

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995  
4 By: Representative Baker

# A Bill

HOUSE BILL 1159

## 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  
34 or state institutions or agencies authorized by law to conduct research in  
35 the field of pesticides."

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

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

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

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

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 All laws and parts of laws in conflict with this act are hereby repealed.

