

## REFERENCES IN TEXT

Subchapter V of this chapter, referred to in text, consisted of sections 501 to 504 of title V of Pub. L. 92-255, Mar. 21, 1972, 86 Stat. 85, which were classified to sections 1191 to 1194 of this title, respectively. Sections 501 to 503 were made part of the Public Health Service Act by Pub. L. 98-24, §2(b)(4), (11), (15), Apr. 26, 1983, 97 Stat. 177, 180, 181, and were transferred to former sections 290aa-2, 290ee, and 290cc, respectively, of Title 42, The Public Health and Welfare. Section 290aa-2 of Title 42 was repealed by Pub. L. 102-321, §101(b). Section 290cc of Title 42 was repealed by Pub. L. 102-321, §123(c). Section 290ee of Title 42 was omitted in the general revision of part D of subchapter III-A of chapter 6A of Title 42 by Pub. L. 102-321. Section 1194 of this title was repealed by Pub. L. 98-24, §2(c)(2).

### SUBCHAPTER V—NATIONAL INSTITUTE ON DRUG ABUSE

#### §§ 1191 to 1193. Transferred

##### CODIFICATION

Section 1191, Pub. L. 92-255, title V, §501, Mar. 21, 1972, 86 Stat. 85; Pub. L. 93-282, title II, §204, May 14, 1974, 88 Stat. 136; Pub. L. 94-237, §12(a), Mar. 19, 1976, 90 Stat. 247; Pub. L. 96-181, §10, Jan. 2, 1980, 93 Stat. 1314; Pub. L. 97-35, title IX, §973(f), Aug. 13, 1981, 95 Stat. 598, which established the National Institute on Drug Abuse, was redesignated section 503(a)-(d) of the Public Health Service Act by Pub. L. 98-24, §2(b)(4), Apr. 26, 1983, 97 Stat. 177, transferred to section 290aa-2(a)-(d) of Title 42, The Public Health and Welfare, and subsequently repealed.

Section 1192, Pub. L. 92-255, title V, §502, as added Pub. L. 94-237, §12(b)(1), Mar. 19, 1976, 90 Stat. 247; amended Pub. L. 95-461, §5, Oct. 14, 1978, 92 Stat. 1269; Pub. L. 96-181, §11, Jan. 2, 1980, 93 Stat. 1315, which related to the coordination, information, assistance, and assignment activities and services, was redesignated section 524 of the Public Health Service Act by Pub. L. 98-24, §2(b)(15), Apr. 26, 1983, 97 Stat. 181, transferred to section 290ee of Title 42, and subsequently omitted.

Section 1193, Pub. L. 92-255, title V, §503, as added Pub. L. 94-237, §13(a), Mar. 19, 1976, 90 Stat. 248; amended Pub. L. 95-461, §2(c), Oct. 14, 1978, 92 Stat. 1268; Pub. L. 96-181, §12, Jan. 2, 1980, 93 Stat. 1315; Pub. L. 97-35, title IX, §972(a), (b), Aug. 13, 1981, 95 Stat. 597, which related to research and development functions, was redesignated section 515 of the Public Health Service Act by Pub. L. 98-24, §2(b)(11), Apr. 26, 1983, 97 Stat. 180, transferred to section 290cc of Title 42, and subsequently repealed.

##### PRIOR PROVISIONS

A prior section 502 of Pub. L. 92-255, Mar. 21, 1972, 86 Stat. 85, amended section 217 of the Public Health Service Act by adding subsec. (e) [section 218(e) of Title 42, The Public Health and Welfare], and amended section 266 of the Community Mental Health Centers Act [former section 2688t of Title 42].

#### § 1194. Repealed. Pub. L. 98-24, §2(c)(2), Apr. 26, 1983, 97 Stat. 182

Section, Pub. L. 92-255, title V, §504, as added Pub. L. 95-461, §6(b)(1), Oct. 14, 1978, 92 Stat. 1270, related to review by the Secretary of programs and activities. See section 290aa-5 of Title 42, The Public Health and Welfare.

### CHAPTER 17—NATIONAL DRUG ENFORCEMENT POLICY

#### §§ 1201 to 1204. Repealed. Pub. L. 100-690, title I, §1007(a)(3), Nov. 18, 1988, 102 Stat. 4187

Section 1201, Pub. L. 98-473, title II, §1302, Oct. 12, 1984, 98 Stat. 2168, set forth Congressional findings and

declaration of purpose relating to illegal flow of narcotics into United States.

Section 1202, Pub. L. 98-473, title II, §1303, Oct. 12, 1984, 98 Stat. 2168, established National Drug Enforcement Policy Board.

Section 1203, Pub. L. 98-473, title II, §1304, Oct. 12, 1984, 98 Stat. 2169, delineated responsibilities and functions of National Drug Enforcement Policy Board.

Section 1204, Pub. L. 98-473, title II, §1305, Oct. 12, 1984, 98 Stat. 2170, related to reports to Congress.

##### EFFECTIVE DATE OF REPEAL

Pub. L. 100-690, title I, §1007(a)(3), Nov. 18, 1988, 102 Stat. 4187, provided that the repeal of this chapter is effective on 30th day after first Director of National Drug Control Policy is confirmed by the Senate.

##### SHORT TITLE

Pub. L. 98-473, title II, §1301, Oct. 12, 1984, 98 Stat. 2168, which provided that chapter XIII (§§ 1301 to 1307) of title II of Pub. L. 98-473 was to be cited as the National Narcotics Act of 1984, was repealed by Pub. L. 100-690, title I, §1007(a)(3), Nov. 18, 1988, 102 Stat. 4187.

##### EXECUTIVE ORDER NO. 12590

Ex. Ord. No. 12590, Mar. 26, 1987, 52 F.R. 10021, as amended by Ex. Ord. No. 13284, §11, Jan. 23, 2003, 68 F.R. 4076, provided for the establishment of a National Drug Policy Board, designated its membership and functions, and authorized coordinating groups.

### CHAPTER 18—PRESIDENT'S MEDIA COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION

#### §§ 1301 to 1308. Omitted

##### CODIFICATION

Section 1301, Pub. L. 99-570, title VIII, §8002, Oct. 27, 1986, 100 Stat. 3207-161 related to the establishment of the President's Media Commission on Alcohol and Drug Abuse Prevention.

Section 1302, Pub. L. 99-570, title VIII, §8003, Oct. 27, 1986, 100 Stat. 3207-161, related to duties of the Commission.

Section 1303, Pub. L. 99-570, title VIII, §8004, Oct. 27, 1986, 100 Stat. 3207-162, required appointment of members of the Commission within 30 days after Oct. 27, 1986.

Section 1304, Pub. L. 99-570, title VIII, §8005, Oct. 27, 1986, 100 Stat. 3207-162, related to meetings.

Section 1305, Pub. L. 99-570, title VIII, §8006, Oct. 27, 1986, 100 Stat. 3207-163, related to employment of Director and staff and the procurement of the services of experts and consultants.

Section 1306, Pub. L. 99-570, title VIII, §8007, Oct. 27, 1986, 100 Stat. 3207-163, related to the powers of the Commission.

Section 1307, Pub. L. 99-570, title VIII, §8008, Oct. 27, 1986, 100 Stat. 3207-163, related to an annual report to Congress.

Section 1308, Pub. L. 99-570, title VIII, §8009, Oct. 27, 1986, 100 Stat. 3207-163, related to termination of Commission three years after the date on which members of the Commission were first appointed unless the President extended the authority of the Commission by Executive order.

##### SHORT TITLE

Pub. L. 99-570, title VIII, §8001, Oct. 27, 1986, 100 Stat. 3207-161, provided that title VIII of Pub. L. 99-570, which enacted this chapter, was to be cited as the "President's Media Commission on Alcohol and Drug Abuse Prevention Act".

### CHAPTER 19—PESTICIDE MONITORING IMPROVEMENTS

Sec.

1401. Pesticide monitoring and enforcement information.

Sec.	
1402.	Foreign pesticide information.
1403.	Pesticide analytical methods.

**§ 1401. Pesticide monitoring and enforcement information**

**(a) Data management systems**

(1) Not later than 480 days after August 23, 1988, the Secretary of Health and Human Services shall place in effect computerized data management systems for the Food and Drug Administration under which the Administration will—

(A) record, summarize, and evaluate the results of its program for monitoring food products for pesticide residues,

(B) identify gaps in its pesticide monitoring program in the monitoring of (i) pesticides, (ii) food products, and (iii) food from specific countries and from domestic sources,

(C) detect trends in the presence of pesticide residues in food products and identify public health problems emerging from the occurrence of pesticide residues in food products,

(D) focus its testing resources for monitoring pesticide residues in food on detecting those residues which pose a public health concern,

(E) prepare summaries of the information listed in subsection (b) of this section, and

(F) provide information to assist the Environmental Protection Agency in carrying out its responsibilities under the Federal Insecticide, Fungicide, and Rodenticide Act [7 U.S.C. 136 et seq.] and the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 301 et seq.].

(2) As soon as practicable, the Secretary of Health and Human Services shall develop a means to enable the computerized data management systems placed into effect under paragraph (1) to make the summary described in subsection (c) of this section.

(3)(A) Paragraph (1) does not limit the authority of the Food and Drug Administration to—

(i) use the computerized data management systems placed in effect under paragraph (1), or

(ii) develop additional data management systems,

to facilitate the regulation of any substance or product covered under the requirements of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 301 et seq.].

(B) In placing into effect the computerized data management systems under paragraph (1) and in carrying out paragraph (2), the Secretary shall comply with applicable regulations governing computer system design and procurement.

**(b) Information**

The Food and Drug Administration shall use the computerized data management systems placed into effect under subsection (a)(1) of this section to prepare a summary of—

(1) information on—

(A) the types of imported and domestically produced food products analyzed for compliance with the requirements of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 301 et seq.] regarding the presence of pesticide residues,

(B) the number of samples of each such food product analyzed for such compliance by country of origin,

(C) the pesticide residues which may be detected using the testing methods employed,

(D) the pesticide residues in such food detected and the levels detected,

(E) the compliance status of each sample of such food tested and the violation rate for each country-product combination, and

(F) the action taken with respect to each sample of such food found to be in violation of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 301 et seq.] and its ultimate disposition, and

(2) information on—

(A) the country of origin of each imported food product referred to in paragraph (1)(A), and

(B) the United States district of entry for each such imported food product.

**(c) Volume data**

The Food and Drug Administration shall use the computerized data management systems placed into effect under subsection (a)(1) of this section to summarize the volume of each type of food product subject to the requirements of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 301 et seq.] which is imported into the United States and which has an entry value which exceeds an amount established by the Secretary of Health and Human Services. The summary shall be made by country of origin and district of entry. Information with respect to volumes of food products to be included in the summary shall, to the extent feasible, be obtained from data bases of other Federal agencies.

**(d) Compilation**

Not later than 90 days after the expiration of 1 year after the data management systems are placed into effect under subsection (a) of this section and annually thereafter, the Secretary of Health and Human Services shall compile a summary of the information described in subsection (b) of this section with respect to the previous year. When the Food and Drug Administration is able to make summaries under subsection (c) of this section, the Secretary shall include in the compilation under the preceding sentence a compilation of the information described in subsection (c) of this section. Compilations under this subsection shall be made available to Federal and State agencies and other interested persons.

(Pub. L. 100-418, title IV, § 4702, Aug. 23, 1988, 102 Stat. 1412.)

REFERENCES IN TEXT

The Federal Insecticide, Fungicide, and Rodenticide Act, referred to in subsec. (a)(1)(F), is act June 25, 1947, ch. 125, as amended generally by Pub. L. 92-516, Oct. 21, 1972, 86 Stat. 973, which is classified generally to subchapter II (§136 et seq.) of chapter 6 of Title 7, Agriculture. For complete classification of this Act to the Code, see Short Title note set out under section 136 of Title 7 and Tables.

The Federal Food, Drug, and Cosmetic Act, referred to in subsecs. (a) to (c), is act June 25, 1938, ch. 675, 52 Stat. 1040, as amended, which is classified generally to chapter 9 (§301 et seq.) of this title. For complete clas-