

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
5 and enacted as follows:

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

7 Notwithstanding any other provision in this title, 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 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.