



MODERN AG ALLIANCE

Modern Ag Alliance Testimony

Kansas Legislature

Agriculture and Natural Resources Committee

Testimony

To: Chairman Rahjes, Vice Chairman Neelly, and members of the House Committee on Agriculture and Natural Resources

Introduction

Good morning, Chairman Rahjes, Vice-Chairman Neelly, Ranking Member Featherston, and members of the Agriculture and Natural Resources Committee. My name is Elizabeth Burns-Thompson, and I'm here on behalf of the Modern Ag Alliance—a coalition of more than 110 agricultural organizations advocating for farmers' continued access to the crop protection tools they need to produce a safe, affordable, and abundant food supply. We are proud to collaborate with our partner organizations here in Kansas, many of whom you have or will hear from today on the importance of this issue.

On behalf of the Modern Ag Alliance and Kansas farmers, I urge you to support HB 2476. Growing up on a farm myself, I have firsthand experience with the challenges our farmers face and the importance of providing them with the certainty they need to keep feeding America.

Kansas farmers are already navigating falling commodity prices, rising input costs, volatile weather, and unpredictable markets. Additional uncertainty only makes those challenges harder to manage.

If access to crop protection tools is eroded through litigation, the impacts would extend beyond the farm. Farmers could face difficult decisions that affect not only their operations, but also food affordability and supply. Without clear, consistent standards around pesticide labeling, American agriculture could face a crisis.

The Problem

While this issue is something that faces every crop protection technology on the market today and in the future, a bulk of the conversations have revolved around glyphosate—farmers' most effective weed control tool. Kansas producers depend on it and others to bring in a safe and affordable crop each year: 93% of corn, 96% of soybeans, 89% of cotton, and more than half of

wheat acres in the state rely on glyphosate.¹ Without access to these chemistries, yields would decline, production costs could more than double, and food prices would rise even further.²

Pesticides like glyphosate undergo more than a decade of rigorous research, testing, and regulatory review before entering the market—and are continuously re-evaluated for safety. The litigation industry has made clear it will continue suing the agriculture industry unless additional warnings are added, but what they fail to tell you is EPA has explicitly rejected those additional warnings because there is not science to support them- and furthermore because the EPA has full authority over the content of that label, if a manufacturer were to add a warning it would be deemed misbranded and not eligible for sale.

That creates an impossible standard: companies are punished for complying with federal law. While glyphosate is the focus today—a technology with more than 50 years of safe, effective use in the US and around the world—we know this is just the start. Attacks on other proven crop protection tools are already underway and those on the other side of this issue will not stop until the toolbox is empty for farmers in Kansas.

If left unaddressed, the consequences are clear:

- Reduced crop yields that threaten availability of critical food, fuel, and fibers
- Rising input costs that could push farmers out of business
- Accelerating food inflation when Kansas families are already struggling
- A growing patchwork of state-by-state regulations that creates unnecessary confusion and makes compliance more difficult for farmers

The Path Forward – HB 2476: Ensuring the Label is the Law

HB 2476 provides a straightforward, necessary solution. It affirms that the federally approved pesticide label is the law and that companies cannot be subjected to endless litigation for following the law. Importantly, **this bill simply codifies existing Kansas law by placing into statute existing Kansas case law (*Jenkins v. Amchem Products*, 256 Kan. 602 (1994)).**

HB 2476 does not alter or in any way reduce the duties or responsibilities of manufacturers. It simply clarifies how those duties can be met under the law, creating certainty and a level playing field for following the law.

It's almost important to note what this bill does NOT do. The bill does not change liability for misuse, off-label use, or drift damage. It also does not limit the state Department of Agriculture's authority to regulate pesticide use.

This legislation is about protecting the backbone of our country—America's farmers. There are so many challenges outside of our control in agriculture- we can't control the weather and we can't control the markets- but this is an issue that we can fix, we know how to fix, and we should fix here today. I urge your support of HB 2476 and thank you for your time this afternoon.

¹ USDA National Agriculture Statistics Services, "2023 State Agricultural Overview, Kansas."

² Aimpoint Research, "Farm Bill Programs And The Role Of Crop Protection Tools," <https://report-directionsgroup.com/farm-bill/>