



Oppose The Agricultural Labeling Uniformity Act!

H.R. 4288: Agricultural Labeling Uniformity Act- Introduced by Rep. Dusty Johnson [R-SD-At-large District] on June 22nd, 2023

Background

The Agricultural Labeling Uniformity Act (ALUA)¹ would restrict state and local governments from adding any warnings, protections, or updates to EPA-approved pesticide labels, if those updates are more stringent than existing federal regulations. This means that States and localities—including courts—could not exercise their right to adequately regulate against toxic pesticides, nor to penalize manufacturers whose products unjustly threaten local communities, wildlife, and agricultural workers. Additionally, the ALUA would make it more difficult for the EPA to update labels based on new scientific information revealing potential harm, despite the agency's core mission to protect human health and the environment. The ALUA would alter sections of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) to create this restriction.

This bill, which currently has seven cosponsors, comes in the wake of Farm Bill negotiations and multi-billion dollar lawsuits² against pesticide manufacturers for their products causing cancer and other health ailments. Pesticides such as glyphosate, which the International Agency for Research on Cancer deemed a “probable human carcinogen” based on peer-reviewed studies³, would lose their warning labels in states like California⁴ because the EPA found “insufficient evidence” based on internal unpublished studies to show that glyphosate causes cancer⁵. Over 140 mayors and officials from more than 30 states—as well as over 185 health, agricultural, and environmental organizations—stood against the ALUA in 2023.⁶

Summary

The ALUA would preempt local decisions surrounding pesticide labeling and would eliminate States' ability to “penalize or hold liable” pesticide manufacturers if there is any difference in labels between States' and EPA's. The bill would also limit the extent to which the EPA could update labeling and packaging based on new scientific findings.

¹ Dusty [R-SD-At Large Rep. Johnson, “Text - H.R.4288 - 118th Congress (2023-2024): Agricultural Labeling Uniformity Act” (2023), <https://www.congress.gov/bill/118th-congress/house-bill/4288/text>.

² “Roundup Lawsuit: 2024 Updates, Cancer Lawsuits & Settlements,” Drugwatch.com, accessed May 23, 2024, <https://www.drugwatch.com/legal/roundup-lawsuit/>.

³ International Agency for Research on Cancer, “IARC Monograph on Glyphosate,” World Health Organization IARC, July 19, 2018, <https://www.iarc.who.int/featured-news/media-centre-iarc-news-glyphosate>.

⁴ OEHHA Admin, “Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65)” (2014), <https://oehha.ca.gov/proposition-65>.

⁵ Charles M. Benbrook, “How Did the US EPA and IARC Reach Diametrically Opposed Conclusions on the Genotoxicity of Glyphosate-Based Herbicides?,” *Environmental Sciences Europe* 31, no. 1 (January 14, 2019): 2, <https://doi.org/10.1186/s12302-018-0184-7>.

⁶ Geoff Horsfield, “Let States and Communities Protect Their Citizens from Pesticides,” Environmental Working Group, February 15, 2024, <https://www.ewg.org/news-insights/news/2024/02/let-states-and-communities-protect-their-citizens-pesticides>.