



# HOUSE COMMITTEE ON AGRICULTURE LABELING UNIFORMITY

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## Background

Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the U.S. Environmental Protection Agency (EPA) is the federal agency responsible for reviewing, approving, and regulating pesticides. Before any pesticide is registered or reregistered, EPA conducts a rigorous, science-based review to ensure the product meets federal safety standards for human health and the environment.

This review results in an EPA-approved pesticide label, which is legally enforceable and serves as the authoritative instructions for safe and effective use. **To preserve a uniform national system, Congress included clear language in FIFRA stating that no state may impose labeling or packaging requirements that are different from or in addition to those required under federal law.**

Despite this clear congressional intent, some states and courts have misinterpreted FIFRA's labeling provisions. States have adopted requirements, such as California's Proposition 65, that mandate warning labels for products listed by the state as carcinogens, even when EPA has determined that those same pesticide products are safe when used according to their federally approved labels. **This creates a direct conflict between federal and state requirements.**

Across the country, courts are divided on how FIFRA's labeling provision applies to state-law claims, particularly those involving failure-to-warn theories tied to glyphosate. This has prompted the U.S. Supreme Court to take up the *Monsanto Co. V. Durnell* case to resolve these conflicting interpretations. The U.S. solicitor general and various industry and business groups have urged the Court to clarify the scope of federal preemption and reinforce uniform national pesticide labeling. **These misinterpretations of FIFRA will lead to an unworkable patchwork of conflicting state labeling requirements** that disrupts commerce and puts both applicators and manufacturers at risk by removing consistent, clear guidance.

## Preserving Labeling Uniformity in the Farm, Food, and National Security Act of 2026

To preserve regulatory certainty and maintain a science-based national standard for pesticide labeling, Congressional action is needed to reaffirm EPA's role as the sole authority for safety findings related to pesticides. Language in the farm bill provides this clarity, ensures that states maintain their ability to further regulate these tools, and clarifies that bad actors can still be held liable. In the absence of Congress acting to provide certainty and reassert this science-based federal regulatory structure that's relied upon by manufacturers and producers, farmers would face further escalating input costs and lower yields, leading to higher food prices for consumers.

## REGULATORY REFORM: MYTH V. FACT

**Myth: Language in this bill creates a “liability shield” for pesticide manufacturers.**

**Fact:** Referring to this provision as a “liability shield” for pesticide manufacturers is a severe mischaracterization of its intent and its ultimate effect. This provision is about regulatory certainty and making sure that there is a clear, science-based national standard for pesticide labeling that is rooted in scientific review from the EPA, not courtroom science that overrides federal findings. This provision makes clear that bad actors can still be held liable and penalized.

**Myth: This language will have a negative impact on food safety standards for Americans.**

**Fact:** This provision is narrowly scoped to affirm that the EPA is the sole authority for making safety findings related to pesticides, reflected through the final label. Nothing in this language impacts the rigorous regulatory process that all pesticide products must go through before being brought to market. This also includes the obligation that EPA must review new scientific findings, including those related to human health and food safety, and pull products from the market if they are found to no longer meet those strict safety standards.

**Myth: These reforms undermine the ability of states to protect their residents.**

**Fact:** The Farm, Food, and National Security Act of 2026 explicitly protects the existing rights of states to regulate the sale and use of pesticides under FIFRA 24(a) and 24(c). These protections allow states to continue regulating within their jurisdictions, including the ability to set additional standards for registration, so long as those standards do not impose any requirements for labeling or packaging that are in addition to or different from what FIFRA requires. Should a state have concerns about the EPA’s findings, they maintain the right to not register the product for use at all.

**Myth: This language ties the hands of EPA and would not allow them to take action when new science comes forward.**

**Fact:** This provision does not have any impact on the EPA’s ability to evaluate and respond to new information, nor does it impact the Agency’s obligation to protect human health and the environment. The language does not prohibit any action from the EPA, ensuring that they have full flexibility to respond to new science and take action if warranted.