



December 14, 2023

The Honorable Debbie Stabenow  
Chair, Senate Agriculture, Nutrition and  
Forestry Committee  
328-A Russell Senate Office Building  
Washington, DC 20510

The Honorable John Boozman  
Ranking Member, Senate Agriculture,  
Nutrition and Forestry Committee  
328-A Russell Senate Office Building  
Washington, DC 20510

The Honorable G.T. Thompson  
Chair, House Agriculture Committee  
1301 Longworth House Office Building  
Washington, DC 20515

The Honorable David Scott  
Ranking Member, House Agriculture  
Committee  
1010 Longworth House Office Building  
Washington, DC 20515

RE: Agricultural Labeling Uniformity Act (H.R. 4288)

On behalf of the National Conference of State Legislatures (NCSL), National League of Cities (NLC) and the National Association of Counties (NACo), we write to voice our opposition to the Agricultural Labeling Uniformity Act of the 118<sup>th</sup> Congress. If passed, the bill would prohibit state and local governments from adopting or maintaining pesticide laws that are more protective than federal rules, including prohibiting supplemental requirements or warnings that are different from federal labels.

We urge you to reject this preemptive legislation outright or as part of a larger package, such as the Farm Bill reauthorization. Under the 10th Amendment, the foundation of constitutional federalism, state and local governments have fulfilled a traditional role of protecting and maintaining the safety and general welfare of their residents by enacting laws that shield residents from a wide array of threats, such as harmful chemicals found in pesticides, while maintaining quality standards for agricultural products and sustainability for agricultural producers. This legislation would erode state and local sovereignty by preventing state and local governments from tailoring laws to meet specific needs of communities. Furthermore, the legislation would overturn decades of precedent and Supreme Court rulings on state sovereignty.

Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the U.S. Environmental Protection Agency oversees the registration, distribution, sale and use of pesticides in the United States. Congress has long considered FIFRA to be a federal floor for our nation's pesticide policies. As such, state and local governments have and should retain the authority to

enact supplemental standards, as many have already done, to protect people, animals and the environment based on community input and needs.

As Congress continues its work on the Farm Bill reauthorization, we urge you to reject the Agriculture Labeling Uniformity Act that would preempt state and local authority and decision-making. Thank you for your consideration. If you have any questions, please do not hesitate to reach out to our staff: Megan Bland (NCSL) at 202-624-3569 or [megan.bland@ncsl.org](mailto:megan.bland@ncsl.org); Carolyn Berndt (NLC) at 202-626-3101 or [Berndt@nlc.org](mailto:Berndt@nlc.org); or Owen Hart (NACo) at 503-780-0277 or [ohart@naco.org](mailto:ohart@naco.org).

Sincerely,

A handwritten signature in blue ink that reads "Tim Storey". The signature is fluid and cursive, with a long horizontal stroke at the end.

Tim Storey  
Chief Executive Officer  
National Conference of State Legislatures

A handwritten signature in black ink that reads "Clarence E. Anthony". The signature is cursive and somewhat stylized, with a long horizontal stroke at the end.

Clarence E. Anthony  
CEO and Executive Director  
National League of Cities

A handwritten signature in blue ink that reads "Matthew D. Chase". The signature is cursive and includes a large, stylized "M" at the beginning.

Matthew D. Chase  
Executive Director/CEO  
National Association of Counties

CC: Members of the House Agriculture Committee  
Members of the Senate Agriculture, Nutrition and Forestry Committee