

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

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
5 and enacted as follows:

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

7 Notwithstanding any other provision of law in this title, any pesticide registered with the
8 agriculture commissioner under chapter 4.1-33 or the United States environmental protection
9 agency under the Federal Insecticide, Fungicide, and Rodenticide Act [61 Stat. 163; 7 U.S.C.
10 136 et seq.] which displays a label approved by the United States environmental protection
11 agency in registering the pesticide, displays a label consistent with the most recent human
12 health assessment performed under the Federal Insecticide, Fungicide, and Rodenticide Act [61
13 Stat. 163; 7 U.S.C. 136 et seq.], or displays a label consistent with the United States
14 environmental protection agency carcinogenicity classification for the pesticide under the
15 Federal Insecticide, Fungicide, and Rodenticide Act [61 Stat. 163; 7 U.S.C. 136 et seq.] is a
16 sufficient warning label for an action commenced sufficient to satisfy any requirement for
17 warning or labeling regarding health or safety under this chapter and any other provision or
18 doctrine of state law concerning the duty to warn or label, or any other common law duty to
19 warn.