

Insecticides Act, 1968

Section 3 - Definitions.—In this Act, unless the context otherwise requires,—

(a) animals means animals useful to human beings and includes fish and fowl, and such kinds of wild life as the Central Government may, by notification in the Official Gazette, specify, being kinds which, in its opinions, it is desirable to protect or preserve; (b) Board means the Central Insecticides Board constituted under section 4; (c) Central Insecticides Laboratory means the Central Insecticides Laboratory established or as the case may be, the Institution specified, under section 16; (d) import means bringing into any place within the territories to which this Act extends from a place outside those territories; (e) insecticide means (i) any substance specified in the Schedule; or (ii) such other substances (including fungicides and weedicides) as the Central Government may, after consultation with the Board, by notification in the Official Gazette, include in the Schedule from time to time; or (iii) any preparation containing any one or more of such substances; (f) Insecticide Analyst means an Insecticide Analyst appointed under section 19; (g) Insecticide Inspector means an Insecticide Inspector appointed under section 20; (h) label means any written, printed or graphic matter on the immediate package and on every other covering in which the package is placed or packed and includes any written, printed or graphic matter accompanying the insecticide; (i) licensing officer means a licensing officer appointed under section 12; (j) manufacture, in relation to any insecticide, includes (i) any process or part of a process for making, altering, finishing, packing, labelling, breaking up or otherwise treating or adopting any insecticide with a view to its sale, distribution or use but does not include the packing or breaking up of any insecticide in the ordinary course of retail business; and 1. 1st March, 1971, vide notification No. G.S.R. 300, dated 27th February, 1971, in respect of ss. 4, 7, 8 and 36, see Gazette of India, Extraordinary, Part II, sec. 3(i). 1st August, 1971, vide notification No. G.S.R. 1108, dated the 28th July, 1971, in respect of remaining provisions see Gazette of India, Extraordinary, Part II, sec. 3(i). 3 (ii) any process by which a preparation containing an insecticide is formulated; (k) misbranded an insecticide shall be deemed to be misbranded (i) if its label contains any statement, design or graphic representation relating thereto which is false or misleading in any material particular, or if its package is otherwise deceptive in respect of its contents; or (ii) if it is an imitation of, or is sold under the name of, another insecticide; or (iii) if its label does not contain a warning or caution which may be necessary and sufficient, if complied with, to prevent risk to human beings or animals; or (iv) if any word, statement or other information required by or under this Act to appear on the label is not displayed thereon in such conspicuous manner as the other words, statements, designs or graphic matter have been displayed on the label and in such terms as to render it likely to be read and understood by any ordinary individual under customary conditions of purchase and use; or (v) if it is not packed or labelled as required by or under this Act; or (vi) if it is not registered in the manner required by or under this Act; or (vii) if the label contains any reference to registration other than the registration number; or (viii) if the insecticide has a toxicity which is higher than the level prescribed or is mixed or packed with any substance so as to alter its nature or quality or contains any substance which is not included in the registration; (l) package means a box, bottle casket, tin, barrel, case, receptacle, sack, bag, wrapper, or other thing in which an insecticide is placed or packed; (m) premises means any land, shop, stall or place where any insecticide is sold or manufactured or stored or used, and includes any vehicle carrying insecticide; (n) prescribed means prescribed by rules made under this Act; (o) registered, with its grammatical variations and cognate expressions, means registered under this Act; (p) sale, with its grammatical variations and cognate expressions, means the sale of any insecticide, whether for cash or on credit and whether by wholesale or retail, and includes an agreement for sale, an offer for sale, the exposing for sale or having in possession for sale of any insecticide and includes also an attempt to sell any such insecticide; (q) State Government, in relation to a Union territory, means the administrator thereof; (r) worker means a person employed under a contract of service or apprenticeship.