

The Cancer Gag Act: Pesticides Over People

As pesticides threaten lowans and farmers across the country, Iowa lawmakers are faced with a decision: to side with the profiteering pesticide industry, or to side with their powerful constituents fighting back. Iowa's Cancer Gag Act (Senate Study Bill 1051), reintroduced in January 2025, would prevent individuals harmed by pesticides from suing on the basis that a company's product caused cancer or other illnesses.¹ Bayer, producer of the infamous glyphosate-based pesticide Roundup, has heavily supported past iterations of Iowa's bill and championed cookie-cutter bills popping up across the country.² Should the bill pass in Iowa, it would help set the stage for a nation-wide attack on the abilities of Americans to seek justice.

Pesticide Proliferation

America is a nation drowning in pesticides, and lowans are some of those most impacted. Iowa farmers spread more pesticides, commercial fertilizers, and manure than any other state.³ Over 53 million pounds of herbicides are applied annually to soybean and corn crops, with glyphosate-based herbicides (GBHs) accounting for nearly 16 million pounds.⁴ In Iowa, 90 percent of soybeans and 75 percent of corn crops are treated with glyphosate. This equates to an average of 8.9 million acres of soybean crops and 10.2 million acres of corn crops, blanketing over half of the state by land area.⁵

The growth in glyphosate is staggering. Between 1990 and 2023, the average rate of glyphosate applied per acre of soybeans in Iowa jumped 238 percent.⁶ Monsanto is to blame for this. The company introduced its glyphosate-based herbicide Roundup in 1974, and in the mid-90s, released soybean, cotton, and corn seeds resistant to its Roundup product. These now make up the majority of all U.S. corn, soybean, and cotton crops.⁷ With these developments, glyphosate could now be applied up to three times after crop emergence, and U.S. acreage sprayed exploded ninefold.⁸ Bayer acquired Monsanto in 2018, eliminating the Monsanto branding and bringing Roundup and other former Monsanto products into its portfolio.⁹

Cancerous Consequences

While Big Ag and pesticide manufacturers seek to protect profit, lowans are suffering. Iowa ranks number one for the fastest growing rate of new cancers and is second in cancer incidence overall.¹⁰ This deadly statistic strongly correlates with Iowa's flood of agricultural pollutants. In 2015, the International Agency for Research on Cancer (IARC) classified glyphosate as "probably carcinogenic," indicating strong data on the chemical's cancer-causing properties.¹¹ Multiple studies included in this decision linked glyphosate exposure with increased risk for non-Hodgkin lymphoma (NHL), and a more recent meta-analysis found that high exposure to GBHs results in a 41 percent

increased risk of NHL.¹² Glyphosate has also been linked to endocrine disruption, reproductive problems, birth defects, and developmental disorders in children.¹³

While messaging in favor of the bill has focused on the need for glyphosate, this bill would apply to all pesticides.¹⁴ It is well documented that non-glyphosate pesticides are also associated with a host of health hazards, including cancer. For example, dicamba use — another herbicide ingredient produced by Bayer and applied to 10 percent of Iowa's soybeans — is associated with several cancers, including lung, colon, liver, and prostate.¹⁵ Many pesticides are also linked to thyroid disrupting properties, contributing to the risk of thyroid cancer.¹⁶ Non-cancer health effects of pesticides include Parkinson's, Alzheimer's, reproductive disorders, and respiratory problems. They may also damage DNA and contribute to organ failure.¹⁷ Despite these known risks, some Iowa lawmakers would rather protect corporate profits than the health of Iowans.

Recouping Damages

With legislation like the Cancer Gag Act, Bayer and its government lap dogs aim to prevent people harmed by pesticide toxins from recovering damages after they have been injured. This legislation would bar lawsuits so long as warning labels meet the Environmental Protection Agency (EPA) guidelines, but these labels focus on acute risks from accidental ingestion rather than long-term risks like cancer.¹⁸ Additionally, the EPA cannot always be relied on to make the safe choice for consumers. Lee Zeldin, Trump's new EPA Administrator, has vowed to pursue a deregulation agenda that capitulates to industry.¹⁹

Even before Trump's administration, the EPA has long lagged other nations when regulating dangerous pesticides. They are reluctant to unilaterally revoke approvals, relying on companies to voluntarily stop selling products.²⁰ The agency is also vulnerable to outside influence — in the 2010s, Monsanto pressured the EPA to kill a glyphosate review that was to be undertaken by the U.S. Agency for Toxic Substances and Disease Registry and to suspend an EPA Scientific Advisory Panel on the health risks of glyphosate.²¹ Monsanto also ghostwrote "independent" scientific papers supporting the safety of glyphosate, including one that made it into the EPA's 2017 cancer assessment.²²

Without the EPA fully considering harms in advance, injured parties must rely on litigation to force liability onto manufacturers and receive compensation for damages retroactively.²³ The IARC decision led to thousands of lawsuits across the U.S., with consumers arguing they developed NHL from exposure to Roundup.²⁴ In 2020, Bayer paid out over \$10 billion to settle 95,000 Roundup lawsuits in one of the largest settlements ever.²⁵ Despite this, the company maintains Roundup is safe for use, and they now seek to quietly stifle future litigation with state-by-state bans like the Cancer Gag Act.²⁶ But Iowans will not let Bayer work behind the scenes to destroy our health and safety in pursuit of profit any longer.

Looking Beyond Iowa

The ramifications of Bayer's Cancer Gag Act extend beyond just Iowa. As of February 6, 2025, similar or near-identical versions of the bill have been introduced in seven other states: Florida, Missouri, Mississippi, North Dakota, Oklahoma, Tennessee, and Wyoming.²⁷ One of these, North Dakota's version, has passed in the House.²⁸ Should the bill become law in Iowa or another state, it

will embolden the pesticide industry to spread this legislation even further. At the federal level, the Agricultural Labeling Uniformity Act was introduced to prohibit states from requiring additional warning labels beyond what the EPA dictates and could be included in a future Farm Bill.²⁹ The current Farm Bill was extended to cover 2025,³⁰ but we must remain vigilant for future iterations.

Conclusion

In 2024, Iowa's Cancer Gag Act made it through the Senate, but failed to be taken up by the House.³¹ As of February 6, 2025, the reintroduced bill has advanced out of Senate subcommittee and will proceed to a full committee vote.³² It must not proceed any further. To protect and honor Iowa's cancer victims and survivors, Governor Reynolds and the Iowa legislature must prohibit passage of Bayer's Cancer Gag Act. As this dangerous legislation takes root across the country, other states and our federal officials must stand up to do the same.

Endnotes

- 1 Held, Lisa. "Inside Bayer's state-by-state efforts to stop pesticide lawsuits." *Civil Eats*. Updated January 29, 2025; IA S.S.B. 1051 (2025).
- 2 Held (2025).
- 3 Schneider, Keith. The New Lede. "'We can't sit back': Amid polluted water and climbing cancer rates, Iowa eyes farm chemicals." *Investigate Midwest*. December 22, 2023.
- 4 Food & Water Watch (FWW) analysis of U.S. Department of Agriculture (USDA). National Agricultural Statistics Service (NASS). Quick Stats. Accessed December 2024.
- 5 Paisley-Jones, Claire. Biological and Economic Analysis Division, U.S. Environmental Protection Agency (EPA). Memorandum to Dana Spatz and Rosanna Louie-Juzwiak. Environmental Fate and Effects Division, EPA. "Glyphosate Case (103601, 103604, 103605, 103607, 103608, 103613, 417300) National and State Summary Use and Usage Matrix." Updated May 19, 2020 at 7 and 18. Available at <https://www3.epa.gov/pesticides/nas/glyphosate/appendix-1-4.pdf>; U.S. Census Bureau. "Iowa." Available at <https://data.census.gov/profile/iowa?g=040XX00US19>.
- 6 FWW analysis of USDA. NASS. Quick Stats.
- 7 Monsanto. [Backgrounder.] "History of Monsanto's Glyphosate Herbicides." June 2005 at 1; Benbrook, Charles M. "Trends in glyphosate herbicide use in the United States and globally." *Environmental Sciences Europe*. Vol. 28, No. 3. February 2, 2016 at 1; USDA. Economic Research Service. [Table.] "Genetically engineered varieties of corn, upland cotton, and soybeans, by state and for the United States, 2000-18." Last updated July 16, 2018.
- 8 Benbrook (2016) at 2 and 10.
- 9 Cohen, Patricia. "Roundup maker to pay \$10 billion to settle cancer suits." *New York Times*. June 24, 2020; Bomey, Nathan. "Monsanto shedding name: Bayer acquisition leads to change for environmental lightning rod." *USA Today*. June 4, 2018.
- 10 West, Michele M. et al. Iowa Cancer Registry, State Health Registry of Iowa. "2024 Cancer in Iowa." February 2024 at 6.
- 11 International Agency for Research on Cancer (IARC). [Press release]. "IARC Monographs Volume 112: Evaluation of five organophosphate insecticides and herbicides." March 20, 2015.
- 12 World Health Organization (WHO). IARC. (2017). *Some Organophosphate Insecticides and Herbicides, Volume 112: IARC Monographs on the Evaluation of Carcinogenic Risks to Humans*. Lyon: International Agency for Research on Cancer at 395 to 399; Zhang, Luoping et al. "Exposure to glyphosate-based herbicides and risk for non-Hodgkin lymphoma: A meta-analysis and supporting evidence." *Mutation Research-Reviews in Mutation Research*. Vol. 781. February 2019 at abstract and 202.
- 13 University of Michigan. Environmental Health Science Center of Excellence. [Fact sheet.] "What are endocrine disruptors?" June 2012 at 1 and 2; Clair, Émilie et al. "A glyphosate-based herbicide induces necrosis and apoptosis in mature rat testicular cells *in vitro*, and testosterone decrease at lower levels." *Toxicology in Vitro*. Vol. 26, No. 2. March 2012 at 1 to 2 and 7; Gasnier, Céline et al. "Glyphosate-based herbicides are toxic and endocrine disruptors in human cell lines." *Toxicology*. Vol. 262, No. 3. August 2009 at 185 and 188 to 189; Avila-Vazquez, Medardo et al. "Environmental exposure to glyphosate and reproductive health impacts in agricultural population of Argentina." *Journal of Environmental*

- Protection*. Vol. 9, No. 3. March 2018 at 242 and 250; Garry, Vincent F. et al. "Birth defects, season of conception, and sex of children born to pesticide applicators living in the Red River Valley of Minnesota, USA." *Environmental Health Perspectives*. Vol. 110, Supplement 3. June 2002 at 445.
- 14 Held (2025).
- 15 Lerro, Catherine C. et al. "Dicamba use and cancer incidence in the agricultural health study: An updated analysis." *International Epidemiological Association*. Vol. 49, No. 4. May 2020 at abstract and 1327; FWW analysis of USDA. NASS. Quick Stats; USDA. NASS. [Press release]. "Iowa Ag News - Chemical Use – Soybeans: Fall 2023" May 13, 2024; Bayer. "Dicamba." Available at <https://www.bayer.com/en/agriculture/dicamba> and on file with FWW. Accessed January 2025.
- 16 Lerro, Catherine C. et al. "Cancer incidence in the Agricultural Health Study after 20 years of follow-up." *Cancer Causes & Control*. Vol. 30. February 2019 at 318 to 319.
- 17 Centner, Terence J. "Pesticide usage is compromising people's health in the United States: Ideas for reducing damages." *Agriculture*. Vol. 11, No. 486. May 2021 at 4.
- 18 Opsahl, Robin. "Bill proposing legal immunity for pesticide manufacturers advances." *Iowa Capital Dispatch*. March 19, 2024; Held (2025).
- 19 Chemnick, Jean and Scott Waldman. "Meet the 'great deregulator' Trump chose to lead EPA." *E&E News*. November 12, 2024; Daly, Matthew. "Senate confirms Zeldin to lead Environmental Protection Agency as Trump vows to cut climate rules." *Associated Press*. January 29, 2025.
- 20 Donley, Nathan. "The USA lags behind other agricultural nations in banning harmful pesticides." *Environmental Health*. Vol. 18, No. 44. April 2019 at abstract and 4 to 5.
- 21 Krinsky, Sheldon and Carey Gillam. "Roundup litigation discovery documents: Implications for public health and journal ethics." *Journal of Public Health Policy*. June 8, 2018 at 5 and 6.
- 22 *Ibid.* at 3 and 4; EPA. Office of Pesticide Programs. "Revised Glyphosate Issue Paper: Evaluation of Carcinogenic Potential." December 12, 2017 at 188.
- 23 Centner (2021) at 6 to 7 and 9.
- 24 WHO. IARC. (2017). *Some Organophosphate Insecticides and Herbicides, Volume 112: IARC Monographs on the Evaluation of Carcinogenic Risks to Humans*. Lyon: IARC at 398 to 411; Romo, Vanessa. "Jury awards terminally ill man \$289 million in lawsuit against Monsanto." *NPR*. August 10, 2018; Gillam, Carey. U.S. Right to Know. "Landmark lawsuit claims Monsanto hid cancer danger of weedkiller for decades." *Guardian*. May 22, 2018.
- 25 Cohen (2020).
- 26 Bayer. [Open letter]. "American Agriculture at Risk." April 17, 2024; Held (2025).
- 27 Beyond Pesticides. "Failure-to-Warn, Bills to Track." Available at <https://www.beyondpesticides.org/resources/failure-to-warn/bills-to-track>. Accessed February 2025; FL H.B. 129 (2025); IA S.S.B. 1051 (2025); MO H.B. 544 (2025); MS S.B. 2472 (2025); ND H.B. 1318 (2025); OK H.B. 1755 (2025); TN S.B. 527; WY H.B. 285 (2025).
- 28 ND H.B. 1318 (2025).
- 29 Held (2025).
- 30 Congressional Research Service. "Expiration of the 2018 Farm Bill and Extension for 2025." R47659. Updated December 26, 2024 at 1.
- 31 Strong, Jared. "Iowa Senate votes to limit lawsuits over Roundup, other farm and lawn chemicals." *Iowa Capital Dispatch*. April 2, 2024; Iowa Legislature. "Bill History for House Study Bill 646." Available at <https://www.legis.iowa.gov/legislation/billTracking/billHistory?billName=HSB%20646&ga=90>. Accessed October 2024.
- 32 Sostaric, Katarina. "Iowa senators advance Bayer bill to limit lawsuits over pesticide-related illness." *Iowa Public Radio*. February 6, 2025.