

Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

### § 7632. Specialty crop research initiative

#### (a) Definitions

In this section:

##### (1) Initiative

The term “Initiative” means the specialty crop research and extension initiative established by subsection (b).

##### (2) Specialty crop

The term “specialty crop” has the meaning given that term in section 3 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465).

#### (b) Establishment

There is established within the Department a specialty crop research and extension initiative to address the critical needs of the specialty crop industry by developing and disseminating science-based tools to address needs of specific crops and their regions, including—

(1) research in plant breeding, genetics, and genomics to improve crop characteristics, such as—

(A) product, taste, quality, and appearance;

(B) environmental responses and tolerances;

(C) nutrient management, including plant nutrient uptake efficiency;

(D) pest and disease management, including resistance to pests and diseases resulting in reduced application management strategies; and

(E) enhanced phytonutrient content;

(2) efforts to identify and address threats from pests and diseases, including threats to specialty crop pollinators;

(3) efforts to improve production efficiency, productivity, and profitability over the long term (including specialty crop policy and marketing);

(4) new innovations and technology, including improved mechanization and technologies that delay or inhibit ripening; and

(5) methods to prevent, detect, monitor, control, and respond to potential food safety hazards in the production and processing of specialty crops, including fresh produce.

#### (c) Eligible entities

The Secretary may carry out the Initiative through—

(1) Federal agencies;

(2) national laboratories;

(3) colleges and universities;

(4) research institutions and organizations;

(5) private organizations or corporations;

(6) State agricultural experiment stations;

(7) individuals; or

(8) groups consisting of 2 or more entities described in paragraphs (1) through (7).

#### (d) Research projects

In carrying out this section, the Secretary shall award grants on a competitive basis.

#### (e) Administration

##### (1) In general

With respect to grants awarded under subsection (d), the Secretary shall—

(A) seek and accept proposals for grants;

(B) determine the relevance and merit of proposals through a system of peer and merit review in accordance with section 7613 of this title; and

(C) award grants on the basis of merit, quality, and relevance.

##### (2) Term

The term of a grant under this section may not exceed 10 years.

##### (3) Matching funds required

The Secretary shall require the recipient of a grant under this section to provide funds or in-kind support from non-Federal sources in an amount that is at least equal to the amount provided by the Federal Government.

##### (4) Other conditions

The Secretary may set such other conditions on the award of a grant under this section as the Secretary determines to be appropriate.

#### (f) Priorities

In making grants under this section, the Secretary shall provide a higher priority to projects that—

(1) are multistate, multi-institutional, or multidisciplinary; and

(2) include explicit mechanisms to communicate results to producers and the public.

#### (g) Buildings and facilities

Funds made available under this section shall not be used for the construction of a new building or facility or the acquisition, expansion, remodeling, or alteration of an existing building or facility (including site grading and improvement, and architect fees).

#### (h) Funding

##### (1) Mandatory funding for fiscal years 2008 through 2012

Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section \$30,000,000 for fiscal year 2008 and \$50,000,000 for each of fiscal years 2009 through 2012, from which activities under each of paragraphs (1) through (5) of subsection (b) shall be allocated not less than 10 percent.

##### (2) Authorization of appropriations for fiscal years 2008 through 2012

In addition to funds made available under paragraph (1), there is authorized to be appropriated to carry out this section \$100,000,000 for each of fiscal years 2008 through 2012.

##### (3) Fiscal year 2013

There is authorized to be appropriated to carry out this section \$100,000,000 for fiscal year 2013.

##### (4) Transfer

Of the funds made available to the Secretary under paragraph (1) for fiscal year 2008 and authorized for use for payment of administrative expenses under section 3315(a)(3) of this title, the Secretary shall transfer, upon the date of enactment of this section, \$200,000 to the Office of Prevention, Pesticides, and Toxic Substances of the Environmental Protection

Agency for use in conducting a meta-analysis relating to methyl bromide.

**(5) Availability**

Funds made available pursuant to this subsection for a fiscal year shall remain available until expended to pay for obligations incurred in that fiscal year.

(Pub. L. 105–185, title IV, §412, as added Pub. L. 110–234, title VII, §7311(a), May 22, 2008, 122 Stat. 1243, and Pub. L. 110–246, §4(a), title VII, §7311(a), June 18, 2008, 122 Stat. 1664, 2004; amended Pub. L. 112–240, title VII, §701(e)(2), Jan. 2, 2013, 126 Stat. 2364.)

REFERENCES IN TEXT

The date of enactment of this section, referred to in subsec. (h)(4), is the date of enactment of Pub. L. 110–246, which was approved June 18, 2008.

CODIFICATION

Pub. L. 110–234 and Pub. L. 110–246 enacted identical sections. Pub. L. 110–234 was repealed by section 4(a) of Pub. L. 110–246.

AMENDMENTS

2013—Subsec. (h)(1). Pub. L. 112–240, §701(e)(2)(A), substituted “Mandatory funding for fiscal years 2008 through 2012” for “In general” in heading.

Subsec. (h)(2). Pub. L. 112–240, §701(e)(2)(B), inserted “for fiscal years 2008 through 2012” after “appropriations” in heading.

Subsec. (h)(3) to (5). Pub. L. 112–240, §701(e)(2)(C), (D), added par. (3) and redesignated former pars. (3) and (4) as (4) and (5), respectively.

EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 112–240 effective Sept. 30, 2012, see section 701(j) of Pub. L. 112–240, set out in a 1-Year Extension of Agricultural Programs note under section 8701 of this title.

EFFECTIVE DATE

Enactment of this section and repeal of Pub. L. 110–234 by Pub. L. 110–246 effective May 22, 2008, the date of enactment of Pub. L. 110–234, see section 4 of Pub. L. 110–246, set out as a note under section 8701 of this title.

COORDINATION OF PROJECTS AND ACTIVITIES

Pub. L. 110–234, title VII, §7311(b), May 22, 2008, 122 Stat. 1245, and Pub. L. 110–246, §4(a), title VII, §7311(b), June 18, 2008, 122 Stat. 1664, 2006, provided that: “In carrying out the amendment made by this section [enacting this section], the Secretary [of Agriculture] shall ensure that the Division Chief of the applicable Research, Education, and Extension Office established under section 251 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971) coordinates projects and activities under this section to ensure, to the maximum extent practicable, that unnecessary duplication of effort is eliminated or minimized.”

[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 this title.]

SUBCHAPTER III—MISCELLANEOUS PROVISIONS

PART A—MISCELLANEOUS

**§ 7641. Patent Culture Collection fees**

**(1) Retention**

All funds collected by the Agricultural Research Service of the Department of Agriculture

in connection with the acceptance of microorganisms for deposit in, or the distribution of microorganisms from, the Patent Culture Collection maintained and operated by the Agricultural Research Service shall be credited to the appropriation supporting the maintenance and operation of the Patent Culture Collection.

**(2) Use**

The collected funds shall be available to the Agricultural Research Service, without further appropriation or fiscal-year limitation, to carry out its responsibilities under law (including international treaties) with respect to the Patent Culture Collection.

(Pub. L. 105–185, title VI, §601(c), June 23, 1998, 112 Stat. 585.)

**§ 7642. Food Animal Residue Avoidance Database program**

**(a) Continuation of program**

The Secretary of Agriculture shall continue operation of the Food Animal Residue Avoidance Database program (referred to in this section as the “FARAD program”) through contracts, grants, or cooperative agreements with appropriate colleges or universities.

**(b) Activities**

In carrying out the FARAD program, the Secretary shall—

(1) provide livestock producers, extension specialists, scientists, and veterinarians with information to prevent drug, pesticide, and environmental contaminant residues in food animal products;

(2) maintain up-to-date information concerning—

(A) withdrawal times on FDA-approved food animal drugs and appropriate withdrawal intervals for drugs used in food animals in the United States, as established under section 360b(a) of title 21;

(B) official tolerances for drugs and pesticides in tissues, eggs, and milk;

(C) descriptions and sensitivities of rapid screening tests for detecting residues in tissues, eggs, and milk; and

(D) data on the distribution and fate of chemicals in food animals;

(3) publish periodically a compilation of food animal drugs approved by the Food and Drug Administration;

(4) make information on food animal drugs available to the public through handbooks and other literature, computer software, a telephone hotline, and the Internet;

(5) furnish producer quality-assurance programs with up-to-date data on approved drugs;

(6) maintain a comprehensive and up-to-date, residue avoidance database;

(7) provide professional advice for determining the withdrawal times necessary for food safety in the use of drugs in food animals; and

(8) engage in other activities designed to promote food safety.

**(c) Contract, grants, and cooperative agreements**

The Secretary shall offer to enter into a contract, grant, or cooperative agreement with 1 or