

Dr. Jake Schmitz, DCN, MS, DC
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- Business co-owner of several entities in ND involving land, minerals, water, and real estate
- Associates degree at Williston State College, BS in Chemistry at Dickinson State University, Doctor of Chiropractic at Northwestern Health Sciences University, Master's degree in Human Nutrition and Functional Medicine at University of Western States, and Doctorate in Clinical Nutrition at University of Western States
- Married with 5 children

Chairman Luick, Senators of the Agriculture and Veterans Affairs Committee,

My name is Dr. Jake Schmitz, and I am representing myself as a licensed health professional in the state of North Dakota (ND). I have a doctorate in clinical nutrition, which makes food and nutrition science a heavy focus of mine. I have been practicing in Fargo for 13 years. I OPPOSE the proposed bill HB 1318.

This bill sounds simple on the surface. It appears to be a simple "labeling" bill. The people behind this bill (Modern Ag Alliance) did a good job convincing the House members that this bill will help farmers by ensuring the correct labels are put on the chemical products they use in their fields, increasing access to these products and reducing their risk of liability. The products this bill refers to are pesticides, herbicides, fungicides, etc.

The last line of this bill is the issue. If passed, this would satisfy something called "duty to warn". The legal implications of this are clear. Bayer wants a carte blanche liability waiver for their products. With this bill codified in law, a person damaged by these products wouldn't have the ability to sue, outside of a product defect.

The proponents of this bill want you to believe their products are safe. They want you to believe the lawsuits against them are frivolous and they are simply trying to protect ND farmers with this bill. They want you to believe they are here, advocating for farmers. They aren't. They are here to protect their bottom line.

There is only one reason a company would want protection against someone's ability to sue. It is because they know their product is harmful to people, and they don't want to be held liable for damages. There have been over 170,000 lawsuits levied against these large agrochemical businesses for damages caused by these "safe" products.

The passing of this bill could harm ND citizens by removing their legal right to sue for damages caused by these harmful products. I have attached multiple studies to my testimony, proving overwhelmingly how dangerous these products are for human health. The science is clear.

*RoundUp is classified as a carcinogen and is unsafe for humans:

<https://www.sciencedirect.com/science/article/pii/S0045653523018398#fig5>

*You are roughly 2.5x more likely to die from cancer if you live around farming areas:

[https://www.ceghonline.com/article/S2213-3984\(23\)00026-X/fulltext](https://www.ceghonline.com/article/S2213-3984(23)00026-X/fulltext)

*Pesticide usages increases the likelihood of multiple cancers and even Parkinson's Disease:

<https://www.sciencedirect.com/science/article/abs/pii/S0013935121011166>

*Health issues caused by pesticide usage in agricultural workers:

<https://pmc.ncbi.nlm.nih.gov/articles/PMC7879472/>

<https://link.springer.com/article/10.1007/s11356-021-17031-2#Sec11>

The court system has also proven these products to be unsafe, and they cause cancer and other neurological diseases in humans. The main company supporting this bill (Monsanto/Bayer) has lost \$11.4 BILLION in damages from lawsuits because of the damage their products have caused people.

Please vote DO NOT PASS on HB 1318. These products are unsafe, have been proven to cause cancer and other neurological diseases. Do the right thing and protect ND citizens and farmers rights to sue these large companies for damages caused by their products.

Thank you for your consideration in reading my testimony.

Maximum Blessings,

A handwritten signature in black ink, appearing to be 'Dr. Jake Schmitz', written over a large, stylized, circular flourish.

Dr. Jake Schmitz