



Evaluating Agency Contracts For Compliance with Local Law 37 (Pesticide Use by New York City Agencies)

New York City Local Law 37, enacted May 9, 2005, established many 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. These requirements apply to any application on City property, whether those applications are made by agency personnel, contractors, or sub-contractors.

Each agency must review its contracts for labor and services where pest control may arise, whether a major, small or incidental component. Agencies must ensure that all identified contractors are fully aware of and in compliance with the requirements of Local Law 37.

The following is a checklist of actions agencies will need to take to bring these contracts into compliance.

CONTRACT EVALUATION CHECKLIST

- Provide all contractors performing pest control services, and all contractors who may subcontract for pest control services, with a copy of Local Law 37 and a summary of its provisions.
- Amend and revise new contracts that include a provision or possibility of pest control to include the following language:

“To the extent that you apply pesticides to any property owned or leased by the city, you, or any subcontractor you hire shall comply with chapter 12 of the administrative code.”
- Provide contractors with Local Law 37-compliant reporting and recordkeeping instructions (see fact sheet “Reporting and Recordkeeping Requirements for Compliance with Local Law 37”). Contractors should use the New York City Pesticide Use Reporting System (NYCPURS) to record and report pesticide applications. See the DOHMH fact sheet, “Frequently Asked Questions About the New York City Pesticide Reporting System” for further information and which is available on line at www.nyc.gov/health/LL37.
- Notify contractors of the specific prohibitions on the use of pesticides on City property DOHMH can look up products on behalf of agencies and their contractors. For assistance in evaluating products, email requests to LL37prod@health.nyc.gov. DOHMH has prepared a fact sheet summarizing this provision of the law entitled “How to Determine Whether a Pesticide is Prohibited for Use on City Property By Local Law 37”. Agencies should work with contractors to adopt alternative approaches and to select alternative products.
- Require contractors to comply and maintain records demonstrating compliance with 24-hour prior notification to occupants/residents where pesticide applications occur. Provide contractors with detailed requirements and a template for notification. See the DOHMH fact sheet entitled “Reporting and Recordkeeping Requirements for Compliance with Local Law 37.” Note that certain pesticides and types of applications are exempt from prior notice requirements. A complete list of exemptions can be found in Section 17-1205 of Local Law 37.

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