

## Chair and Members of the Committee,

Thank you for the opportunity to testify today.

My name is Tessa, and I am speaking both as an ecologist and as a concerned citizen. My professional work focuses on understanding how environmental systems function — and how human decisions ripple through ecosystems, communities, and generations.

At its core, this bill is not simply about regulation. It is about accountability.

When regulatory systems function fully and rigorously, they serve as our first line of defense against toxic harm. But when those systems are weakened, underfunded, or narrowed in scope our civil courts become one of the last remaining safeguards protecting people from dangerous products.

For decades, the courts have provided farmers, workers, and families a venue to seek justice when chemical manufacturers failed to warn about known or foreseeable harms. These cases have not existed to punish innovation — they have existed to ensure honesty, transparency, and care in the distribution of inherently dangerous products.

This bill would dismantle that safeguard.

By granting immunity to pesticide manufacturers based solely on regulatory compliance, this legislation removes one of the strongest incentives companies have to tell the truth about risk, to improve product safety, or to remove dangerous products from the market altogether.

Without the possibility of compensatory or punitive damages, chemical manufacturers are no longer compelled to exercise the “utmost care” required when distributing toxic substances into our homes, food systems, schools, and workplaces.

The United States Supreme Court recognized this principle clearly in **Bates v. Dow Agrosciences (2005)**, when it upheld the right of individuals harmed by pesticides to seek damages. The Court wrote:

“The long history of tort litigation against manufacturers of poisonous substances adds force to the basic presumption against preemption... Moreover, this history emphasizes the importance of providing an incentive to manufacturers to use the utmost care in the business of distributing inherently dangerous items.”

This bill would overturn that logic and not through careful congressional debate, but by quietly stripping Americans of long-standing legal rights.

Even more concerning, this legislation would grant broad immunity to pesticide companies even when they **misrepresent or conceal known risks**. There is a well-documented history of deception within the pesticide industry — including delayed disclosures, selective science, and suppression of internal findings.

Under this bill, immunity would extend to more than **57,000 registered pesticide products**, regardless of whether their use contributes to cancer, neurological disease, endocrine disruption, reproductive harm, or developmental impacts.

This is not a narrow policy change. It is a sweeping removal of responsibility.

As an ecologist, I also want to speak to vulnerability.

In my work, we study birds as indicators of environmental health. When bird populations decline, it signals that something in the system is broken — that toxins are accumulating where they should not be.

Pesticides do not remain neatly where they are applied. They move through air, soil, water, and food webs. Birds absorb them quickly because of their small bodies and high metabolic rates.

Children are no different.

Like birds, children's bodies absorb a higher proportion of environmental chemicals than adults. Their organs are still developing. Their neurological systems are still forming. Exposure that might appear minimal for an adult can cause lasting harm to a child.

In Kansas, we already see the human health consequences of chemical contamination through state fish consumption advisories. Kansas agencies (KDHE) warn residents to limit or avoid eating fish from certain rivers and reservoirs because toxic chemicals, citing many pesticide-derived compounds, have accumulated in the water and in fish tissue. These contaminants do not disappear after application; they persist for decades, moving through soil and water and entering the food system.

This means Kansans can be exposed not only through agricultural use, but through something as ordinary as eating locally caught fish. This is a clear example of how pesticide exposure does not stay theoretical or distant; it becomes a real public health issue for Kansas families. When accountability is removed, these risks are not reduced, they are simply passed on to the public.

When we grant companies immunity for lying about risks, we are not protecting innovation, we are sacrificing the most vulnerable among us.

This bill does not protect farmers.

It does not protect families.

It does not protect consumers or workers.

It protects corporations from accountability — at a time when regulatory oversight is already diminished.

In a democracy, no industry that profits from toxic substances should be above the law. When harm occurs, people must retain the right to seek truth, transparency, and justice.

I urge this committee to oppose HB 2476 and preserve the fundamental right of Americans to hold corporations accountable for the harms they cause.

Thank you for your time and consideration.

<https://www.kdhe.ks.gov/m/newsflash/home/detail/1831>

<https://www.beyondpesticides.org/resources/pesticide-induced-diseases-database/sexual-and-reproductive-dysfunction>

<https://www.beyondpesticides.org/resources/pesticide-induced-diseases-database/cancer>