

Senate Study Bill 1051 - Introduced

SENATE FILE _____

BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY CHAIRPERSON
SCHULTZ)

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.