

SUPPORT HB 653

PESTICIDE LABELING UNIFORMITY

THE PROBLEM States like California and trial lawyers in cities like San Francisco or Philadelphia are attempting to force labeling on the most widely used herbicide for something that is untrue. If not addressed, this will directly impact the availability of these essential products for farmers – lowering yields, threatening farmers’ livelihoods, and threatening domestic food security.

THE SOLUTION HB 653 simply says that existing regulations for pesticide labeling shall be sufficient for a cancer warning label unless a plaintiff can demonstrate in court that they were harmed by the product or that a company withheld important safety information from regulators. This will reduce costly and unnecessary litigation in the future while still providing access to legal remedies and the discovery process for individuals harmed by bad actors.

WHY IDAHO?



1. Idaho is home to the only production of elemental phosphorous in the western hemisphere – the initial source of producing glyphosate, the active ingredient in Roundup®. The ore used to produce elemental phosphorous is mined in the Soda Springs area of SE Idaho.
2. The P4 phosphate mine and elemental phosphorus plant in Soda Springs account for 800 total jobs, \$110M total payroll, \$10M in payroll taxes and \$2.7M in property taxes, as well as \$60M in local vendor spending.
3. Idaho is a highly diverse agricultural state, ranking first in the production of potatoes, alfalfa, and barley, second in sugarbeets, and a top five producer of Spring wheat.
4. Glyphosate is used for weed control in the production of these commodities in a variety of ways, from cleaning fields of weeds prior to planting wheat, barley and potatoes, and as a tool for in-season weed control to reduce tillage for varieties of crops which are glyphosate tolerant, such as alfalfa, canola, and sugarbeets.
5. Glyphosate, the most widely used herbicide in the U.S., has enabled conservation practices, including cover cropping, double cropping and reduced soil tillage on millions of acres year after year in the U.S. In Idaho, more than 43 percent of all commodity acres use reduced tillage practices.

WHY NOW?

- The current litigation around labeling is creating uncertainty about whether American made products will continue to be available for farmers.
- To address litigation costs, glyphosate has already been removed from Roundup® that is sold to consumers in the lawn and garden space.
- If phosphate-based herbicides are not available from Idaho and American manufacturers, there is only one other place they can be sourced from: China.
- Endless litigation over a product that every health regulator in the world has deemed safe and not carcinogenic risks putting Idaho's elemental phosphorous production out of business.



SAFETY

For 50 years, leading health regulators around the world have repeatedly concluded that glyphosate products can be used safely, and that glyphosate is not carcinogenic:

"IN THIS LARGE, PROSPECTIVE COHORT STUDY, NO ASSOCIATION WAS APPARENT BETWEEN GLYPHOSATE AND NON-HODGKINS LYMPHOMA."

2018 AGRICULTURAL HEALTH STUDY/NATIONAL CANCER INSTITUTE

U.S. Environmental Protection Agency "No risks of concern to human health from current uses of glyphosate."

European Chemicals Agency "The committee found that the available scientific evidence did not meet the criteria to classify glyphosate for specific target organ toxicity, or as a carcinogenic, mutagenic or reprotoxic substance."

On November 7, 2023, the U.S. Court of Appeals for the Ninth Circuit found California's Proposition 65 cancer warning for glyphosate to be unconstitutional. "California unquestionably has a substantial interest in preserving the health of its citizens," [U.S. Circuit Judge Consuelo] Callahan wrote. "However, **compelling sellers to warn consumers of a potential risk never confirmed by any regulatory body...does not directly advance that interest.**"

