

**Senate File 394 - Introduced**

SENATE FILE 394  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1051)

**A BILL FOR**

1 An Act relating to pesticides, by providing for tort liability.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 668.12, Code 2025, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 5. Notwithstanding any provision to the  
4 contrary, for any pesticide registered with the United States  
5 environmental protection agency under the federal Insecticide,  
6 Fungicide, and Rodenticide Act, 7 U.S.C. §136 et seq., the  
7 label approved by the United States environmental protection  
8 agency in registering the pesticide, or a label consistent  
9 with the most recent human health assessment performed under  
10 the federal Insecticide, Fungicide, and Rodenticide Act, or a  
11 label consistent with the United States environmental protection  
12 agency carcinogenicity classification for the pesticide under the  
13 federal Insecticide, Fungicide, and Rodenticide Act, shall be  
14 sufficient to satisfy any requirements for a warning or labeling  
15 regarding health or safety under chapter 206, any other provision  
16 or doctrine of state law concerning the duty to warn or label, or  
17 any other common law duty to warn.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with  
20 the explanation's substance by the members of the general assembly.

21 This bill provides for a defense from civil liability  
22 associated with the use of pesticides that are registered with  
23 the United States environmental protection agency (EPA) acting  
24 under the federal Insecticide, Fungicide, and Rodenticide Act  
25 (federal Act). The bill specifies that a label provides  
26 sufficient warning if it complies with any one of three criteria:  
27 (1) it was approved by the EPA, (2) it is consistent with the  
28 most recent human health assessment performed under the federal  
29 Act, or (3) it is consistent with the EPA's carcinogenicity  
30 classification for the pesticide. In each case, the label is  
31 sufficient to satisfy any requirements for a warning or label  
32 regarding health or safety under Code chapter 206 (pesticide  
33 regulation), any other provision of state law concerning the duty  
34 to warn or label, or any other common law duty to warn.