hormone  
10 horticultural products, intended for improvement, maintenance,  
11 survival, health, and propagation of plants, and as are not for  
12 pest destruction and are nontoxic, nonpoisonous in the undiluted  
13 packaged concentration.

14 Section 2. General rule.

15 A county of the sixth class may, by ordinance, regulate or  
16 prohibit the application of a herbicide within a highway right-  
17 of-way or public utility easement in the county.

18 Section 3. Repeal.

19 All acts and parts of acts are repealed insofar as they are  
20 inconsistent with this act.

21 Section 4. Effective date.

22 This act shall take effect immediately.