

§ 1603. Procedural powers; witness fees and mileage

(a) In carrying on the work herein authorized, the Secretary of Agriculture, or any officer or employee designated by him for such purpose, shall have power to hold hearings, administer oaths, sign and issue subpoenas, examine witnesses, take depositions, and require the production of books, records, accounts, memoranda, and papers, and have access to office and warehouse premises. Upon refusal by any person to appear, testify, or produce pertinent books, records, accounts, memoranda, and papers in response to a subpoena, or to permit access to premises, the proper United States district court shall have power to compel obedience thereto.

(b) Witnesses summoned before the Secretary or any officer or employee designated by him shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like service in the courts of the United States.

(Aug. 9, 1939, ch. 615, title IV, § 413, 53 Stat. 1289.)

EFFECTIVE DATE

See section 1610 of this title.

§ 1604. Publication

After judgment by the court, or the issuance of a cease and desist order, in any case arising under this chapter, notice thereof shall be given by publication in such manner as may be prescribed in the rules and regulations made and promulgated under this chapter.

(Aug. 9, 1939, ch. 615, title IV, § 414, 53 Stat. 1289.)

EFFECTIVE DATE

See section 1610 of this title.

§ 1605. Authorization of appropriations

(a) There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for administering this chapter.

(b) Funds appropriated for carrying into effect the purpose of this chapter shall be available for allotment by the Secretary of Agriculture to the bureaus and offices of the Department of Agriculture and for transfer to other departments and agencies of the Government which the Secretary of Agriculture may call upon to assist or cooperate in carrying out such purposes or for services rendered or to be rendered in connection therewith.

Appropriations made under this authorization, within the limit prescribed in such appropriations, may be expended for the share of the United States in the expense of the International Seed Testing Congress in carrying out plans for correlating the work of the various adhering governments on problems relating to seed analyses or other subjects which the Congress may determine to be necessary in the interest of international seed trade.

(Aug. 9, 1939, ch. 615, title IV, § 415, 53 Stat. 1289; Sept. 21, 1944, ch. 412, title VII, § 701(b), 58 Stat. 741.)

AMENDMENTS

1944—Act Sept. 21, 1944, added last par.

EFFECTIVE DATE

See section 1610 of this title.

§ 1606. Authorization of expenditures

The Secretary of Agriculture is authorized to make such expenditures for rent, outside of the District of Columbia, printing, binding, telegrams, telephones, books of reference, publications, furniture, stationery, office and laboratory equipment, travel, and other supplies, including reporting services, such research necessary to develop methods of processing, bulking, blending, sampling, testing, and merchandising seeds necessary to the administration of this chapter and other necessary expenses in the District of Columbia and elsewhere, and as may be appropriated for by the Congress.

(Aug. 9, 1939, ch. 615, title IV, § 416, 53 Stat. 1289.)

EFFECTIVE DATE

See section 1610 of this title.

§ 1607. Cooperation with other governmental agencies

The Secretary of Agriculture is authorized to cooperate with any other department or agency of the Federal Government; or with any State, Territory, District, or possession, or department, agency, or political subdivision thereof; or with any producing, trading, or consuming organization, whether operating in one or more jurisdictions, in carrying out the provisions of this chapter.

(Aug. 9, 1939, ch. 615, title IV, § 417, 53 Stat. 1289.)

EFFECTIVE DATE

See section 1610 of this title.

§ 1608. Separability

If any provision of this chapter, or the application thereof to any person or circumstance, is held invalid, the remainder of the chapter, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

(Aug. 9, 1939, ch. 615, title IV, § 418, 53 Stat. 1290.)

EFFECTIVE DATE

See section 1610 of this title.

§ 1609. Repeals

Sections 111 to 116 of this title are repealed on the one hundred and eightieth day after August 9, 1939: *Provided, however,* That the notices with respect to imported alfalfa and red clover seed promulgated by the Secretary of Agriculture under the authority of sections 111 to 116 of this title, and in effect on August 9, 1939, shall remain with the same full force and effect as if promulgated under this chapter.

(Aug. 9, 1939, ch. 615, title IV, § 419, 53 Stat. 1290.)

EFFECTIVE DATE

See section 1610 of this title.

§ 1610. Effective date

This chapter shall take effect as follows: As to agricultural seeds, and the importation of vegetable seeds, on the one hundred and eightieth day after August 9, 1939; as to vegetable seeds in interstate commerce, one year after August 9, 1939; and as to sections 1591 to 1593 of this title, on August 9, 1939.

(Aug. 9, 1939, ch. 615, title IV, § 420, 53 Stat. 1290.)

**SUBCHAPTER V—SALE OF UNCERTIFIED
SEED OF PROTECTED VARIETY**

§ 1611. Illegal sales of uncertified seed

It shall be unlawful in the United States or in interstate or foreign commerce to sell or offer for sale or advertise, by variety name, seed not certified by an official seed certifying agency, when it is a variety for which a certificate of plant variety protection under the Plant Variety Protection Act [7 U.S.C. 2321 et seq.] specifies sale only as a class of certified seed: *Provided*, That seed from a certified lot may be labeled as to variety name when used in a mixture by, or with the approval of, the owners of the variety.

(Aug. 9, 1939, ch. 615, title V, § 501, as added Pub. L. 91-577, title III, § 142(a), Dec. 24, 1970, 84 Stat. 1558; amended Pub. L. 97-98, title XI, § 1118, Dec. 22, 1981, 95 Stat. 1272.)

REFERENCES IN TEXT

The Plant Variety Protection Act, referred to in text, is Pub. L. 91-577, Dec. 24, 1970, 84 Stat. 1542, as amended, which is classified principally to chapter 57 (§ 2321 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2321 of this title and Tables.

AMENDMENTS

1981—Pub. L. 97-98 substituted “sell or offer for sale or advertise, by variety name, seed” for “sell by variety name seed”, “certifying agency, when” for “certifying agency when”, and “owners of the variety” for “owner of the variety”.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE DATE

Section effective Dec. 24, 1970, see section 141 of Pub. L. 91-577, set out as a note under section 2321 of this title.

**CHAPTER 38—DISTRIBUTION AND
MARKETING OF AGRICULTURAL PRODUCTS**

SUBCHAPTER I—GENERAL PROVISIONS

Sec.	
1621.	Congressional declaration of purpose; use of existing facilities; cooperation with States.
1622.	Duties of Secretary relating to agricultural products.
1622a.	Authority to assist farmers and elevator operators.
1622b.	Specialty crops market news allocation.
1622c.	Grant program to improve movement of specialty crops.
1623.	Authorization of appropriations; allotments to States.
1623a.	Omitted.

Sec.	
1624.	Cooperation with Government and State agencies, private research organizations, etc.; rules and regulations.
1625.	Transfer and consolidation of functions, powers, bureaus, etc.
1626.	Definitions.
1627.	Appointment of personnel; compensation; employment of specialists.
1628.	Repealed.
1629.	Establishment of committees to assist in research and service programs.
1630.	Omitted.
1631.	Protection for purchasers of farm products.
1632.	Repealed.
1632a.	Value-added agricultural product market development grants.
1632b.	Agriculture Innovation Center Demonstration Program.

**SUBCHAPTER II—LIVESTOCK MANDATORY
REPORTING**

PART A—PURPOSE; DEFINITIONS

1635.	Purpose.
1635a.	Definitions.

PART B—CATTLE REPORTING

1635d.	Definitions.
1635e.	Mandatory reporting for live cattle.
1635f.	Mandatory packer reporting of boxed beef sales.

PART C—SWINE REPORTING

1635i.	Definitions.
1635j.	Mandatory reporting for swine.
§ 1635k.	Mandatory reporting of wholesale pork cuts.

PART D—LAMB REPORTING

1635m.	Mandatory reporting for lambs.
--------	--------------------------------

PART E—ADMINISTRATION

1636.	General provisions.
1636a.	Unlawful acts.
1636b.	Enforcement.
1636c.	Fees.
1636d.	Recordkeeping.
1636e.	Voluntary reporting.
1636f.	Publication of information on retail purchase prices for representative meat products.
1636g.	Suspension authority regarding specific terms of price reporting requirements.
1636h.	Federal preemption.

**SUBCHAPTER III—DAIRY PRODUCT MANDATORY
REPORTING**

1637.	Purpose.
1637a.	Definitions.
1637b.	Mandatory reporting for dairy products.

**SUBCHAPTER IV—COUNTRY OF ORIGIN
LABELING**

1638.	Definitions.
1638a.	Notice of country of origin.
1638b.	Enforcement.
1638c.	Regulations.
1638d.	Applicability.

SUBCHAPTER I—GENERAL PROVISIONS

§ 1621. Congressional declaration of purpose; use of existing facilities; cooperation with States

The Congress declares that a sound, efficient, and privately operated system for distributing and marketing agricultural products is essential to a prosperous agriculture and is indispensable to the maintenance of full employment and to the welfare, prosperity, and health of the Na-