

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, any~~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 commeneeds~~sufficient to satisfy any requirement for warning or labeling regarding
- 17 health or safety under this chapter and any other provision or doctrine of state law concerning
- 18 the duty to warn or label, or any other common law duty to warn.