

**EMERGENCY PETITION TO REQUIRE CANCER WARNING LABELS
ON ALL PESTICIDE PRODUCTS THAT EPA CONSIDERS
CARCINOGENIC**



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CENTER FOR BIOLOGICAL DIVERSITY

July 8th, 2026



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Re: Emergency Petition to Require Cancer Warning Labels on All Pesticide Products That EPA Considers Carcinogenic

Cancer devastates the lives of far too many people and contributes to the health crisis in this country. Americans suffer greatly, and unnecessarily, because of environmental contamination from pesticides that are associated with cancer. Exposure to carcinogenic pesticides threatens the health and safety of all of us.

The connection between exposure to pesticides and chronic diseases such as cancer has gained increasing attention. President Trump has correctly observed that, “Americans have been crushed by the industrial food complex” and that “we spend billions and billions of dollars on pesticides. And something bad is happening” due to extraordinarily toxic, widely used pesticides.¹ Americans are looking to their leaders to advise them on how to reduce their risk of cancer and other chronic diseases, and President Trump created the Make America Healthy Again (MAHA) Commission² to address this problem.

¹ Press Conference: Donald Trump Speaks with Reporters at Mar-a-Lago (Dec. 16, 2024)
<https://tinyurl.com/ycksmce>.

² <https://www.whitehouse.gov/presidential-actions/2025/02/establishing-the-presidents-make-america-healthy-again-commission/>.

Pesticide exposure affects everyone, but pesticide applicators face the highest risk for developing cancer, suffering cancer rates higher than the national average.³ Pesticide exposure is also a likely contributor to high cancer rates among farmers and people in rural communities.⁴

The Environmental Protection Agency (EPA) regulates pesticides under the Federal Insecticide Fungicide and Rodenticide Act (FIFRA). However, the EPA consistently fails to warn the public about known cancer risks associated with pesticides.⁵ The EPA has found that 199 pesticide active ingredients have evidence of carcinogenicity. Of these, 124 active ingredients are still registered for use in the United States without the public being informed of these findings on pesticide product labels.⁶

The EPA must do more to live up its mandate to protect the health of the American people. A significant step would be to add cancer warnings, when the EPA has identified a cancer risk, to pesticide product labels to increase pesticide users' awareness of the known risk of cancer so they can take appropriate steps to protect themselves and their loved ones.

We petition the EPA to require cancer warnings on all pesticide product labels containing an active ingredient with evidence of carcinogenicity.

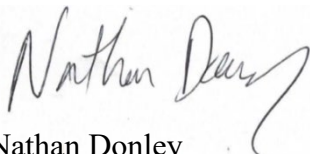
Sincerely,



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³ Lora E. Fleming et al., *National Health Interview Survey Mortality among US Farmers and Pesticide Applicators*, 43 AMERICAN JOURNAL OF INDUSTRIAL MEDICINE 227 (2003).

⁴ Jacob Gerken et al., *Comprehensive Assessment of Pesticide Use Patterns and Increased Cancer Risk*, 2 FRONT. CANCER CONTROL SOC. 1368086 (2024).

⁵ CENTER FOR BIOLOGICAL DIVERSITY, *FAILURE TO WARN: EPA'S SYSTEMIC, LONG-TERM FAILURE TO WARN THE PUBLIC ABOUT PESTICIDES LINKED TO CANCER* (2026), https://biologicaldiversity.org/programs/environmental_health/pdfs/Failure-to-Warn.pdf.

⁶ *Id.* at 6.

Emergency Petition to Require Cancer Warning Labels on All Pesticide Products That EPA Considers Carcinogenic

Pursuant to the right to petition the government provided in the First Amendment to the U.S. Constitution¹ and the Administrative Procedure Act,² the Center for Biological Diversity (Center) hereby petitions the U.S. Environmental Protection Agency (EPA) to use its authority under the Federal Insecticide Fungicide and Rodenticide Act (FIFRA) to add cancer warnings to all pesticide product labels that contain active ingredients that the EPA has found to be probable, likely or possible carcinogens or to have suggestive evidence of carcinogenicity.

The Center for Biological Diversity is a nonprofit environmental organization dedicated to the protection of people, native species and their habitats through science, policy, and environmental law. The Center has over 1.8 million members and online activists dedicated to the protection of human health and restoration of endangered species and wild places. It has worked for more than 30 years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for all living things. The Center's Environmental Health Program aims to secure programmatic changes in the pesticide registration process and to stop toxic pesticides from harming people, wildlife, and their habitats.

Requested Actions

The Center petitions the EPA to initiate the following rulemaking actions for all pesticide products that contain an active ingredient that is a probable, likely or possible carcinogen or has suggestive evidence of carcinogenicity:

1. Amend 40 C.F.R. § 156.10(a)(1) to add a tenth enumerated requirement:

(x) A cancer warning for any active ingredient that EPA has determined is a known, probable, or possible cause of human cancer or for which there is suggestive evidence it causes human cancer.

2. Amend 40 C.F.R. § 156.60(a)(1) to include the underlined language:

Front panel statements. The signal word, child hazard warning, chronic hazard warning, and, in certain cases the first aid statement are required to appear on the front panel of the label, and also in any supplemental labeling intended to accompany the product in distribution or sale

3. Add a new subsection to 40 C.F.R. 156 Subpart D:

¹ See U.S. Const. Amend. I; see also *United Mine Workers v. Ill. State Bar Ass'n*, 389 U.S. 217, 222 (1967) (explaining that the right to “petition for a redress of grievances [is] among the most precious of the liberties safeguarded by the Bill of Rights”)

² See 5 U.S.C. § 553(e).

§ 156.69 Cancer Warning.

This product contains [chemical], which EPA has determined is a probable, likely, or possible cause of human cancer, or there is suggestive evidence that it causes human cancer;

In addition, if the EPA were to promulgate a final rule as requested, EPA would need to revise the EPA, Label Review Manual, Ch. 7: Precautionary Statements (last rev. Mar. 2018).³

Pesticides Are Linked to Cancer

Cancer is among the many potential impacts of pesticide exposure to human health. Studies have demonstrated since the 1960s that pesticides trigger a wide range of cancers because of how individual pesticides interact with the body. For example, ethylene thiourea, a breakdown product of the fungicide mancozeb, was found to potentially cause ovarian cancer and birth defects⁴ based on studies starting in 1969. Mancozeb is still registered for use and is used in large quantities.⁵ Other pesticides are linked to specific cancers such as renal and stomach cancers from the fungicide chlorothalonil,⁶ stomach and esophageal cancers from the organophosphate insecticide carbaryl,⁷ and lymphoma from the newly registered fungicide isocycloseram.⁸

Pesticides are ubiquitous, with potential exposure through the environment, diet, and occupation. Pesticide applicators are at significantly higher risk of developing certain types of cancer.⁹ A 2024 nationwide study showed a compelling correlation between cancer rates and pesticide use in the United States.¹⁰ In particular, pesticide use was associated with increased chance of leukemia, non-Hodgkin's lymphoma, bladder, colon, lung, and pancreatic cancer.¹¹ Cancer "hot-spots" clearly emerge in heavily agricultural areas with different cancers emerging likely based on agricultural pesticide use patterns.¹² Overall, the strength of the connection between pesticide use and cancer may rival that of smoking.¹³

³ <https://www.epa.gov/sites/default/files/2018-04/documents/chap-07-mar-2018.pdf>

⁴ Jennifer Runkle et al., *A Systematic Review of Mancozeb as a Reproductive and Developmental Hazard*, 99 ENVIRONMENT INTERNATIONAL 29, 2 (2017).

⁵ CENTER FOR FOOD SAFETY, CENTER FOR FOOD SAFETY ANALYSIS OF FEDERAL RECORDS REGARDING THE CANCER HAZARDS AND RISKS OF EPA-APPROVED PESTICIDES 2 (2026), https://www.centerforfoodsafety.org/files/cfs-pesticide-preemption-and-cancer-warning-analysis--march-2026_68842.pdf.

⁶ EPA, REREGISTRATION ELIGIBILITY DECISION (RED) CHLOROTHALONIL 30 (1999), <https://archive.epa.gov/pesticides/reregistration/web/pdf/0097red.pdf>.

⁷ Patricia A. Erickson et al., *Carbaryl Use and Incident Cancer in the Agricultural Health Study: An Updated Analysis*, 268 INTERNATIONAL JOURNAL OF HYGIENE AND ENVIRONMENTAL HEALTH 114615 (2025).

⁸ CENTER FOR FOOD SAFETY, *supra* note 5 at 4.

⁹ Lora E. Fleming et al., *National Health Interview Survey Mortality among US Farmers and Pesticide Applicators*, 43 AMERICAN JOURNAL OF INDUSTRIAL MEDICINE 227 (2003).

¹⁰ Jacob Gerken et al., *Comprehensive Assessment of Pesticide Use Patterns and Increased Cancer Risk*, 2 FRONT. CANCER CONTROL SOC. 1368086 (2024).

¹¹ *Id.*

¹² *Id.* at 9.

¹³ *Id.* at 10.

EPA Has Systemically Failed to Warn of Cancer Risk From Pesticide Exposure

The EPA knows that many pesticides are potentially carcinogenic. As of 2024 the agency has concluded that 199 pesticide active ingredients have at least some evidence of carcinogenicity and 124 of these active ingredients are still registered for use in over 4,000 end-use products.¹⁴ Of the 124 currently registered active ingredients, the EPA has designated 38 as “probable” or “likely” human carcinogens, and EPA has designated 87 as having “possible” or “suggestive” evidence of human carcinogenic potential.¹⁵

The Center recently determined that of the 124 potentially currently registered, carcinogenic active ingredients, the EPA-approved labels have cancer warnings for only 6 active ingredients (constituting about 1% of product labels containing carcinogenic ingredients).¹⁶ There are no cancer warnings on any of the product labels containing 119 other active ingredients with evidence of carcinogenicity. The Center reached this conclusion after examining more than 93,000 historic and currently approved pesticide labels.¹⁷ Our analysis found only 311 product labels with a cancer warning; 69 labels were for products containing a “probable” or “likely” carcinogen (oxadiazon, paraformaldehyde, triphenyltin hydroxide and chromic acid) and 242 labels were for products containing a “possible” or “suggestive” carcinogen (dichlorvos and 1,3-D).

Among the 124 active ingredients that are potentially carcinogenic, there is little consistency in labeling. For example, in 2002 the EPA determined that the organophosphate insecticide carbaryl was “likely” to be carcinogenic to people. Despite this finding, the EPA has consistently failed to require a cancer warning label on carbaryl products such as Duocide, which can be purchased by unsuspecting home gardeners online or at large retail stores.¹⁸

Additionally, some products with carcinogenic active ingredients have cancer warnings while other products containing the same active ingredient do not have any cancer warning.¹⁹ For instance, the EPA added a cancer warning to a product containing triphenyltin hydroxide called Sipcam.²⁰ However, another product called Minerva Duo, which also contains triphenyltin hydroxide, carries no cancer warning.²¹

The EPA has systematically failed to warn the public of the carcinogenic potential of many pesticides by applying cancer warnings to only 1% of products containing active ingredients with

¹⁴ EPA, CHEMICALS EVALUATED FOR CARINOGENIC POTENTIAL BY THE OFFICE OF PESTICIDE PROGRAMS (2024), https://npic.orst.edu/chemicals_evaluated.pdf. The Center has counted 4,020 products with at least suggestive evidence of carcinogenicity based on analysis of pesticide labels from the EPA’s Pesticide Product and Label System.

¹⁵ CENTER FOR BIOLOGICAL DIVERSITY, FAILURE TO WARN: EPA’S SYSTEMIC, LONG-TERM FAILURE TO WARN THE PUBLIC ABOUT PESTICIDES LINKED TO CANCER 6 (2026), https://biologicaldiversity.org/programs/environmental_health/pdfs/Failure-to-Warn.pdf.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.* at 7.

¹⁹ *Id.* at 8–9.

²⁰ *Id.*

²¹ *Id.*

evidence of carcinogenicity.²² The EPA must take immediate steps to meet its obligation to protect public health and should require registrants to add cancer health warnings on all pesticide products containing a pesticide active ingredient that the agency has determined is a probable, likely or possible carcinogen or has suggestive evidence of carcinogenicity.

EPA Has the Authority and Obligation to Require Cancer Warnings on Labels

To register a pesticide for use, FIFRA requires the EPA to determine it will not “cause unreasonable adverse effects on the environment,”²³ which includes people. FIFRA requires that the EPA review a pesticide’s registration, including its effects on human health, at least every 15 years.²⁴ “Registration review is intended to ensure that each pesticide’s registration is based on current scientific and other knowledge regarding the pesticide, including its effects on human health and the environment.”²⁵

During initial registration and registration review, the EPA develops human health risk assessments that should include an evaluation of the potential for carcinogenicity. The EPA’s Health Effects Division in the Office of Pesticide Programs independently reviews studies to evaluate pesticides’ carcinogenic potential, which is then internally reviewed by the EPA’s Cancer Assessment Review Committee.²⁶

FIFRA requires that pesticide product labels include warnings that are necessary and adequate to protect human health and the environment. Indeed, Congress defined a pesticide as “misbranded” if its “label does not contain a warning or caution statement which may be necessary and if complied with . . . is adequate to protect health and the environment.”²⁷ This definition is not limited to acute harm to human health and is broad enough to require label language warning or advising of chronic health hazards such as cancer. After all, a failure to warn about a known risk creates unreasonable risk of adverse effects. Moreover, the EPA is required to determine that product labeling complies with the requirements of FIFRA.²⁸

The EPA’s regulations require that labels bear hazard and precautionary statements for humans.²⁹ Hazard statements “describe the type of hazard that may occur”³⁰ EPA assesses the registrant-submitted label to ensure the label contains the information specified by FIFRA and its regulations, including human hazard warnings in regulatory Subpart D.³¹ However, EPA’s Subpart D regulations do not specify label requirements to warn or advise people of

²² *Id.* at 2.

²³ 7 U.S.C. § 136a(c)(5)(C),(D); 7 U.S.C. § 136(j) (“environment” defined to include people).

²⁴ 7 U.S.C. § 136a(g)(1)(A).

²⁵ 40 C.F.R. § 155.40(a)(1).

²⁶ EPA, “Evaluating Pesticides for Carcinogenic Potential” available at <https://www.epa.gov/pesticide-science-and-assessing-pesticide-risks/evaluating-pesticides-carcinogenic-potential>.

²⁷ 40 C.F.R. § 136(q)(1)(G). *See also Id.* § 136(q)(1)(E) (defining a label as misbranded if any information on the label is “not prominently placed” with conspicuousness “as to render it likely to be read and understood by the ordinary individual. . .”).

²⁸ 7 U.S.C. § 136a(c)(5)(B).

²⁹ 40 C.F.R. § 156.60.

³⁰ *Id.*

³¹ 40 C.F.R. § 156.10(a)(1); *id.* § 156.10(a)(1)(vii).

chronic health hazards like carcinogenicity.³² EPA’s label regulations only address acute hazards, *i.e.*, they are immediately fatal or harmful if swallowed, inhaled, or absorbed through the skin or eyes.³³

In sum, EPA has the authority, legal duty, and moral obligation to require warnings or precautionary statements concerning chronic, long-term impacts to human health such as cancer.

The EPA Must Fulfill the MAHA Mandate

The president gave the federal government the mandate to “Make America Healthy Again” in part because America is facing a chronic disease epidemic. The EPA has a duty to fulfill this mandate because pesticides pose an undeniable risk of cancer to farmers, pesticide users, and the public.

There is no legal mechanism limiting the EPA from springing into action right now to require a cancer warning on pesticide product labels that warrant them. Adding a cancer warning to labels can be a short-term action taken at any time to fulfill the mandate to Make America Healthy Again. Acting on this petition does not require new information because the EPA can use cancer risk/hazard information that it already has developed. Furthermore, throughout a pesticide’s registration period, “EPA itself does monitor new information whenever it comes to light,” and it “...often calls for information from manufacturers,”³⁴ therefore when new evidence of cancer emerges EPA can take further action to add additional cancer warnings.

To Make American Healthy Again, the EPA must live up to the words of the solicitor general before the Supreme Court:

“EPA is very zealously saying not only yes or no, do you need a particular type of warning, but for that type of risk, what is the best way of making sure that not just the person using the product but people who might have secondary exposure to it or endangered species get the information they need to ideally mitigate the exposure risk.”³⁵

Adding cancer warnings to pesticide product labels would be an important step in demonstrating that the EPA is willing to take actual action to Make America Healthy Again by warning the public of known pesticide risks.

The EPA Is the Sole Government Agency Responsible for Cancer Warnings on Labels

The Supreme Court held in *Monsanto v. Durnell* that FIFRA expressly preempts a state tort claim that “would impose a pesticide labeling requirement ‘in addition to or different from’ the

³² See generally, 40 C.F.R. Part 156, Subpart D.

³³ See, e.g., 40 C.F.R. § 156.62 (acute toxicity), § 156.64 (signal words for acute toxicity); § 156.70 (precautionary statements). The sole exception is a potential precautionary statement if the pesticide is a “sensitizer” meaning prolonged or frequent skin contact may cause allergic reactions. 40 C.F.R. § 156.70.

³⁴ Transcript of Oral Argument at 52, *Monsanto Co. v. Durnell*, (2026) (No. 24-1068). Solicitor General Supreme Court *Monsanto v Durnell*.

³⁵ *Id.* at 54.

label required by EPA”³⁶ Therefore users of pesticide products can no longer claim that a product label failed to warn them of cancer if the EPA did not require a cancer warning on the label. The Court has removed the backstop of state law, making it imperative that the EPA grant this petition.

To ensure that cancer warnings are included on labels, the EPA must amend its label regulations to expressly require cancer warnings, as it does for other harms. The Supreme Court summarized that when registering a pesticide, EPA must evaluate the proposed label and determine that it “includes all warnings necessary and adequate to protect human health and the environment, and is not false or misleading.”³⁷ The Court opined that EPA has promulgated “extensive” regulations “dictating what must appear on a pesticide’s label” including “content and placement of precautionary statements such as cancer warnings,” citing 40 C.F.R. §§156.60–156.70.³⁸ The Court assumed that EPA’s approval of a label “embodies the agency’s considered judgment” that the label “does not omit a necessary warning.”³⁹ The Court’s naïve and unfounded belief that the EPA is including cancer warnings when necessary to protect human health and the environment is belied by the facts.⁴⁰ To date, the EPA has not lived up to its duties to include necessary warnings for most pesticide products that include active ingredients that EPA itself has determined are linked to cancer.⁴¹ Amending the label regulations would ensure that EPA satisfies its FIFRA duty to include all warnings necessary to protect human health.⁴²

³⁶ *Monsanto Co v. Durnell*, 609 U.S. ___, (2026) slip op. at 2.

³⁷ *Id.* at 3-4.

³⁸ *Id.* at 3 (emphasis added).

³⁹ *Id.* at 4.

⁴⁰ FAILURE TO WARN, *supra* n. 15.

⁴¹ *Id.*

⁴² If the EPA is aware of evidence of carcinogenicity of a pesticide active ingredient but fails to add a precautionary statement, EPA is at risk that a federal court could find that the EPA did not abide by their own regulations and duties under FIFRA.