

## AMENDMENTS

1988—Pub. L. 100-532 inserted headings for subsecs. (a) to (c).

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-532 effective on expiration of 60 days after Oct. 25, 1988, see section 901 of Pub. L. 100-532, set out as a note under section 136 of this title.

**§ 136w-3. Identification of pests; cooperation with Department of Agriculture's program****(a) In general**

The Administrator, in coordination with the Secretary of Agriculture, shall identify those pests that must be brought under control. The Administrator shall also coordinate and cooperate with the Secretary of Agriculture's research and implementation programs to develop and improve the safe use and effectiveness of chemical, biological, and alternative methods to combat and control pests that reduce the quality and economical production and distribution of agricultural products to domestic and foreign consumers.

**(b) Pest control availability****(1) In general**

The Administrator, in cooperation with the Secretary of Agriculture, shall identify—

- (A) available methods of pest control by crop or animal;
- (B) minor pest control problems, both in minor crops and minor or localized problems in major crops; and
- (C) factors limiting the availability of specific pest control methods, such as resistance to control methods and regulatory actions limiting the availability of control methods.

**(2) Report**

The Secretary of Agriculture shall, not later than 180 days after November 28, 1990, and annually thereafter, prepare a report and send the report to the Administrator. The report shall—

- (A) contain the information described in paragraph (1);
- (B) identify the crucial pest control needs where a shortage of control methods is indicated by the information described in paragraph (1); and
- (C) describe in detail research and extension efforts designed to address the needs identified in subparagraph (B).

**(c) Integrated pest management**

The Administrator, in cooperation with the Secretary of Agriculture, shall develop approaches to the control of pests based on integrated pest management that respond to the needs of producers, with a special emphasis on minor pests.

**(d) Public health pests**

The Administrator, in coordination with the Secretary of Agriculture and the Secretary of Health and Human Services, shall identify pests of significant public health importance and, in coordination with the Public Health Service, de-

velop and implement programs to improve and facilitate the safe and necessary use of chemical, biological, and other methods to combat and control such pests of public health importance.

(June 25, 1947, ch. 125, §28, as added Pub. L. 95-396, §24(2), Sept. 30, 1978, 92 Stat. 838; amended Pub. L. 101-624, title XIV, §1495, Nov. 28, 1990, 104 Stat. 3629; Pub. L. 104-127, title VIII, §862(b)(1), Apr. 4, 1996, 110 Stat. 1174; Pub. L. 104-170, title II, §236, Aug. 3, 1996, 110 Stat. 1509.)

**Editorial Notes**

## AMENDMENTS

1996—Subsec. (b)(2)(A). Pub. L. 104-127 struck out “and the information required by section 5882 of this title” after “paragraph (1)”.

Subsec. (d). Pub. L. 104-170 added subsec. (d).

1990—Pub. L. 101-624 designated existing provisions as subsec. (a) and added subsecs. (b) and (c).

**§ 136w-4. Omitted****Editorial Notes**

## CODIFICATION

Section, act June 25, 1947, ch. 125, §29, as added Pub. L. 95-396, §24(2), Sept. 30, 1978, 92 Stat. 838, which required the Administrator of the Environmental Protection Agency to submit an annual report to Congress relating to applications filed for conditional registration under section 136a(c)(7)(B), (C) of this title, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 164 of House Document No. 103-7.

**§ 136w-5. Minimum requirements for training of maintenance applicators and service technicians**

Each State may establish minimum requirements for training of maintenance applicators and service technicians. Such training may include instruction in the safe and effective handling and use of pesticides in accordance with the Environmental Protection Agency approved labeling, and instruction in integrated pest management techniques. The authority of the Administrator with respect to minimum requirements for training of maintenance applicators and service technicians shall be limited to ensuring that each State understands the provisions of this section.

(June 25, 1947, ch. 125, §30, as added Pub. L. 104-170, title I, §121(2), Aug. 3, 1996, 110 Stat. 1492.)

**Editorial Notes**

## PRIOR PROVISIONS

A prior section 30 of act June 25, 1947, ch. 125, was renumbered section 34 and is classified to section 136x of this title.

**§ 136w-6. Environmental Protection Agency minor use program**

(a) The Administrator shall assure coordination of minor use issues through the establishment of a minor use program within the Office of Pesticide Programs. Such office shall be responsible for coordinating the development of