

Senate Bill 144

By: Senators Watson of the 11th, Gooch of the 51st, Kennedy of the 18th, Beach of the 21st,  
Goodman of the 8th and others

**AS PASSED**

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 6 of Chapter 7 of Title 2 of the Official Code of Georgia Annotated,  
2 relating to liability for use of fertilizers, plant growth regulators, or pesticides, so as to clarify  
3 that a manufacturer cannot be held liable for failing to warn consumers of health risks above  
4 those required by the United States Environmental Protection Agency with respect to  
5 pesticides, subject to an exception; to provide for legislative findings; to provide for related  
6 matters; to provide for applicability; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 The General Assembly finds that:

- 10 (1) Agriculture and its related industries contribute over \$91 billion to Georgia's economy,  
11 and Georgia farmers are the backbone of that activity;
- 12 (2) As the nation's largest producer of peanuts and the second largest producer of cotton,  
13 Georgia farmers rely on inputs to grow their crops and keep yields high;
- 14 (3) Without reliable access to the most widely used crop protection products, costs to  
15 farmers could more than double;
- 16 (4) A domestic supply chain for crop protection products is critical to ensuring farmers  
17 have access to all the tools they need to grow food and fiber;

- 18 (5) Dependence on Chinese imports for critical ingredients in crop protection products  
19 creates supply chain vulnerabilities for the United States and opportunities for foreign  
20 adversaries to restrict access to crop protection products for American farmers; and  
21 (6) Every effort must be made to strengthen the United States domestic production of  
22 pesticides, including clarifying regulatory authority of pesticide labeling.

23 **SECTION 2.**

24 Article 6 of Chapter 7 of Title 2 of the Official Code of Georgia Annotated, relating to  
25 liability for use of fertilizers, plant growth regulators, or pesticides, is amended by adding  
26 a new Code section to read as follows:

27 "2-7-171.

28 (a) As used in this Code section, the term:

29 (1) 'Environmental Protection Agency' means the United States Environmental  
30 Protection Agency.

31 (2) 'FIFRA' means the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C.  
32 Section 136, et seq., and the amendments thereto.

33 (b) Notwithstanding anything to the contrary in this chapter, beginning on January 1, 2026,  
34 any pesticide registered with the Commissioner, pursuant to Code Section 2-7-55, or the  
35 Environmental Protection Agency, pursuant to FIFRA, which displays a label that has been  
36 approved by the Environmental Protection Agency in registering the pesticide or is  
37 consistent with the most recent human health risk assessment performed under FIFRA shall  
38 be deemed a sufficient warning label for the purposes of an action commenced under any  
39 provision of state law concerning the duty to warn or label, or any other common law duty  
40 to warn; provided, however, that the provisions of this subsection shall not apply when a  
41 determination has been made by the Environmental Protection Agency that a manufacturer  
42 knowingly withheld, concealed, misrepresented, or destroyed material information

43 regarding the human health risks of such pesticide in order to obtain or maintain approval  
44 of its label by the Environmental Protection Agency."

45 **SECTION 3.**

46 All laws and parts of laws in conflict with this Act are repealed.