mitted to the Environmental Protection Agency.

(b) The Office of Pesticide Programs shall prepare a public report concerning the progress made on the registration of minor uses, including implementation of the exclusive use as an incentive for registering new minor uses, within 3 years of the passage of the Food Quality Protection Act of 1996.

(June 25, 1947, ch. 125, § 31, as added Pub. L. 104–170, title II, § 210(i), Aug. 3, 1996, 110 Stat. 1500.)

REFERENCES IN TEXT

The passage of the Food Quality Protection Act of 1996, referred to in subsec. (b), probably means the date of enactment of Pub. L. 104–170, which was approved Aug. 3, 1996.

PRIOR PROVISIONS

A prior section 31 of act June 25, 1947, ch. 125, was renumbered section 35 and is classified to section 136y of this title.

§ 136w–7. Department of Agriculture minor use program

(a) In general

The Secretary of Agriculture (hereinafter in this section referred to as the ''Secretary'') shall assure the coordination of the responsibilities of the Department of Agriculture related to minor uses of pesticides, including—

(1) carrying out the Inter-Regional Project Number 4 (IR–4) as described in section 450i of this title and the national pesticide resistance monitoring program established under section 1651[1] of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5882);

(2) supporting integrated pest management research;

(3) consulting with growers to develop data for minor uses; and

(4) providing assistance for minor use registrations, tolerances, and reregistrations with the Environmental Protection Agency.

(b) Minor use pesticide data and revolving fund

(1) Minor use pesticide data

(A) Grant authority

The Secretary, in consultation with the Administrator, shall establish a program to make grants for the development of data to support minor use pesticide registrations and reregistrations. The amount of any such grant shall not exceed ½ of the cost of the project for which the grant is made.

(B) Applicants

Any person who wants to develop data to support minor use pesticide registrations and reregistrations may apply for a grant under subparagraph (A). Priority shall be given to an applicant for such a grant who does not directly receive funds from the sale of pesticides registered for minor uses.

(C) Data ownership

Any data that is developed under a grant under subparagraph (A) shall be jointly owned by the Department of Agriculture and the person who received the grant. Such a person shall enter into an agreement with the Secretary under which such person shall share any fee paid to such person under section 136a(c)(1)(F) of this title.

(2) Minor Use Pesticide Data Revolving Fund

(A) Establishment

There is established in the Treasury of the United States a revolving fund to be known as the Minor Use Pesticide Data Revolving Fund. The Fund shall be available without fiscal year limitation to carry out the authorized purposes of this subsection.

(B) Contents of the Fund

There shall be deposited in the Fund—

(i) such amounts as may be appropriated to support the purposes of this subsection; and

(ii) fees collected by the Secretary for any data developed under a grant under paragraph (1)(A).

(C) Authorizations of appropriations

There are authorized to be appropriated for each fiscal year to carry out the purposes of this subsection $10,000,000 to remain available until expended.

(June 25, 1947, ch. 125, § 32, as added Pub. L. 104–170, title II, § 210(j), Aug. 3, 1996, 110 Stat. 1501.)

REFERENCES IN TEXT

Section 1651 of the Food, Agriculture, Conservation, and Trade Act of 1990, referred to in subsec. (a)(1), was classified to section 5882 of this title prior to repeal by Pub. L. 104–127, title VIII, § 862(a), Apr. 4, 1996, 110 Stat. 1174.

§ 136w–8. Pesticide registration service fees

(a) Definition of costs

In this section, the term ''costs'', when used with respect to review and decisionmaking pertaining to an application for which registration service fees are paid under this section, means—

(1) costs to the extent that—

(A) officers and employees provide direct support for the review and decisionmaking for covered pesticide applications, associated tolerances, and corresponding risk and benefits information and analyses;

(B) persons and organizations under contract with the Administrator engage in the review of the applications, and corresponding risk and benefits information and assessments; and

(C) advisory committees and other accredited persons or organizations, on the request of the Administrator, engage in the peer review of risk or benefits information associated with covered pesticide applications;

(2) costs of management of information, and the acquisition, maintenance, and repair of computer and telecommunication resources (including software), used to support review of pesticide applications, associated tolerances, and corresponding risk and benefits information and analyses; and

(3) costs of collecting registration service fees under subsections (b) and (c) of this sec-

[1] See References in Text note below.