

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

HOUSE BILL NO. 1318
(Representatives Hagert, Lefor, Beltz, Headland, Klemin, Koppelman, Weisz)
(Senators Hogue, Kessel, Thomas, Weber)

AN ACT to create and enact a new section to chapter 28-01.3 of the North Dakota Century Code, relating to pesticide labeling.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 28-01.3 of the North Dakota Century Code is created and enacted as follows:

Pesticide labeling - Duty to warn - Defenses.

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

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1318.

House Vote: Yeas 51 Nays 40 Absent 3

Senate Vote: Yeas 29 Nays 18 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2025.

Approved at _____ M. on _____, 2025.

Governor

Filed in this office this _____ day of _____, 2025,

at _____ o'clock _____ M.

Secretary of State