

Failure-to-Warn & Pesticide Immunity Bills

In 2025, advocates expect some version of a failure-to-warn bill to be introduced in at least 21 states. For ease of reference, see links below for target resources based on [Northwest](#), [Plains](#), [Midwest](#), [West/Southwest](#), [Southeast](#), and [MidAtlantic/Northeast](#) regions.

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Take Action in Congress

Federal—FY26 Interior, Environment, and Related Agencies Appropriations Bill

The **Interior and Environment Subcommittee** in the U.S. House of Representatives Appropriations Committee [voted Tuesday, July 15 \[8-5\]](#), on a bill that includes language that provides **total pesticide immunity language that will block farmers and consumers from suing chemical manufacturers when they fail to disclose the harm that their products cause and block states from providing information on product harm beyond EPA-approved language**. The language prohibits EPA from approving a pesticide product label or taking action inconsistent with a human health assessment or carcinogenicity classification previously approved by the EPA—freezing the EPA's position on a pesticide in place for decades, and eliminating the ability to hold the company accountable.

([The language is found here](#). Search on Sec. 453.) The markup of the bill was live-streamed on the [House Committee's website](#). The subcommittee list is below!

[Take Action](#) *[Inactive]*

Update from July 21, 2025, at 4 PM: Representative Chellie Pingree (D-ME-1) moved forward with amendments to strike sections 453 and 507 of the FY26 Interior-Environment Appropriations Bill, which is a provision that provides immunity for pesticide manufacturers from farmer and consumer lawsuits seeking compensation from product harm.

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Update from July 23, 2025, at 10 AM: The FY26 Interior-Environment Appropriations Bill passed out of the House Appropriations Committee with sections 453 and 507 included, via a voice vote.

Update from July 25, 2025, at 11 AM: The [Senate Appropriations Committee](#) convened a full markup on **July 24 [26-2]**, which thankfully did not include these toxic provisions when the bill passed out of Committee. *Please stay tuned for updates!*

[Take Action](#)

Moving forward, it is vital to keep this language out of the Senate version, which allows for a strategically strong position at the House-Senate conference. *Contacting your elected officials in Congress to either remove (House) or prevent inclusion of (Senate) sections 453 and 507 from the final bill helps to educate and raise public awareness on the critical issue that protects access to the courts for those harmed by pesticides.*

Take Action in Your State

Click on the button below with your state to contact your elected officials requesting their opposition to this legislation.

[North Carolina](#)

Ongoing Public Health Crisis

Pesticide exposure has been attributed to heightened risk of severe health conditions, including but not limited to various cancers, neurological disorders, reproductive disorders, immunological disorders, and obesity.

According to [U.S. Centers for Disease Control and Prevention](#), **1,777,566** new cases of cancer were reported in 2021 (the latest year of available incidence data). Not all cancer cases are directly related to pesticides, however [National Cancer Institute](#) notes, "[a]pproximately **40.5% of men and women** will be diagnosed with cancer at some point during their lifetimes (based on 2017–2019 data)." Given that up to **93% of cancer diagnoses** can be attributed to non-hereditary, environmental factors ([National Institutes of Health](#)), advocates raise the question of the long-term viability of pesticide dependence given the readily available alternative pest management practices. A 2022 study commissioned by [Parkinson's Foundation](#) found there was a **50% increase** in expected annual diagnoses for Parkinson's Disease, with **90,000 new individuals** diagnosed each year. Data from the CDC-led [National Health and Nutrition Examination Survey](#) (2021-2023) indicates that approximately **four in ten Americans** are obese.

Amidst the corresponding surges in chronic illnesses and severe health diagnoses of the past decades alongside the unprecedented increases in pesticide use around the nation, advocates raise the question of the long-term viability of pesticide dependence given the readily available alternative pest management practices.

History

Attacks on "failure-to-warn" liability claims are taking place in the wake of extraordinary jury verdicts against Bayer/Monsanto for harm caused by Roundup™ glyphosate and the company's failure to have their case heard by the U.S. Supreme Court after losing in the lower courts. The latest numbers indicate that [Bayer-Monsanto alone has had to settle \\$11 billion for glyphosate](#) use and exposure, prompting the industry to attack the right of those harmed to sue for the company's failure to warn them about the product's hazards.

Failure-to-warn/Pesticide immunity bills introduced in [Iowa, Idaho, and Missouri](#) in 2024 attempt to prohibit state civil tort law on this matter, making the limited EPA-registered label the final word on disclosure and effectively rendering legal disputes invalid under this claim. The bills were narrowly defeated.

Industry failure-to-warn immunity language was incorporated into the [House GOP Farm bill draft released in May 2024](#), and is still being negotiated in Congress. The last version of the House Agriculture Committee bill [voted out of committee](#) on May 30, 2024, incorporates immunity language. Corporations would financially benefit from revoking this right to sue, as evidenced by a surge in state-level campaign spending in target states, based on reporting from the [U.S. Right to Know](#). In 2016, Bayer and Corteva contributed 5 percent of total PAC contributions to state campaigns. In 2024, this jumped to 30 percent.

According to [Federal Election Commission](#) (FEC), pesticide manufacturer-related political action committees (PACs) cumulatively contributed **\$1,708,186** to federal candidates between 2023 and 2024.

The industry's campaign follows its playbook of going to state legislatures to seek relief after failing to win at the federal level, which is what was successfully achieved in the 1990s when local authority to restrict pesticides under *Federal Insecticide, Fungicide, and Rodenticide Act* (FIFRA) was upheld by the Supreme Court. The industry convinced most states to preempt their local political subdivisions from adopting pesticide restrictions that were more stringent than those of the state.

In 1991, the [Supreme Court specifically upheld the authority of local governments](#) to restrict pesticides throughout their jurisdictions under federal pesticide law in *Wisconsin Public Intervenor v. Mortier*. (Bates v. Dow Agrosciences LLC, 544 U.S. 431 (2005))

The Court ruled that federal pesticide law does not prohibit or preempt local jurisdictions from restricting the use of pesticides more stringently than the federal government throughout their jurisdiction. According to *Mortier*, however, states may retain the authority to take away local control.

After that loss, the industry went to every state legislature to do at the state level what it could not achieve at the federal level—preemption of local governments to adopt pesticide restrictions more stringent than the state and the federal government.