

# 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.<sup>1</sup> 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.<sup>2</sup> Should the bill pass in Iowa, it would help set the stage for a nationwide 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.<sup>3</sup> Over 53 million pounds of herbicides are applied annually to soybean and corn crops, with glyphosate-based herbicides accounting for nearly 16 million pounds.<sup>4</sup> 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.<sup>5</sup>

The growth in glyphosate use is staggering. Between 1990 and 2023, the average rate of glyphosate applied per acre of soybeans in Iowa jumped 238 percent.<sup>6</sup> Monsanto is to blame for this. The company introduced its glyphosate-based herbicide Roundup in 1974, and in the mid-1990s, it released soybean, cotton, and corn seeds resistant to its Roundup product. These resistant varieties now make up the majority of all U.S. corn, soybean, and cotton crops.<sup>7</sup> With these developments, glyphosate could now be applied up to three times after crop emergence to kill pests without damaging crop yields, and U.S. acreage sprayed exploded ninefold.<sup>8</sup> Bayer acquired Monsanto in 2018, eliminating the Monsanto branding and bringing Roundup and other former Monsanto products into its portfolio.<sup>9</sup>

## Cancerous Consequences

While Big Ag and pesticide manufacturers seek to protect profit, lowans are suffering. Iowa ranks first among U.S. states for the fastest growing rate of new cancers and is second in cancer incidence overall.<sup>10</sup> 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.<sup>11</sup> 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

glyphosate-based herbicides results in a 41 percent increased risk of NHL.<sup>12</sup> Glyphosate has also been linked to endocrine disruption, reproductive problems, birth defects, and developmental disorders in children.<sup>13</sup>

While messaging in favor of the bill has focused mainly on the need for glyphosate use, this bill would prevent individuals harmed by any type of pesticide from suing.<sup>14</sup> It is well documented that non-glyphosate pesticides are associated with a host of health hazards, including cancer. For example, the use of dicamba — 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.<sup>15</sup>

Many pesticides are also linked to thyroid-disrupting properties, contributing to the risk of thyroid cancer.<sup>16</sup> Non-cancer health effects of pesticides include Parkinson's, Alzheimer's, reproductive disorders, and respiratory problems. Pesticides may also damage DNA and contribute to organ failure.<sup>17</sup> 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.<sup>18</sup> 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.<sup>19</sup>

Even before Trump's administration, the EPA has long lagged other nations when regulating dangerous pesticides. The agency is reluctant to unilaterally revoke approvals, relying on companies to voluntarily stop selling products.<sup>20</sup> It 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.<sup>21</sup> Monsanto also ghostwrote "independent" scientific papers supporting the safety of glyphosate, including one that made it into the EPA's 2017 cancer assessment.<sup>22</sup>

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.<sup>23</sup> The IARC decision led to thousands of lawsuits across the U.S., with consumers arguing that they developed NHL from exposure to Roundup.<sup>24</sup> In 2020, Bayer paid out over \$10 billion to settle 95,000 Roundup lawsuits in one of the largest settlements ever.<sup>25</sup> Despite this, the company maintains that Roundup is safe for use, and Bayer now seeks to quietly stifle future litigation with state-by-state bans like the Cancer Gag Act.<sup>26</sup> 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.<sup>27</sup> One of these bills, North Dakota’s version, has passed in the state’s House.<sup>28</sup> 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 it could be included in a future Farm Bill.<sup>29</sup> The current Farm Bill was extended to cover 2025,<sup>30</sup> but we must remain vigilant for future iterations.

## Conclusion

In 2024, Iowa’s Cancer Gag Act made it through the state’s Senate but failed to be taken up by the House.<sup>31</sup> As of February 6, 2025, the reintroduced bill has advanced out of a Senate subcommittee and will proceed to a full committee vote.<sup>32</sup> 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

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