

but the railway tracks in the crossing have not been removed, the city, county, or other jurisdiction having authority over the highway, street, or alley containing the crossing may remove the tracks from the crossing. However, this section shall not be construed as reducing the obligation or liability of a railway corporation to remove the railway tracks from the crossing.

Approved April 3, 1990

CHAPTER 1133

PESTICIDE INGREDIENT STATEMENTS

S.F. 2113

AN ACT relating to reporting ingredients of pesticides, making penalties applicable, and providing penalties.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 206.12, subsection 2, paragraph c, Code 1989, is amended to read as follows:

c. An ingredient statement in which the accepted common name and percentage by weight of each active ingredient is listed as well as the percentage of inert ingredients in the pesticides. A separate inert ingredient statement containing the common name of each inert ingredient listed in rank order according to weight of each inert ingredient in the pesticide shall also be submitted to the secretary. Except as required by subsection 4, the registrant is not required to state the percentage composition or specific weight of any inert ingredient within a pesticide. The information required by this paragraph shall be submitted in a manner and according to procedures specified by the secretary.

Upon written request by the director of the department of natural resources, the secretary shall provide a copy of the ingredient statement and inert ingredient statement to the department. Upon written request by the director of the center for health effects of environmental contamination, the secretary shall provide a copy of the ingredient statement and inert ingredient statement to the center.

The identity of a specific inert ingredient in a specific pesticide shall be treated as a confidential trade secret if the following two conditions are met: the registrant states, at the time of registration, that the inert ingredient is a confidential trade secret; and three or fewer registrants are using a particular active ingredient in a registered pesticide. The secretary, the director of the department of natural resources, and the director of the center for health effects of environmental contamination shall treat the presence of any inert ingredient in a particular pesticide that meets the two conditions as confidential. This section does not prohibit research or monitoring of any aspect of any inert ingredient. This section does not prohibit the public disclosure of research, monitoring, or data relative to any inert ingredient so long as such disclosure does not link an inert ingredient to a particular brand of pesticide registered in this state.

Sec. 2. SPECIAL REPORTS.

A person registering a pesticide under section 206.12 shall, by January 1, 1991, report to the department, pursuant to section 206.12, subsection 2, paragraph "c", information relating to inert ingredients contained in pesticides distributed, sold, or offered for sale by the person during 1985 and during each year after 1985. If the information is unavailable, the person must obtain a waiver from this requirement from the secretary. A person violating this section is subject to the penalty provided in section 206.22, subsection 2. A person who uses or reveals information relative to formulae of products acquired under the authority of this section is subject to the penalty provided in section 206.22, subsection 3.

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