

By Senator Truenow

13-00985-26

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1 A bill to be entitled

2 An act relating to products liability actions under
3 the Florida Pesticide Law; creating s. 487.082, F.S.;
4 prohibiting a pesticide-related products liability
5 action based on a manufacturer's failure to warn if
6 the pesticide's label meets specified conditions;
7 providing an exception; providing an effective date.
8

9 Be It Enacted by the Legislature of the State of Florida:
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11 Section 1. Section 487.082, Florida Statutes, is created to
12 read:

13 487.082 Products liability actions.—A products liability
14 action under this part based on a failure to warn may not be
15 brought or maintained with respect to any pesticide registered
16 with the United States Environmental Protection Agency under the
17 Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7
18 U.S.C. ss. 136 et seq., if the label for such pesticide is:

19 (1) Approved by the United States Environmental Protection
20 Agency;

21 (2) Consistent with the most recent human health risk
22 assessment performed under FIFRA; or

23 (3) Consistent with the United States Environmental
24 Protection Agency's carcinogenicity classification of the
25 pesticide under FIFRA.

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27 However, this section does not shield from liability a
28 manufacturer that the United States Environmental Protection
29 Agency determines knowingly withheld, concealed, misrepresented,

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30 or destroyed material information regarding the human health
31 risks or carcinogenicity of a pesticide in order to obtain or
32 maintain approval of the label for the pesticide by the United
33 States Environmental Protection Agency.

34 Section 2. This act shall take effect July 1, 2026.