

IN THE SENATE

SENATE BILL NO. 1272

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

1 RELATING TO POISONOUS PLANTS; AMENDING CHAPTER 1, TITLE 22, IDAHO CODE, BY
2 THE ADDITION OF A NEW SECTION 22-114, IDAHO CODE, TO REQUIRE LABELING ON
3 POISONOUS PLANTS OFFERED FOR SALE, TO PROVIDE LABELING REQUIREMENTS, TO
4 DEFINE A TERM, AND TO PROVIDE FOR PUBLIC OUTREACH AND THE COMPILATION OF
5 A LIST OF POISONOUS PLANTS BY THE DIRECTOR OF THE IDAHO STATE DEPARTMENT
6 OF AGRICULTURE.
7

8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Chapter 1, Title 22, Idaho Code, be, and the same is
10 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
11 ignated as Section 22-114, Idaho Code, and to read as follows:

12 22-114. AUTHORITY AND DUTIES OF THE DIRECTOR OF THE IDAHO STATE DE-
13 PARTMENT OF AGRICULTURE CONCERNING POISONOUS PLANTS -- LABEL REQUIREMENTS
14 -- PUBLIC OUTREACH. (1) Any person or entity that offers for sale any poi-
15 sonous plant shall be required to conspicuously adhere to the container of
16 the plant a red label measuring a minimum of eight (8) inches by eight (8)
17 inches in size, with the word "Poison" appearing in black.

18 (2) For purposes of this section, "poisonous" means having the capacity
19 to produce injury or illness to a human being or animal, domestic or wild,
20 through ingestion of the plant.

21 (4) The director of the Idaho state department of agriculture shall
22 cause a public awareness and outreach program to be conducted to inform the
23 public about the dangers that poisonous plants pose to humans and animals,
24 both domestic and wild. The director shall determine what plants are poi-
25 sonous for the purposes of this section and compile and keep current a list
26 of such poisonous plants, which list shall be published and incorporated in
27 the rules of the director.