

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 products liability action from being
 5 brought under the Florida Pesticide Law unless certain
 6 conditions are met; providing an effective date.

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 8 Be It Enacted by the Legislature of the State of Florida:

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 10 **Section 1. Section 487.082, Florida Statutes, is created**
 11 **to read:**

12 487.082 Products liability actions.-

13 (1) A products liability action under this part, including
 14 a failure to warn, may not be brought or maintained against any
 15 distributor, dealer, applicator, registrant, or agricultural
 16 employer, as defined in s. 487.2031, unless:

17 (a) The distributor, dealer, applicator, registrant, or
 18 agricultural employer exercised substantial control over the
 19 aspect of the design, testing, manufacture, or labeling of the
 20 product that caused the alleged harm for which recovery of
 21 damages is sought;

22 (b) The distributor, dealer, applicator, registrant, or
 23 agricultural employer altered or modified the product, and the
 24 alteration or modification was a substantial factor in causing
 25 the alleged harm for which recovery of damages is sought;

26 (c) The distributor, dealer, applicator, registrant, or
27 agricultural employer handled, used, or applied the product in a
28 manner inconsistent with the product label and such action or
29 failure to warn caused the alleged harm for which recovery of
30 damages is sought; or

31 (d) The manufacturer of the product that caused the
32 alleged harm for which recovery of damages is sought is not
33 subject to the jurisdiction of this state.

34 (2) (a) A products liability action under this part based
35 on a failure to warn may not be brought or maintained against a
36 manufacturer for any pesticide registered with the United States
37 Environmental Protection Agency Federal Insecticide, Fungicide,
38 and Rodenticide Act (FIFRA), 7 U.S.C. ss. 136 et seq., if the
39 label is:

40 1. Approved by the United States Environmental Protection
41 Agency;

42 2. Consistent with the most recent human health assessment
43 performed under FIFRA; or

44 3. Consistent with the United States Environmental
45 Protection Agency carcinogenicity classification of the
46 pesticide under FIFRA.

47 (b) A label described in paragraph (a) satisfies any
48 requirement for a warning label regarding health or safety, or
49 any other provision of general law.

50 **Section 2.** This act shall take effect July 1, 2025.