

(ii) was plainly marked “Not for Sale” on such article or its container.

(b) Condemnation or seizure under other provisions unaffected

The provisions of this section shall in no way derogate from authority for condemnation or seizure conferred by other provisions of this chapter, or other laws.

(Mar. 4, 1907, ch. 2907, title IV, §403, as added Pub. L. 90-201, §16, Dec. 15, 1967, 81 Stat. 598; amended Pub. L. 101-205, §1, Dec. 7, 1989, 103 Stat. 1829.)

AMENDMENTS

1989—Subsec. (a). Pub. L. 101-205 designated first sentence as par. (1) and redesignated cls. (1) to (3) as cls. (A) to (C), respectively, designated second sentence as par. (2) and inserted “(A) to be distributed in accordance with paragraph (5), or (B)” after “entry of the decree,” designated third and fourth sentences as pars. (3) and (4), respectively, and added par. (5).

§ 674. Federal court jurisdiction of enforcement and injunction proceedings and other kinds of cases; limitations of section 607(e) of this title

The United States district courts, the District Court of Guam, the District Court of the Virgin Islands, the highest court of American Samoa, and the United States courts of the other Territories, are vested with jurisdiction specifically to enforce, and to prevent and restrain violations of, this chapter, and shall have jurisdiction in all other kinds of cases arising under this chapter, except as provided in section 607(e) of this title.

(Mar. 4, 1907, ch. 2907, title IV, §404, as added Pub. L. 90-201, §16, Dec. 15, 1967, 81 Stat. 599.)

§ 675. Assaulting, resisting, or impeding certain persons; murder; protection of such persons

Any person who forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person while engaged in or on account of the performance of his official duties under this chapter shall be fined not more than \$5,000 or imprisoned not more than three years, or both. Whoever, in the commission of any such acts, uses a deadly or dangerous weapon, shall be fined not more than \$10,000 or imprisoned not more than ten years, or both. Whoever kills any person while engaged in or on account of the performance of his official duties under this chapter shall be punished as provided under sections 1111 and 1114 of title 18.

(Mar. 4, 1907, ch. 2907, title IV, §405, as added Pub. L. 90-201, §16, Dec. 15, 1967, 81 Stat. 599.)

§ 676. Violations

(a) Misdemeanors; felonies: intent to defraud and distribution of adulterated articles; good faith

Any person, firm, or corporation who violates any provision of this chapter for which no other criminal penalty is provided by this chapter shall upon conviction be subject to imprisonment for not more than one year, or a fine of not more than \$1,000, or both such imprisonment and

fine; but if such violation involves intent to defraud, or any distribution or attempted distribution of an article that is adulterated (except as defined in section 601(m)(8) of this title), such person, firm, or corporation shall be subject to imprisonment for not more than three years or a fine of not more than \$10,000, or both: *Provided*, That no person, firm, or corporation, shall be subject to penalties under this section for receiving for transportation any article or animal in violation of this chapter if such receipt was made in good faith, unless such person, firm, or corporation refuses to furnish on request of a representative of the Secretary the name and address of the person from whom he received such article or animal, and copies of all documents, if any there be, pertaining to the delivery of the article or animal to him.

(b) Minor violations; written notice of warning of criminal and civil proceedings

Nothing in this chapter shall be construed as requiring the Secretary to report for prosecution or for the institution of libel or injunction proceedings, minor violations of this chapter whenever he believes that the public interest will be adequately served by a suitable written notice of warning.

(Mar. 4, 1907, ch. 2907, title IV, §406, as added Pub. L. 90-201, §16, Dec. 15, 1967, 81 Stat. 599; amended Pub. L. 99-641, title IV, §403(c), Nov. 10, 1986, 100 Stat. 3570.)

AMENDMENTS

1986—Subsec. (b). Pub. L. 99-641, §403(c)(1), temporarily inserted provisions which related to factors required to be considered by Secretary in determining whether public interest is served by written notice of warning. See Effective and Termination Dates of 1986 Amendment note below.

Subsec. (c). Pub. L. 99-641, §403(c)(2), temporarily added subsec. (c). See Effective and Termination Dates of 1986 Amendment note below.

EFFECTIVE AND TERMINATION DATES OF 1986 AMENDMENT

Pub. L. 99-641, title IV, §403(c), Nov. 10, 1986, 100 Stat. 3570, provided that the amendment made by that section is effective only during the 6-year period beginning Nov. 10, 1986.

CONSTRUCTION AND EFFECT OF AMENDMENTS BY PUB. L. 99-641

For provisions relating to construction and effect of temporary amendments by section 403 of Pub. L. 99-641, see sections 403(e) and 404 of Pub. L. 99-641, set out as notes entitled “Inspection Services for Establishments Not Participating in Total Plant Quality-Control Program” and “Savings Provision”, respectively, under section 609 of this title.

§ 677. Other Federal laws applicable for administration and enforcement of chapter; location of inquiries; jurisdiction of Federal courts

For the efficient administration and enforcement of this chapter, the provisions (including penalties) of sections 46, 48, 49 and 50 of title 15 (except paragraphs (c) through (h) of section 46 and the last paragraph of section 49¹ of title 15), and the provisions of section 409(l)¹ of title 47, are made applicable to the jurisdiction, powers,

¹ See References in Text note below.