

*Office of the Law
Revision Counsel, U.S.
House of Representatives*

[Home](#) [Search](#) [Download](#) [Classification](#) [Codification](#) [Popular Names](#) [About](#)



-CITE-

21 USC Sec. 346a

01/08/2008

-EXPCITE-

TITLE 21 - FOOD AND DRUGS

CHAPTER 9 - FEDERAL FOOD, DRUG, AND COSMETIC ACT

SUBCHAPTER IV - FOOD

-HEAD-

Sec. 346a. Tolerances and exemptions for pesticide chemical
residues

-STATUTE-

(a) Requirement for tolerance or exemption

(1) General rule

Except as provided in paragraph (2) or (3), any pesticide
chemical residue in or on a food shall be deemed unsafe for the
purpose of section 342(a)(2)(B) of this title unless -

(A) a tolerance for such pesticide chemical residue in or on

such food is in effect under this section and the quantity of the residue is within the limits of the tolerance; or

(B) an exemption from the requirement of a tolerance is in effect under this section for the pesticide chemical residue.

For the purposes of this section, the term "food", when used as a noun without modification, shall mean a raw agricultural commodity or processed food.

(2) Processed food

Notwithstanding paragraph (1) -

(A) if a tolerance is in effect under this section for a pesticide chemical residue in or on a raw agricultural commodity, a pesticide chemical residue that is present in or on a processed food because the food is made from that raw agricultural commodity shall not be considered unsafe within the meaning of section 342(a)(2)(B) of this title despite the lack of a tolerance for the pesticide chemical residue in or on the processed food if the pesticide chemical has been used in or on the raw agricultural commodity in conformity with a tolerance under this section, such residue in or on the raw agricultural commodity has been removed to the extent possible in good manufacturing practice, and the concentration of the pesticide chemical residue in the processed food is not greater

"(c) Residue Data Collection. - The Secretary of Agriculture shall ensure that the residue data collection activities conducted by the Department of Agriculture in cooperation with the Environmental Protection Agency and the Department of Health and Human Services, provide for the improved data collection of pesticide residues, including guidelines for the use of comparable analytical and standardized reporting methods, and the increased sampling of foods most likely consumed by infants and children."

-FOOTNOTE-

(!1) See References in Text note below.

(!2) See References in Text note below.

(!3) So in original. Probably should be "subsection".



[Home](#) [Search](#) [Download](#) [Classification](#) [Codification](#) [Popular Names](#) [About](#)

Office of the Law

Revision Counsel, U.S.

House of Representatives