

HOUSE BILL No. 2476

By Committee on Agriculture and Natural Resources

Requested by Representative Rathjes

1-20

PROPOSED AMENDMENT
House Committee on Agriculture and
Natural Resources
Office of Revisor of Statutes

1 AN ACT concerning agriculture; relating to pesticides; permitting federal
2 pesticide warning or labeling requirements to satisfy any state pesticide
3 warning or labeling requirements.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) Notwithstanding any other law to the contrary and in
7 accordance with the uniformity requirements of 7 U.S.C. § 136v, any
8 pesticide that is registered pursuant to K.S.A. 2-2204, and amendments
9 thereto, or 7 U.S.C. § 136 et seq. and displays a label that meets one of the
10 following requirements shall be deemed to satisfy any requirement for
11 warning or labeling regarding health or safety under article 22 of chapter 2
12 of the Kansas Statutes Annotated, and amendments thereto, and any other
13 statutory or common law concerning the duty to warn or label:

14 (1) The label is consistent with the most recent human health
15 assessment performed under 7 U.S.C. § 136 et seq.; or

16 (2) the label is consistent with the United States environmental
17 protection agency carcinogenicity classification for the pesticide under 7
18 U.S.C. § 136 et seq.

19 (b) [This section shall be a part of and supplemental to the agricultural
20 chemical act of 1947, K.S.A. 2-2201 et seq., and amendments thereto.

21 Sec. 2. This act shall take effect and be in force from and after its
22 publication in the statute book.

Nothing in this section shall preclude claims or causes of
action that are unrelated to product warnings or labeling.
(c)