

# Overview 2026

In 2026, Failure-to-warn bills are expected to be introduced in at least several state legislatures. **For ease of reference, see the links below for target resources based on regions that currently have live legislation in the [Plains](#), [Midwest](#), and [Southeast](#) target states.** *Stay tuned for additional resources as information becomes available.*

We succeeded in blocking this legislation in ten states in 2025; unfortunately, two bills passed in [Georgia](#) and [North Dakota](#), but the fight continues! For additional information, see our history from 2024 onward. *You can view the archive page for 2025/2024 for additional information [here](#) or at the button below.*

Please see our [press release on January 16, 2026](#), in response to U.S. Supreme Court's decision to take on *Durnell, John L. v. Monsanto*, which could take away the public's right to sue chemical manufacturers that do not warn of product hazards.

[Resources & Assets 2026 Bill Tracker Archive \(2024-2025\)](#)

## Take Action in Your State

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

[Missouri](#) [Tennessee](#) [North Carolina](#)

[Iowa](#) [Kansas](#) [Oklahoma](#)

## A Note on the Farm Bill

Industry failure-to-warn immunity language was incorporated into the [House GOP Farm bill draft released in May 2024](#). The last version of the House Agriculture Committee bill [voted out of committee](#) on May 30, 2024, incorporated toxic 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.

Fast forward to the 2026 Farm Bill negotiations, Congress (House Agriculture Committee) failed to stop the threat to our basic right to sue chemical manufacturers for the harm caused by their toxic products and their failure to warn about those hazards ([Section 10205](#)) in the [GOP Farm Bill](#) (just released Friday, February 13) on Tuesday, March 3. There are additional toxic provisions as well, which you can learn more about how we took action in our *Daily News* reflection piece, [Farm Bill Strips Protections from Pesticides for Farmers, Consumers, and the Environment](#).

## 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](#), [immune system disorders](#), and [obesity](#). The preponderance of scientific evidence on the adverse health consequences can be reviewed in our [Pesticide-Induced Diseases Database \(PIDD\)](#).

According to the [U.S. Centers for Disease Control and Prevention](#), **1,851,238** new cases of cancer were reported in 2022 (the latest year of available incidence data). This figure is up roughly **4**

**percent** from the 2021 available data of **1,777,566** new cases during that calendar year. In 2025, the [National Cancer Institute](#) estimates **2,041,910** new cancer cases in the U.S. and **618,120** fatalities.

The Institute also analyzes the economic and healthcare costs burden of cancer: “Estimated [national expenditures for cancer care](#) in the United States in 2020 were **\$208.9 billion**. In future years, costs are likely to increase as the population ages and more people have cancer. Costs are also likely to increase as new, and often more expensive, treatments are adopted as standards of care.”

Given that up to **93% of cancer diagnoses** can be attributed to non-hereditary, environmental factors ([National Institutes of Health](#)), it raises 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 question the long-term viability of pesticide dependence given the readily available alternative pest management practices.

## History

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* (1991). (*Wisconsin Pub. Intervenor v. Mortier*, 501 U.S. 597 (1991))

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.

In an [amicus brief](#) published on December 1, 2025, the Office of the Solicitor General (SG) and the White House are calling on the Supreme Court of the United States (SCOTUS) to grant certiorari on Bayer's petition to shield chemical companies that fail to warn people about the potential hazards of their pesticide products.

The industry appears to be attempting to reverse the current law, as clarified by SCOTUS in the previous court decision, specifically [Bates v. Dow \(2005\)](#) (*Bates v. Dow Agrosciences LLC*, 544 U.S. 431 (2005)). The court ruled the following:

*“The long history of tort litigation against manufacturers of poisonous substances adds force to the basic presumption against preemption. If Congress had intended to deprive injured*

**parties of a long available form of compensation, it surely would have expressed that intent more clearly.** See *Silkwood v. Kerr-McGee Corp.*, 464 U. S. 238, 251 (1984). *Moreover, this history emphasizes the importance of providing an incentive to manufacturers to use the utmost care in the business of distributing inherently dangerous items."*

Beyond Pesticides joined an amicus brief in the case with Earthjustice, Defenders of Wildlife, Farmworker Justice Fund, Natural Resources Defense Council, Physicians for Social Responsibility, Public Citizen, Sierra Club, and Trial Lawyers for Public Justice, in support of Bates. Please see [here](#) for our press release at the time of the 2005 *Bates* decision.

See *Daily News*, [Trump Administration to U.S. Supreme Court: Pesticide Companies Cannot Be Sued for Failing to Disclose Hazards](#), for additional history and context. See *Daily News* [here](#) and [here](#) for additional context.

## **Fiscal Year 2026 Appropriations**

Section 453 of the House version of the FY 26 Interior-Environment Appropriations bill ([H.R.4754](#)) included pesticide liability shield language, while the Senate-side version ([S. 2431](#)) did not. A [broad coalition](#), including [Beyond Pesticides and over fifty organizations, coalitions, businesses, and leaders](#), continues to call on Congress not to include Section 453 language in any federal appropriations package for the upcoming fiscal year. *Please see our [press release](#) on January 6, 2026, regarding recent developments on Section 453 language in the latest minibus spending package.*

You can view the archive page, linked above, for 2025/2024 for additional information.