STATE OF MISSISSIPPI
DEPARTMENT OF AGRICULTURE AND COMMERCE

ANDY GIPSON
COMMISSIONER

February 7, 2025

Senator Brice Wiggins
Senate Judiciary Committee, Division A, Chairman
Post Office Box 1018
Jackson, Mississippi 39215

Chairman Wiggins,

I stand for the freedom to farm in Mississippi. Small farms. Big farms. I trust our farmers to make the best decisions for their crops and herds so they can continue to provide Americans with food, fiber, and shelter while also providing for their own families. Some farmers may choose to be regenerative and organic; others choose to use approved fertilizers and pesticides. I've been to Europe and seen the result of attacks on modern agricultural practices, and I can tell you we cannot let the globalist interests who have restricted agriculture in Europe and other parts of the world control American agriculture.

I support Senate Bill 2472 in the state Senate right now, because it will close a lawsuit loophole that would take away the freedom for farmers to appropriately use approved pesticides in agriculture in Mississippi. All approved pesticides go through review by the U.S. Environmental Protection Agency and are registered with the Mississippi Department of Agriculture and Commerce for use in accordance with the label. That's where this lawsuit loophole comes in.

Used to be when you bought a cup of hot coffee, there were no warning labels on it. If you spilled hot coffee, you knew you might get burned. And there used to be no warning labels on ladders; everyone had the common sense to know if you fell off the top step you could get hurt. The lawsuit strategy of "failure to warn," has forced manufacturers to warn all manner of dire possible outcomes on the product to protect themselves.

When the EPA determines a pesticide is safe to be used in certain amounts in the prescribed way, the manufacturer puts that on the label. Under federal law, there can be no deviation from that label. Federally compliant labels do not include a "failure to warn" provision. Under state law, the same label must be used and without this legislation closing this loophole, there is no protection in state law for "failure to warn." Recently, thousands of lawsuits have turned up against pesticides using a discredited report from a subagency of the liberal World Health Organization. The lawsuits claim, under states' laws, that manufacturers didn't adequately warn people on their label. These lawsuits risk taking away critical tools from our American farmers, and in doing so they will take away farm freedom.

The legislation in the Mississippi Senate simply protects manufacturers and sellers from a lawsuit under state law based on "failure to warn." It doesn't protect against any other kind of lawsuit. It doesn't prevent them from being sued for proven injuries. It doesn't allow unapproved pesticides to be used. And, unlike other mandates, this bill doesn't require that pesticides be used at all. In short, this bill will protect the freedom and the ability of our farmers to exercise their own judgment on which pesticides to use on their own farms. Senate Bill 2472 ensures that farmers can make these decisions, rather than some global elitist organization such as the WHO or trial lawyers.

No civilization can survive that cannot feed itself, and our American farmers deserve the ability to access proven and approved pesticide technologies they've used for decades. Senate Bill 2472 ensures our farmers will retain that freedom here in Mississippi.

Sincerely,

Andy Gipson
Commissioner of Agriculture and Commerce