

dling, or storage of any animal or article intended for export.

(d) Authorization of appropriations

(1) In general

There is authorized to be appropriated—

(A) \$1,500,000 for each of fiscal years 2008 through 2012 to carry out section 11010 of the Food, Conservation, and Energy Act of 2008; and

(B) such sums as may be necessary for each of fiscal years 2008 through 2012 to carry out this section.

(2) Availability

Funds appropriated under paragraph (1) shall remain available until expended.

(Pub. L. 107-171, title X, §10405, May 13, 2002, 116 Stat. 497; Pub. L. 110-234, title XI, §11010(c), May 22, 2008, 122 Stat. 1360; Pub. L. 110-246, §4(a), title XI, §11010(c), June 18, 2008, 122 Stat. 1664, 2121.)

REFERENCES IN TEXT

Section 11010 of the Food, Conservation, and Energy Act of 2008, referred to in subsec. (d)(1)(A), is section 11010 of Pub. L. 110-246, which amended this section and enacted provisions set out as a note below.

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

AMENDMENTS

2008—Subsec. (d). Pub. L. 110-246, §11010(c), added subsec. (d).

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment 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 an Effective Date note under section 8701 of this title.

TRANSFER OF FUNCTIONS

For transfer of functions of the Secretary of Agriculture relating to agricultural import and entry inspection activities under this chapter to the Secretary of Homeland Security, and for treatment of related references, see sections 231, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

TRICHINAE CERTIFICATION PROGRAM

Pub. L. 110-234, title XI, §11010(a), (b), May 22, 2008, 122 Stat. 1359, and Pub. L. 110-246, §4(a), title XI, §11010(a), (b), June 18, 2008, 122 Stat. 1664, 2121, provided that:

“(a) VOLUNTARY TRICHINAE CERTIFICATION.—

“(1) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act [June 18, 2008], the Secretary of Agriculture shall establish a voluntary trichinae certification program. Such program shall include the facilitation of the export of pork products and certification services related to such products.

“(2) REGULATIONS.—The Secretary shall issue final regulations to implement the program under paragraph (1) not later than 90 days after the date of the enactment of this Act.

“(3) REPORT.—If final regulations are not published in accordance with paragraph (2) within 90 days of the date of the enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House

of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report containing—

“(A) an explanation of why the final regulations have not been issued in accordance with paragraph (2); and

“(B) the date on which the Secretary expects to issue such final regulations.

“(b) FUNDING.—Subject to the availability of appropriations under subsection (d)(1)(A) of section 10405 of the Animal Health Protection Act (7 U.S.C. 8304), as added by subsection (c), the Secretary shall use not less than \$6,200,000 of the funds made available under such subsection to carry out subsection (a).”

[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.]

§ 8305. Interstate movement

The Secretary may prohibit or restrict—

(1) the movement in interstate commerce of any animal, article, or means of conveyance if the Secretary determines that the prohibition or restriction is necessary to prevent the introduction or dissemination of any pest or disease of livestock; and

(2) the use of any means of conveyance or facility in connection with the movement in interstate commerce of any animal or article if the Secretary determines that the prohibition or restriction is necessary to prevent the introduction or dissemination of any pest or disease of livestock.

(Pub. L. 107-171, title X, §10406, May 13, 2002, 116 Stat. 498.)

§ 8306. Seizure, quarantine, and disposal

(a) In general

The Secretary may hold, seize, quarantine, treat, destroy, dispose of, or take other remedial action with respect to—

(1) any animal or progeny of any animal, article, or means of conveyance that—

(A) is moving or has been moved in interstate commerce or has been imported and entered; and

(B) the Secretary has reason to believe may carry, may have carried, or may have been affected with or exposed to any pest or disease of livestock at the time of movement or that is otherwise in violation of this chapter;

(2) any animal or progeny of any animal, article, or means of conveyance that is moving or is being handled, or has moved or has been handled, in interstate commerce in violation of this chapter;

(3) any animal or progeny of any animal, article, or means of conveyance that has been imported, and is moving or is being handled or has moved or has been handled, in violation of this chapter; or

(4) any animal or progeny of any animal, article, or means of conveyance that the Secretary finds is not being maintained, or has not been maintained, in accordance with any post-importation quarantine, post-importation condition, post-movement quarantine, or post-movement condition in accordance with this chapter.