

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 as 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
5 and enacted as follows:

6 **Pesticide labeling - Duty to warn - Defenses.**

7 Notwithstanding any other provision of law, any pesticide registered with the agriculture
8 commissioner under chapter 4.1-33 or the United States environmental protection agency under
9 the Federal Insecticide, Fungicide, and Rodenticide Act [61 Stat. 163; 7 U.S.C. 136 et seq.]
10 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 assessment performed under the Federal Insecticide, Fungicide, and Rodenticide Act [61 Stat.
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 a sufficient warning label
16 for an action commenced under this chapter and any other provision or doctrine of state law
17 concerning the duty to warn or label, or any other common law duty to warn.