

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 Repealed.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.
- 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 Repealed.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Act June 25, 1947, ch. 125, § 16, 61 Stat. 172, repealed this subchapter effective one year after June 25, 1947, and further provided that this subchapter should be deemed to remain in full force for the purpose of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 accelerate or retard the rate of growth or rate of maturation or otherwise alter the behavior of ornamental or crop plants or the product thereof;

(3) in the case of a defoliant, an ingredient which will cause the leaves or foliage to drop from a plant;

(4) in the case of a desiccant, an ingredient which will artificially accelerate the drying of plant tissue; and

(5) in the case of a nitrogen stabilizer, an ingredient which will prevent or hinder the process of nitrification, denitrification, ammonia volatilization, or urease production through action affecting soil bacteria.

(b) Administrator

The term "Administrator" means the Administrator of the Environmental Protection Agency.

(c) Adulterated

The term "adulterated" applies to any pesticide if—

(1) its strength or purity falls below the professed standard of quality as expressed on its labeling under which it is sold;

(2) any substance has been substituted wholly or in part for the pesticide; or

(3) any valuable constituent of the pesticide has been wholly or in part abstracted.