

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

AMENDMENT NO. 3 TO THE RULES AND REGULATIONS FOR CARRYING OUT THE PROVISIONS OF THE INSECTICIDE ACT OF 1910.

Regulation 20 of the rules and regulations for the enforcement of The Insecticide Act of April 26, 1910 (36 Stat., 331), is hereby amended so as to read as follows:

“REGULATION 20. GUARANTY.

“(Section 9.)

“(a) It having been determined that the legend ‘Guaranteed by (name of guarantor), under The Insecticide Act of 1910,’ borne on the labels or packages of insecticides, Paris greens, lead arsenates, and fungicides, accompanied by serial numbers given by the Secretary of Agriculture, is misleading and deceptive, in that the public is induced by such legend and serial number to believe that the articles to which they relate have been examined and approved by the Government and that the Government guarantees that they comply with the law, the use of said legend, or any similar legend, on labels or packages should be discontinued. Inasmuch as the acceptance by the Secretary of Agriculture for filing of the guaranties of manufacturers and dealers and the giving by him of serial numbers thereto contribute to the deceptive character of legends on labels and packages, no guaranty in any form shall hereafter be filed with and no serial number shall hereafter be given to any guaranty by the Secretary of Agriculture. All guaranties now on file with the Secretary of Agriculture shall be stricken from the files, and the serial numbers assigned to such guaranties shall be canceled.

“(b) The use on the label or package of any insecticide, Paris green, lead arsenate, or fungicide of any serial number required to be canceled by paragraph (a) of this regulation is prohibited.

“(c) Any wholesaler, manufacturer, jobber, or other party residing in the United States may furnish to any dealer to whom he sells any insecticide, Paris green, lead arsenate, or fungicide, a guaranty that such article is not adulterated or misbranded within the meaning of The Insecticide Act of 1910.

“(d) Each guaranty to afford protection shall be signed by, and shall contain the name and address of, the wholesaler, manufacturer, jobber, dealer, or other party residing in the United States making the

sale of the article or articles covered by it to the dealer, and shall be to the effect that such article or articles are not adulterated or misbranded within the meaning of The Insecticide Act of 1910.

“(e) Each guaranty in respect to any article or articles should be incorporated in or attached to the bill of sale, invoice, bill of lading, or other schedule, giving the names and quantities of the article or articles sold, and should not appear on the labels or packages.

“(f) No dealer in insecticides, Paris greens, lead arsenates, or fungicides will be liable to prosecution if he can establish that the articles were sold under a guaranty given in compliance with this regulation.

“This amendment shall become and be effective on and after May 1, 1916: *Provided*, That as to products packed and labeled prior to May 1, 1916, in accordance with law and with the rules and regulations for carrying out the provisions of The Insecticide Act of 1910, in effect prior to May 1, 1916, this amendment shall become and be effective on and after November 1, 1916: *And provided further*, That compliance with Regulation 20, as hereby amended, will be permitted at any time after the date of the signing of this amendment.”

W. G. McADOO,
Secretary of the Terasury.

D. F. HOUSTON,
Secretary of Agriculture.

WILLIAM C. REDFIELD,
Secretary of Commerce.

WASHINGTON, D. C., *June 30, 1914.*





