

(Mar. 3, 1923, ch. 217, §9, 42 Stat. 1437.)

CHAPTER 5—IMPORTATION OF ADULTERATED SEEDS

§§ 111 to 116. Repealed. Aug. 9, 1939, ch. 615, § 419, 53 Stat. 1290

Sections, act Aug. 24, 1912, ch. 382, §§1-6, 37 Stat. 506, related to regulation of foreign commerce by prohibiting admission into United States of adulterated grain and seeds. See section 1551 et seq. of this title.

Section 111 amended by acts Aug. 11, 1916, ch. 313, 39 Stat. 453; Apr. 26, 1926, ch. 186, §1, 44 Stat. 325.

Section 113 amended by act Aug. 11, 1916, ch. 313, 39 Stat. 453.

Sections 115 and 116 amended by act Apr. 26, 1926, ch. 186, §2, 44 Stat. 325.

EFFECTIVE DATE OF REPEAL; EXCEPTIONS

Repeal effective on the one hundred and eightieth day after Aug. 9, 1939, except that notices with respect to imported alfalfa and red clover seed promulgated by the Secretary of Agriculture under authority of former sections 111 to 116 of this title, which were in effect Aug. 9, 1939, remained in full force and effect as if promulgated under sections 1551 to 1610 of this title.

CHAPTER 6—INSECTICIDES AND ENVIRONMENTAL PESTICIDE CONTROL

SUBCHAPTER I—INSECTICIDES

Sec.

121 to 134. Repealed.

SUBCHAPTER II—ENVIRONMENTAL PESTICIDE CONTROL

135 to 135k. Omitted.

- 136. Definitions.
- 136a. Registration of pesticides.
- 136a-1. Reregistration of registered pesticides.
- 136b. Transferred.
- 136c. Experimental use permits.
- 136d. Administrative review; suspension.
- 136e. Registration of establishments.
- 136f. Books and records.
- 136g. Inspection of establishments, etc.
- 136h. Protection of trade secrets and other information.
- 136i. Use of restricted use pesticides; applicators.
- 136i-1. Pesticide recordkeeping.
- 136i-2. Collection of pesticide use information.
- 136j. Unlawful acts.
- 136k. Stop sale, use, removal, and seizure.
- 136l. Penalties.
- 136m. Indemnities.
- 136n. Administrative procedure; judicial review.
- 136o. Imports and exports.
- 136p. Exemption of Federal and State agencies.
- 136q. Storage, disposal, transportation, and recall.
- 136r. Research and monitoring.
- 136r-1. Integrated Pest Management.
- 136s. Solicitation of comments; notice of public hearings.
- 136t. Delegation and cooperation.
- 136u. State cooperation, aid, and training.
- 136v. Authority of States.
- 136w. Authority of Administrator.
- 136w-1. State primary enforcement responsibility.
- 136w-2. Failure by the State to assure enforcement of State pesticide use regulations.
- 136w-3. Identification of pests; cooperation with Department of Agriculture's program.
- 136w-4. Omitted.
- 136w-5. Minimum requirements for training of maintenance applicators and service technicians.
- 136w-6. Environmental Protection Agency minor use program.
- 136w-7. Department of Agriculture minor use program.

Sec.

- 136w-8. Pesticide registration service fees.
- 136x. Severability.
- 136y. Authorization of appropriations.

SUBCHAPTER I—INSECTICIDES

§§ 121 to 134. Repealed. June 25, 1947, ch. 125, § 16, 61 Stat. 172

Sections, act Apr. 26, 1910, ch. 191, 36 Stat. 335, formerly known as "The Insecticides Act", are covered by subchapter II of this chapter.

EFFECTIVE DATE OF REPEAL; SAVINGS PROVISION

Act June 25, 1947, ch. 125, §16, 61 Stat. 172, repealed this subchapter effective one year after June 25, 1947, and further provided that this subchapter should be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any violations, liabilities incurred, or appeals taken prior to such date of repeal or to sales, shipments, or deliveries of insecticides and fungicides exempted by the Secretary.

SUBCHAPTER II—ENVIRONMENTAL PESTICIDE CONTROL

§§ 135 to 135k. Omitted

CODIFICATION

Sections 135 to 135k, acts June 25, 1947, ch. 125, §§2-13, 61 Stat. 163-172; Aug. 7, 1959, Pub. L. 86-139, §2, 73 Stat. 286; May 12, 1964, Pub. L. 88-305, §§1-6, 78 Stat. 190-193; Oct. 15, 1970, Pub. L. 91-452, title II, §204, 84 Stat. 928; Dec. 30, 1970, Pub. L. 91-601, §6(b), formerly §7(b), 84 Stat. 1673, renumbered, Aug. 13, 1981, Pub. L. 97-35, title XII, §1205(c), 95 Stat. 716, which related to economic poison control, were superseded by the amendments made to act June 25, 1947, by Pub. L. 92-516, Oct. 21, 1972, 86 Stat. 975. See section 4 of Pub. L. 92-516, set out as a note under section 136 of this title. The provisions of act June 25, 1947, as amended by Pub. L. 92-516, are set out in section 136 et seq. of this title.

Section 135 provided definitions for the purposes of this subchapter.

Section 135a related to prohibited acts.

Section 135b related to registration of economic poisons.

Section 135c related to access, inspection, and use in criminal prosecutions of books and records.

Section 135d related to rules and regulations, examination of economic poisons or devices, notification to violators, certification to United States attorney, duty of attorney, and publication of judgments.

Section 135e related to exemptions from penalties.

Section 135f provided for penalties.

Section 135g related to seizure, disposal, and award of costs against claimant.

Section 135h related to refusal of admission of imports.

Section 135i related to delegation of duties.

Section 135j related to authorization of appropriations and expenditure of funds.

Section 135k related to cooperation between departments and agencies.

§ 136. Definitions

For purposes of this subchapter—

(a) Active ingredient

The term "active ingredient" means—

(1) in the case of a pesticide other than a plant regulator, defoliant, desiccant, or nitrogen stabilizer, an ingredient which will prevent, destroy, repel, or mitigate any pest;

(2) in the case of a plant regulator, an ingredient which, through physiological action, will