



Sen. John M. Sullivan

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09600HB4866sam001

LRB096 16632 JDS 38427 a

1 AMENDMENT TO HOUSE BILL 4866

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4866 by replacing  
3 line 2 on page 16 through line 1 on page 20 with the following:

4 "(415 ILCS 60/6) (from Ch. 5, par. 806)

5 Sec. 6. Registration.

6 1. Every pesticide which is distributed, sold, offered for  
7 sale within this State, delivered for transportation or  
8 transported in interstate commerce or between points within the  
9 State through any point outside the State, shall be registered  
10 with the Director or his designated agent, subject to  
11 provisions of this Act. Such registration shall be for a period  
12 determined under item 1.5 of this Section and shall expire on  
13 December 31st ~~be renewed annually with registrations expiring~~  
14 ~~December 31 each year.~~ Registration is not required if a  
15 pesticide is shipped from one plant or warehouse to another  
16 plant or warehouse by the same person and is used solely at  
17 such plant or warehouse as a constituent part to make a

1 pesticide which is registered under provisions of this Act and  
2 FIFRA.

3 1.5. In order to stagger product registrations, the  
4 Department shall, for the 2011 registration year, register half  
5 of the applicants and their products for one year and the other  
6 half for 2 years. Thereafter, a business registration and  
7 product registration shall be for 2 years.

8 2. Registration applicant shall file a statement with the  
9 Director which shall include:

10 A. The name and address of the applicant and the name  
11 and address of the person whose name will appear on the  
12 label if different from the applicant's.

13 B. The name of the pesticide.

14 C. A copy of the labeling accompanying the pesticide  
15 under customary conditions of distribution, sale and use,  
16 including ingredient statement, direction for use, use  
17 classification, and precautionary or warning statements.

18 3. The Director may require the submission of complete  
19 formula data.

20 4. The Director may require a full description of tests  
21 made and the results thereof, upon which the claims are based,  
22 for any pesticide not registered pursuant to FIFRA, or on any  
23 pesticide under consideration to be classified for restricted  
24 use.

25 A. The Director will not consider data he required of  
26 the initial registrant of a pesticide in support of another

1 applicants' registration unless the subsequent applicant  
2 has obtained written permission to use such data.

3 B. In the case of renewal registration, the Director  
4 may accept a statement only with respect to information  
5 which is different from that furnished previously.

6 5. The Director may prescribe other requirements to support  
7 a pesticide registration by regulation.

8 6. For the years preceding the year 2004, any registrant  
9 desiring to register a pesticide product at any time during one  
10 year shall pay the annual registration fee of \$100 per product  
11 registered for that applicant. For the years 2004 through 2010  
12 ~~and thereafter~~, the annual product registration fee is \$200 per  
13 product. For the years 2011 and thereafter, the product  
14 registration fee shall be \$300 per product per year and shall  
15 be paid at the time of registration.

16 In addition, for the years preceding the year 2004 any  
17 business registering a pesticide product at any time during one  
18 year shall pay the annual business registration fee of \$250.  
19 For the years 2004 through 2010 ~~and thereafter~~, the annual  
20 business registration fee shall be \$400. For the years 2011 and  
21 thereafter, the business registration fee shall be \$400 per  
22 year and shall be paid at the time of registration. Each legal  
23 entity of the business shall pay the ~~annual~~ business  
24 registration fee.

25 For the years preceding the year 2004, any applicant  
26 requesting an experimental use permit shall pay the annual fee

1 of \$100 per permit and all special local need pesticide  
2 registration applicants shall pay an annual fee of \$100 per  
3 product. For the years 2004 through 2010 ~~and thereafter~~, the  
4 annual experimental use permit fee and special local need  
5 pesticide registration fee is \$200 per permit. For the years  
6 2011 and thereafter, the annual experimental use permit and  
7 special local need pesticide registration fee shall be \$300 per  
8 product. Subsequent SLN registrations for a pesticide already  
9 registered shall be exempted from the registration fee.

10 A. All registration accepted and approved by the  
11 Director shall expire on the 31st day of December in any  
12 one year unless cancelled. Registration for a special local  
13 need may be granted for a specific period of time with the  
14 approval date and expiration date specified.

15 B. If a registration for special local need granted by  
16 the Director does not receive approval of the Administrator  
17 of USEPA, the registration shall expire on the date of the  
18 Administrator's disapproval.

19 7. Registrations approved and accepted by the Director and  
20 in effect on the 31st day of December, for which renewal  
21 application is made, shall continue in full force and effect  
22 until the Director notifies the registrant that the renewal has  
23 been approved and accepted or the registration is denied under  
24 this Act. Renewal registration forms will be provided to  
25 applicants by the Director.

26 8. If the renewal of a pesticide registration is not filed

1 within 30 days of the date of expiration, a penalty late  
2 registration assessment of \$400 ~~\$300~~ per product shall apply in  
3 lieu of the normal annual product registration fee. The late  
4 registration assessment shall not apply if the applicant  
5 furnishes an affidavit certifying that no unregulated  
6 pesticide was distributed or sold during the period of  
7 registration. The late assessment is not a bar to prosecution  
8 for doing business without proper registry.

9 9. The Director may prescribe by regulation to allow  
10 pesticide use for a special local need, pursuant to FIFRA.

11 10. The Director may prescribe by regulation the provisions  
12 for and requirements of registering a pesticide intended for  
13 experimental use.

14 11. The Director shall not make any lack of essentiality a  
15 criterion for denial of registration of any pesticide. Where 2  
16 pesticides meet the requirements, one should not be registered  
17 in preference to the other.

18 12. It shall be the duty of the pesticide registrant to  
19 properly dispose of any pesticide the registration of which has  
20 been suspended, revoked or cancelled or which is otherwise not  
21 properly registered in the State.

22 (Source: P.A. 93-32, eff. 7-1-03.)".