

1962—Pub. L. 87-793 substituted “shall not exceed the highest rate of grade 18 of the General Schedule” for “shall not exceed \$19,000 per annum”.

1958—Pub. L. 85-573 inserted in proviso clause of first sentence the exception clause respecting transportation of virus in original package across mainland under adequate safeguards.

EFFECTIVE DATE OF 1962 AMENDMENT

Amendment by Pub. L. 87-793 effective on first day of first pay period which begins on or after Oct. 11, 1962.

REPEALS

Act July 31, 1956, ch. 804, title I, §119, 70 Stat. 742, which increased the maximum compensation of technical experts or scientists, was repealed by Pub. L. 88-426, title III, §305(1), Aug. 14, 1964, 78 Stat. 422.

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, §101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

LIVE VIRUS FOOT AND MOUTH DISEASE RESEARCH

Pub. L. 110-234, title VII, §7524, May 22, 2008, 122 Stat. 1273, and Pub. L. 110-246, §4(a), title VII, §7524, June 18, 2008, 122 Stat. 1664, 2034, provided that:

“(a) IN GENERAL.—The Secretary [of Agriculture] shall issue a permit required under section 12 of the Act of May 29, 1884 (21 U.S.C. 113a) to the Secretary of Homeland Security for work on the live virus of foot and mouth disease at any facility that is a successor to the Plum Island Animal Disease Center and charged with researching high-consequence biological threats involving zoonotic and foreign animal diseases (referred to in this section as the ‘successor facility’).

“(b) LIMITATION TO SINGLE FACILITY.—Not more than 1 facility shall be issued a permit under subsection (a).

“(c) LIMITATION ON VALIDITY.—The permit issued under this section shall be valid unless the Secretary determines that the study of live foot and mouth disease virus at the successor facility is not being carried out in accordance with the regulations promulgated by the Secretary pursuant to the Agricultural Bioterrorism Protection Act of 2002 (7 U.S.C. 8401 et seq.).

“(d) AUTHORITY.—The suspension, revocation, or other impairment of the permit issued under this section—

“(1) shall be made by the Secretary; and

“(2) is a nondelegable function.”

[Pub. L. 110-234 and Pub. L. 110-246 enacted identical provisions. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246, set out as a note under section 8701 of Title 7, Agriculture.]

§§ 114 to 114d-1. Repealed. Pub. L. 107-171, title X, § 10418(a)(8), (9), May 13, 2002, 116 Stat. 508

Section 114, act May 29, 1884, ch. 60, §3, 23 Stat. 32, related to regulations for suppression of diseases and cooperation of States and Territories.

Section 114a, act May 29, 1884, ch. 60, §11, as added Sept. 21, 1944, ch. 412, title I, §101(a), 58 Stat. 734; amended Oct. 30, 1951, ch. 637, §1, 65 Stat. 693; Aug. 8, 1953, ch. 381, 67 Stat. 493; Aug. 3, 1956, ch. 950, §2, 70 Stat. 1032; Pub. L. 87-518, §7, July 2, 1962, 76 Stat. 131; Pub. L. 101-624, title XXV, §2509(c)(2), Nov. 28, 1990, 104 Stat. 4071, related to control and eradication of diseases, cooperation of States and farmers’ associations, purchase and destruction of diseased animals, and defined “State” for statutory purposes.

A prior section 11 of act May 29, 1884, required annual reports to Congress concerning the suppression of contagious diseases among domestic animals, and was

classified to section 560 of former Title 5, prior to repeal by act May 29, 1928, ch. 901, §1, 45 Stat. 993.

Section 114a-1, act May 29, 1884, ch. 60, §13, as added Oct. 30, 1951, ch. 637, §2, 65 Stat. 693, related to interstate movement of domestic animals reacting to tests for brucellosis, immediate slaughter, and rules and regulations.

Section 114b, act Feb. 28, 1947, ch. 8, §1, 61 Stat. 7; Pub. L. 89-521, §1, July 27, 1966, 80 Stat. 330; Pub. L. 92-152, §1, Nov. 5, 1971, 85 Stat. 418; Pub. L. 94-231, §3, Mar. 15, 1976, 90 Stat. 216; Pub. L. 101-255, §1(1), Mar. 15, 1990, 104 Stat. 114; Pub. L. 101-624, title XXV, §2505, Nov. 28, 1990, 104 Stat. 4068, related to cooperation in animal disease control.

Section 114c, act Feb. 28, 1947, ch. 8, §2, 61 Stat. 7; Aug. 3, 1956, ch. 950, §3, 70 Stat. 1033; Pub. L. 92-152, §2, Nov. 5, 1971, 85 Stat. 419; Pub. L. 101-255, §1(2), Mar. 15, 1990, 104 Stat. 114, related to use of funds.

Section 114d, act Feb. 28, 1947, ch. 8, §3, as added Pub. L. 101-255, §1(3), Mar. 15, 1990, 104 Stat. 114, related to sale of sterile screwworms.

A prior section 114d, act Feb. 28, 1947, ch. 8, §3, 61 Stat. 8, related to reports by Secretary of Agriculture to Congress with respect to activities carried on under sections 114b and 114c of this title, prior to repeal by Pub. L. 86-533, §1(20), June 29, 1960, 74 Stat. 249.

Section 114d-1, act Feb. 28, 1947, ch. 8, §5, as added Pub. L. 89-521, §2, July 27, 1966, 80 Stat. 330; amended Pub. L. 101-255, §1(5), Mar. 15, 1990, 104 Stat. 114, related to cooperation with public and private entities.

SHORT TITLE

Section 6 of act Feb. 28, 1947, ch. 8, as added by Pub. L. 101-255, §1(6), Mar. 15, 1990, 104 Stat. 114, provided that the act Feb. 28, 1947, ch. 8, which enacted sections 114b to 114d-1 of this title and provisions set out as a note under former section 114b of this title, could be referred to as the “Animal Disease Control Cooperation Act of 1947”.

§§ 114d-2 to 114d-6. Repealed. Pub. L. 92-152, §3, Nov. 5, 1971, 85 Stat. 419

Section 114d-2, Pub. L. 90-388, §1, July 6, 1968, 82 Stat. 294, provided for cooperation with Central America in control and eradication of foot-and-mouth disease or rinderpest.

Section 114d-3, Pub. L. 90-388, §2, July 6, 1968, 82 Stat. 294, provided for uses of funds.

Section 114d-4, Pub. L. 90-388, §3, July 6, 1968, 82 Stat. 294, defined governments of Central America.

Section 114d-5, Pub. L. 90-388, §4, July 6, 1968, 82 Stat. 294, provided for cooperation with public and private organizations and individuals.

Section 114d-6, Pub. L. 90-388, §5, July 6, 1968, 82 Stat. 294, provided for authorization of appropriations.

§§ 114e to 114h. Repealed. Pub. L. 107-171, title X, § 10418(a)(10), (11), May 13, 2002, 116 Stat. 508

Section 114e, act June 16, 1948, ch. 477, §1, 62 Stat. 458, related to research and investigations into the control and eradication of cattle grubs.

Section 114f, act June 16, 1948, ch. 477, §2, 62 Stat. 458, defined the term “State” and authorized appropriations.

Section 114g, Pub. L. 87-209, §1, Sept. 6, 1961, 75 Stat. 481, related to hog cholera eradication program.

Section 114h, Pub. L. 87-209, §2, Sept. 6, 1961, 75 Stat. 481, related to advisory committee.

§ 114i. Pseudorabies eradication

(a) Findings

Congress finds that efforts to eradicate pseudorabies in United States swine populations by the Department of Agriculture in cooperation with State agencies and the pork industry have a high priority and should be continued

until pseudorabies is completely eradicated in the United States.

(b) Establishment of program

The Secretary of Agriculture shall establish and carry out a program for the eradication of pseudorabies in United States swine populations.

(c) Use of funds for testing and control of pseudorabies

The Secretary shall ensure that not less than 65 percent of the funds appropriated for the program established under subsection (b) of this section shall be used for testing and screening of animals and for other purposes directly related to the eradication or control of pseudorabies. This requirement on the use of appropriated funds for this program shall not be implemented in a manner that would adversely affect any other animal or plant disease or pest eradication or control program.

(d) Authorization of appropriations

There are authorized to be appropriated for each of the fiscal years 1991 through 2007 such sums as may be necessary for the purpose of carrying out the program established under subsection (b) of this section.

(Pub. L. 101-624, title XXV, §2506, Nov. 28, 1990, 104 Stat. 4068; Pub. L. 104-127, title IX, §916, Apr. 4, 1996, 110 Stat. 1187; Pub. L. 107-171, title X, §10505, May 13, 2002, 116 Stat. 511.)

AMENDMENTS

2002—Subsec. (d). Pub. L. 107-171 substituted “2007” for “2002”.

1996—Subsec. (d). Pub. L. 104-127 substituted “2002” for “1995”.

§§ 115 to 128. Repealed. Pub. L. 107-171, title X, § 10418(a)(7), (8), (12)–(14), May 13, 2002, 116 Stat. 507, 508

Section 115, act May 29, 1884, ch. 60, §6, 23 Stat. 32; June 28, 1926, ch. 700, §1, 44 Stat. 774; Feb. 7, 1928, ch. 30, 45 Stat. 59; Pub. L. 87-763, Oct. 9, 1962, 76 Stat. 762, prohibited transportation of diseased livestock and live poultry.

Section 116, act May 29, 1884, ch. 60, 23 Stat. 31; May 31, 1920, ch. 217, 41 Stat. 699, related to excepted shipment of certain cattle.

Section 117, act May 29, 1884, ch. 60, §7, 23 Stat. 32; Feb. 7, 1928, ch. 30, 45 Stat. 59; Pub. L. 95-439, §1, Oct. 10, 1978, 92 Stat. 1061; Pub. L. 97-461, §5, Jan. 12, 1983, 96 Stat. 2524, related to penalties for transportation of diseased livestock or live poultry.

Section 118, act May 29, 1884, ch. 60, §9, 23 Stat. 33; June 25, 1948, ch. 646, §1, 62 Stat. 909, related to duty of United States attorneys.

Section 119, act May 29, 1884, ch. 60, §2, 23 Stat. 31; Feb. 9, 1889, ch. 122, §1, 25 Stat. 659; July 14, 1890, ch. 707, 26 Stat. 288; Feb. 7, 1928, ch. 30, 45 Stat. 59, related to appointment of agents to examine and report on methods of treatment of animals, and means for suppression of diseases.

Section 120, act May 29, 1884, ch. 60, §§4, 5, 23 Stat. 32; Feb. 2, 1903, ch. 349, §1, 32 Stat. 791; Feb. 7, 1928, ch. 30, 45 Stat. 59, related to regulation of exportation and transportation of infected livestock and live poultry.

Section 121, act Feb. 2, 1903, ch. 349, §1, 32 Stat. 791; Feb. 7, 1928, ch. 30, 45 Stat. 59, related to shipments from areas suspected to be infected and to control of animals and live poultry.

Section 122, act Feb. 2, 1903, ch. 349, §3, 32 Stat. 792; Pub. L. 97-461, §6, Jan. 12, 1983, 96 Stat. 2525, related to offenses and penalties.

Section 123, act Mar. 3, 1905, ch. 1496, §1, 33 Stat. 1264; Feb. 7, 1928, ch. 30, 45 Stat. 59; Pub. L. 87-518, §8(a), July 2, 1962, 76 Stat. 131; Pub. L. 95-439, §2, Oct. 10, 1978, 92 Stat. 1061, related to quarantine.

Section 124, act Mar. 3, 1905, ch. 1496, §2, 33 Stat. 1264; Feb. 7, 1928, ch. 30, 45 Stat. 59; Pub. L. 87-518, §8(b), July 2, 1962, 76 Stat. 131, prohibited transportation or delivery therefor from quarantined State or Territory or portion thereof, of quarantined animals and live poultry.

Section 125, act Mar. 3, 1905, ch. 1496, §3, 33 Stat. 1265; Feb. 7, 1928, ch. 30, 45 Stat. 59; Pub. L. 87-518, §8(b), July 2, 1962, 76 Stat. 131; Pub. L. 95-439, §3, Oct. 10, 1978, 92 Stat. 1061, related to regulations for inspection, disinfection, and certification, and delivery and shipment of quarantined animals and live poultry from State or Territory.

Section 126, act Mar. 3, 1905, ch. 1496, §4, 33 Stat. 1265; Feb. 7, 1928, ch. 30, 45 Stat. 59; Pub. L. 87-518, §8(b), July 2, 1962, 76 Stat. 131, related to moving quarantined animals and live poultry from State or Territory, under regulations.

Section 127, act Mar. 3, 1905, ch. 1496, §6, 33 Stat. 1265; Pub. L. 97-461, §7, Jan. 12, 1983, 96 Stat. 2525, related to penalties for transportation from quarantined State, Territory, etc.

Section 128, act June 30, 1914, ch. 131, 38 Stat. 419; Pub. L. 87-518, §9, July 2, 1962, 76 Stat. 131, related to extension of quarantine law to carriers in interstate commerce.

SHORT TITLE

Act Mar. 3, 1905, ch. 1496, 33 Stat. 1264, which enacted sections 123 to 127 of this title, was popularly known as the “Cattle Contagious Diseases Act of 1905”.

§ 129. Omitted

CODIFICATION

Section, Pub. L. 107-76, title I, Nov. 28, 2001, 115 Stat. 712, related to transfer of funds for emergency arrest of animal, poultry, or plant diseases or pests, and was from the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002. Similar provisions which are permanent are classified to sections 7772 and 8316 of Title 7, Agriculture.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 106-387, §1(a) [title I], Oct. 28, 2000, 114 Stat. 1549, 1549A-9, repealed by Pub. L. 107-171, title X, §10418(a)(15), May 13, 2002, 116 Stat. 508.

Pub. L. 106-78, title I, Oct. 22, 1999, 113 Stat. 1143.

Pub. L. 105-277, div. A, §101(a) [title I], Oct. 21, 1998, 112 Stat. 2681, 2681-8.

Pub. L. 105-86, title I, Nov. 18, 1997, 111 Stat. 2086.

Pub. L. 104-180, title I, Aug. 6, 1996, 110 Stat. 1576.

Pub. L. 104-37, title I, Oct. 21, 1995, 109 Stat. 307.

Pub. L. 103-330, title I, Sept. 30, 1994, 108 Stat. 2443.

Pub. L. 103-111, title I, Oct. 21, 1993, 107 Stat. 1054.

Pub. L. 102-341, title I, Aug. 14, 1992, 106 Stat. 882.

Pub. L. 102-142, title I, Oct. 28, 1991, 105 Stat. 886.

Pub. L. 101-506, title I, Nov. 5, 1990, 104 Stat. 1323.

Pub. L. 101-161, title I, Nov. 21, 1989, 103 Stat. 959.

Pub. L. 100-460, title I, Oct. 1, 1988, 102 Stat. 2237.

Pub. L. 100-202, §101(k) [title I], Dec. 22, 1987, 101 Stat. 1329-322, 1329-331.

Pub. L. 99-500, §101(a) [title I], Oct. 18, 1986, 100 Stat. 1783, 1783-8, and Pub. L. 99-591, §101(a) [title I], Oct. 30, 1986, 100 Stat. 3341, 3341-8.

Pub. L. 99-190, §101(a) [H.R. 3037, title I], Dec. 19, 1985, 99 Stat. 1185; Pub. L. 100-202, §106, Dec. 22, 1987, 101 Stat. 1329-433.

Pub. L. 97-370, title I, Dec. 18, 1982, 96 Stat. 1792.

Pub. L. 97-103, title I, Dec. 23, 1981, 95 Stat. 1472.

Pub. L. 96-528, title I, Dec. 15, 1980, 94 Stat. 3099.

Pub. L. 96-108, title I, Nov. 9, 1979, 93 Stat. 826.