



Prior Notification of Pesticide Applications for Compliance with Local Law 37 (Pesticide Use by New York City Agencies)

New York City Local Law 37, enacted May 9, 2005, established new requirements regarding pesticide use on property owned or leased by the City (hereafter referred to as "City property"), including the prohibition of certain pesticide products, posting of warning notices prior to applications, and new recordkeeping provisions. This fact sheet describes the notification requirements.

Twenty-four hours before most pesticide applications, notices with specific information about the application must be posted in public areas of the application site. The following is detailed information to assist you in complying with the new posting requirements. Exceptions to the notification requirements are also listed.

What should the notice contain?

- Date the Notice is Posted**
- Common Trade Name of the Pesticide**
The trade name is the product name from the label.
- Active Ingredient(s)**
The names of active ingredients in a product are listed on the product label as well the MSDS sheet.
- EPA Registration Number of the Product**
The registration number is listed on the product label and MSDS sheet.
- Address of Application**
- Proposed Application Date**
- Two Alternative Dates to the Proposed Date of Application**
These dates are necessary in the event of weather-related or other-cause postponements.
- Specific Sites to Which the Application Will be Made**
Examples in buildings may include "laundry room", "compactor room" or "common hallways". For outdoor applications, it may name the lawn area, street intersection, or specific playing field. If the areas are not yet known, or if the treatment will be to the full site, there is no need to list specific sites on the notice.
- Target Pest**
Name the pest that the application seeks to control, such as roaches, rodents, wasps, weeds, grubs or other pests.
- Application Method**
Methods may include spray, broadcast, hand placement, dusting, aerial, and other methods.
- Name and Telephone Number of the City Agency or Contractor Responsible for the Application**

Notices must also include a way to obtain additional information on the product that is being applied. The Department of Health and Mental Hygiene (DOHMH) recommends including the telephone number for the New York State Department of Health Center for Environmental Health at (800) 458-1158 and for the National Pesticide Information Center at (800) 858-7378.

Where should the notice be posted?

The notice must be posted at publicly accessible locations on the site of application. Notices must be placed in locations conspicuous to all people accessing the site. In interior structures, notices should be posted at each entrance to the building or area of the building where pesticides are to be applied. Posting near elevators, stairwell entries, and mailbox locations may be appropriate. For exterior applications, notices should be posted at the entrances to the site and in prominent locations around the site.

How long must the notice remain posted?

Notices must remain posted for a minimum of three days after the last pesticide application or longer if the pesticide label requires it.

Does this requirement apply to all sites?

Notices must be posted when applications occur on any property owned or leased by the City.

Does this apply to all types and uses of pesticides?

Twenty-four hour prior notice is NOT required for:

- applications requiring immediate action for public health reasons, such as severe rodent infestations, where mosquito larvae are present, or where populations of infected mosquitoes are present.
- rodenticides in containerized baits, and those placed directly into rodent burrows or in areas inaccessible to children or pets.
- pesticides used for water treatment at drinking water treatment plants, wastewater treatment plants, reservoirs, and related collection, distribution and treatment facilities.
- use of anti-microbial pesticides, such as bleach.
- pesticides applied to professional sports playing fields, golf courses or used to maintain water quality in swimming pools.
- pesticides used for the purpose of maintaining heating, ventilation and air conditioning systems, cooling towers and other industrial cooling and heating systems.
- pesticides classified by the USEPA as exempt from regulation when used in the manner specified by the exemption. These are known collectively as the “25b Minimum Risk Pesticides”. A current list is available at: http://www.epa.gov/oppbppd1/biopesticides/regtools/25b_list.htm
- biological pesticides (such as bacillus thuringiensis and milky spore).
- boric acid, disodium tetrahydrate, silica gels, diatomaceous earth, and nonvolatile insect bait in tamper resistant containers.

Although these applications are exempted from the twenty-four hour prior notice requirements of Local Law 37, they may still be subject to other posting and notification requirements under New York State law, such as the visual posting requirements for commercial lawn pesticide applications.

What if applications are made by contractors and not agency personnel?

The notice requirements apply to contractors making an application on City property, including subcontractors. Agencies should share this fact sheet and the notification template with their contractors who may make a pesticide application.

For more information on Local Law 37, visit www.nyc.gov/health/LL37 or email us at LL37info@health.nyc.gov.

NOTICE OF PESTICIDE APPLICATION

Notice posted on *[Month, Day, Year]*

[PESTICIDE COMMON TRADE NAME]
([EPA REGISTRATION NO.]

will be applied at:

[ADDRESS OF APPLICATION]
[PROPOSED APPLICATION DATE]

If weather does not permit application on this date, application will be made on either *[two alternative dates to the proposed date of application]*

Application will be made to *[specific sites]* at *[address]*.

This pesticide is being applied to control *[name of target pest]*.

[Pesticide Common Trade Name] contains the active ingredient(s):
[names of active ingredients].

It will be applied by *[application method]*.

For further information on the products applied, contact:

[Name and telephone number of the city agency or contractor responsible for the application]

New York State Department of Health Center for Environmental Health Info line: (800) 458-1158

National Pesticides Information Center: (800) 858-7378