Sixty-ninth Legislative Assembly of North Dakota

## HOUSE BILL NO. 1318 with Senate Amendments HOUSE BILL NO. 1318

Introduced by

Representatives Hagert, Lefor, Beltz, Headland, Klemin, Koppelman, Weisz Senators Hogue, Kessel, Thomas, Weber

- 1 A BILL for an Act to create and enact a new section to chapter 28-01.3 of the North Dakota
- 2 Century Code, relating to pesticide labeling.

## 3 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

- 4 **SECTION 1.** A new section to chapter 28-01.3 of the North Dakota Century Code is created and enacted as follows:
- 6 Pesticide labeling Duty to warn Defenses.
- Notwithstanding any other provision in this title, any pesticide registered with the agriculture
- 8 <u>commissioner under chapter 4.1-33 or the United States environmental protection agency under</u>
- 9 the Federal Insecticide, Fungicide, and Rodenticide Act [61 Stat. 163; 7 U.S.C. 136 et seq.]
- which displays a label approved by the United States environmental protection agency in
- 11 registering the pesticide, displays a label consistent with the most recent human health
- 12 <u>assessment performed under the Federal Insecticide, Fungicide, and Rodenticide Act [61 Stat.</u>
- 13 163; 7 U.S.C. 136 et seq.], or displays a label consistent with the United States environmental
- 14 protection agency carcinogenicity classification for the pesticide under the Federal Insecticide,
- 15 Fungicide, and Rodenticide Act [61 Stat. 163; 7 U.S.C. 136 et seq.] is sufficient to satisfy any
- 16 requirement for warning or labeling regarding health or safety under this chapter and any other
- 17 provision or doctrine of state law concerning the duty to warn or label, or any other common law
- 18 duty to warn.