

§ 136r. Research and monitoring**(a) Research**

The Administrator shall undertake research including research by grant or contract with other Federal agencies, universities, or others as may be necessary to carry out the purposes of this subchapter, and the Administrator shall conduct research into integrated pest management in coordination with the Secretary of Agriculture. The Administrator shall also take care to ensure that such research does not duplicate research being undertaken by any other Federal agency.

(b) National monitoring plan

The Administrator shall formulate and periodically revise, in cooperation with other Federal, State, or local agencies, a national plan for monitoring pesticides.

(c) Monitoring

The Administrator shall undertake such monitoring activities, including, but not limited to monitoring in air, soil, water, man, plants, and animals, as may be necessary for the implementation of this subchapter and of the national pesticide monitoring plan. The Administrator shall establish procedures for the monitoring of man and animals and their environment for incidental¹ pesticide exposure, including, but not limited to, the quantification of incidental human and environmental pesticide pollution and the secular trends thereof, and identification of the sources of contamination and their relationship to human and environmental effects. Such activities shall be carried out in cooperation with other Federal, State, and local agencies.

(June 25, 1947, ch. 125, §20, as added Pub. L. 92-516, §2, Oct. 21, 1972, 86 Stat. 996; amended Pub. L. 95-396, §20, Sept. 30, 1978, 92 Stat. 834; Pub. L. 102-237, title X, §1006(a)(10), (b)(1), Dec. 13, 1991, 105 Stat. 1895.)

AMENDMENTS

1991—Subsec. (a). Pub. L. 102-237 substituted “ensure” for “insure” and “the Administrator” for “he” before “shall conduct”.

1978—Subsec. (a). Pub. L. 95-396, §20(1), substituted in first sentence “shall conduct research into integrated pest management in coordination with the Secretary of Agriculture” for “shall give priority to research to develop biologically integrated alternatives for pest control”.

Subsec. (c). Pub. L. 95-396, §20(2), inserted provision requiring establishment of monitoring procedures and the carrying out of the activities in cooperation with other Federal, State, and local agencies.

EFFECTIVE DATE

For effective date of section, see section 4 of Pub. L. 92-516, set out as a note under section 136 of this title.

AVAILABILITY OF GRANTS

Pub. L. 106-74, title III, Oct. 20, 1999, 113 Stat. 1081, provided in part: “That notwithstanding 7 U.S.C. 136r and 15 U.S.C. 2609, beginning in fiscal year 2000 and thereafter, grants awarded under section 20 of the Federal Insecticide, Fungicide, and Rodenticide Act [7 U.S.C. 136r], as amended, and section 10 of the Toxic Substances Control Act [15 U.S.C. 2609], as amended,

shall be available for research, development, monitoring, public education, training, demonstrations, and studies”.

§ 136r-1. Integrated Pest Management

The Secretary of Agriculture, in cooperation with the Administrator, shall implement research, demonstration, and education programs to support adoption of Integrated Pest Management. Integrated Pest Management is a sustainable approach to managing pests by combining biological, cultural, physical, and chemical tools in a way that minimizes economic, health, and environmental risks. The Secretary of Agriculture and the Administrator shall make information on Integrated Pest Management widely available to pesticide users, including Federal agencies. Federal agencies shall use Integrated Pest Management techniques in carrying out pest management activities and shall promote Integrated Pest Management through procurement and regulatory policies, and other activities.

(Pub. L. 104-170, title III, §303, Aug. 3, 1996, 110 Stat. 1512.)

CODIFICATION

Section was enacted as part of the Food Quality Protection Act of 1996, and not as part of the Federal Insecticide, Fungicide, and Rodenticide Act which comprises this subchapter.

§ 136s. Solicitation of comments; notice of public hearings**(a) Secretary of Agriculture**

The Administrator, before publishing regulations under this subchapter, shall solicit the views of the Secretary of Agriculture in accordance with the procedure described in section 136w(a) of this title.

(b) Secretary of Health and Human Services

The Administrator, before publishing regulations under this subchapter for any public health pesticide, shall solicit the views of the Secretary of Health and Human Services in the same manner as the views of the Secretary of Agriculture are solicited under section 136w(a)(2) of this title.

(c) Views

In addition to any other authority relating to public hearings and solicitation of views, in connection with the suspension or cancellation of a pesticide registration or any other actions authorized under this subchapter, the Administrator may, at the Administrator’s discretion, solicit the views of all interested persons, either orally or in writing, and seek such advice from scientists, farmers, farm organizations, and other qualified persons as the Administrator deems proper.

(d) Notice

In connection with all public hearings under this subchapter the Administrator shall publish timely notice of such hearings in the Federal Register.

(June 25, 1947, ch. 125, §21, as added Pub. L. 92-516, §2, Oct. 21, 1972, 86 Stat. 996; amended Pub. L. 94-140, §2(b), Nov. 28, 1975, 89 Stat. 752;

¹ So in original. Probably should be “incidental”.