

217.565 Registered pesticide with EPA-approved master label -- When warning deemed sufficient for purposes of duty to warn or label action -- Exception. (Effective July 15, 2026)

- (1) Any pesticide registered for use with the Department of Agriculture, pursuant to KRS 217.570, or the United States Environmental Protection Agency (EPA) pursuant to the FIFRA as defined in KRS 217.544, and any regulations promulgated thereunder, including but not limited to 40 C.F.R. pt. 156, that displays a label that has been approved by the EPA in registering the pesticide or is consistent with the most recent human health risk assessment performed under the FIFRA shall be deemed a sufficient warning label for the purposes of an action commenced under any provision of state law concerning the duty to warn or label, or any other common law duty to warn.
- (2) This section shall only apply to any pesticide for which the EPA has approved a master label that includes an Agricultural Use Requirements label in accordance with 40 C.F.R. pt. 156.
- (3) The provisions of this section shall not:
 - (a) Apply when a determination has been made by the EPA that a manufacturer knowingly withheld, concealed, misrepresented, or destroyed material information regarding the human health risks of such pesticide in order to obtain or maintain approval of its label by the EPA; or
 - (b) Be interpreted to prohibit a cause of action based on any other provision or doctrine of state law.

Effective: July 15, 2026

History: Created 2026 Ky. Acts ch. 11, sec. 1, effective July 15, 2026.