

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Senator Bell**

A Bill

ACT 110 OF 1995
SENATE BILL 60

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 20-20-203 TO DEFINE THE
9 TERM _LABELING_ AS THAT TERM RELATES TO PESTICIDES; TO ADD
10 A NEW SECTION AT THE END OF SUBCHAPTER 2 OF CHAPTER 20 OF
11 TITLE 20 OF THE ARKANSAS CODE RELATING TO THE MISUSE OF
12 PESTICIDES; AND FOR OTHER PURPOSES."

Subtitle

15 "TO AMEND ARKANSAS CODE 20-20-203 TO
16 DEFINE THE TERM _LABELING_ AS THAT TERM
17 RELATES TO PESTICIDES; TO ADD A NEW
18 SECTION AT THE END OF SUBCHAPTER 2 OF
19 CHAPTER 20 OF TITLE 20 OF THE ARKANSAS
20 CODE RELATING TO MISUSE OF PESTICIDES."

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

24 SECTION 1. Arkansas Code 20-20-203 is amended by adding thereto a new
25 subdivision to read as follows:

26 "(30) _Labeling_ means all labels and all other written, printed or
27 graphic matter -

28 (A) accompanying the pesticide or device at any time; or

29 (B) to which reference is made on the label or in literature

30 accompanying the pesticide or device, except to current official publications
31 in the Environmental Protection Agency, the United States Departments of
32 Agriculture and Interior, the Department of Health and Human Services, state
33 experiment stations, state agricultural colleges, and other similar federal or
34 state institutions or agencies authorized by law to conduct research in the
35 field of pesticides."

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1 SECTION 2. Subchapter 2 of Chapter 20 of Title 20 of the Arkansas Code
2 is amended by adding at the end thereof a new section to read as follows:

3 "20-20-227. Any person who uses a pesticide in a manner inconsistent
4 with its labeling is subject to the jurisdiction of the State Plant Board and
5 its statutes, rules and order over which it has regulatory authority and may
6 be subject to denial, suspension, revocation or modification of a license or
7 permit under Section 20-20-214. Any person who knowingly uses a pesticide in
8 a manner inconsistent with its labeling is guilty of a misdemeanor and upon
9 conviction shall be punished by a fine of not less than one hundred dollars
10 (\$100) nor more than five hundred dollars (\$500)."

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12 SECTION 3. All provisions of this act of a general and permanent nature
13 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
14 Revision Commission shall incorporate the same in the Code.

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16 SECTION 4. If any provision of this act or the application thereof to
17 any person or circumstance is held invalid, such invalidity shall not affect
18 other provisions or applications of the act which can be given effect without
19 the invalid provision or application, and to this end the provisions of this
20 act are declared to be severable.

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22 SECTION 5. All laws and parts of laws in conflict with this act are
23 hereby repealed.

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26 APPROVED: 2-1-95

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