

## SHORT TITLE OF 1976 AMENDMENT

Pub. L. 94-582, §1, Oct. 21, 1976, 90 Stat. 2867, provided: "That this Act [enacting sections 75a, 79a, 79b, 87e-1, 87f-1, and 87f-2 of this title, amending sections 74, 75, 76, 77, 78, 79, 84, 85, 86, 87, 87a, 87b, 87c, 87e, 87f, 87g, and 87h of this title, section 5316 of Title 5, Government Organization and Employees, and section 1114 of Title 18, Crimes and Criminal Procedure, and enacting provisions set out as notes under sections 74, 75a, 76, and 79 of this title] may be cited as the 'United States Grain Standards Act of 1976'."

**§§ 72, 73. Omitted**

## CODIFICATION

Sections were omitted in the general reorganization of this chapter by Pub. L. 90-487, §1, Aug. 15, 1968, 82 Stat. 761.

Section 72, act Aug. 11, 1916, ch. 313, pt. B, §1 (part), 39 Stat. 482, defined the words "person" and "in interstate or foreign commerce". See section 75 of this title.

Section 73, act Aug. 11, 1916, ch. 313, pt. B, §1 (part), 39 Stat. 482, made associations, partnerships, and corporations liable for the acts of their agents within the scope of their employment or office. See section 87d of this title.

**§ 74. Congressional findings and declaration of policy**

(a) Grain is an essential source of the world's total supply of human food and animal feed and is merchandised in interstate and foreign commerce. It is declared to be the policy of the Congress, for the promotion and protection of such commerce in the interests of producers, merchandisers, warehousemen, processors, and consumers of grain, and the general welfare of the people of the United States, to provide for the establishment of official United States standards for grain, to promote the uniform application thereof by official inspection personnel, to provide for an official inspection system for grain, and to regulate the weighing and the certification of the weight of grain shipped in interstate or foreign commerce in the manner herein-after provided; with the objectives that grain may be marketed in an orderly and timely manner and that trading in grain may be facilitated. It is hereby found that all grain and other articles and transactions in grain regulated under this chapter are either in interstate or foreign commerce or substantially affect such commerce and that regulation thereof as provided in this chapter is necessary to prevent or eliminate burdens on such commerce and to regulate effectively such commerce.

(b) It is also declared to be the policy of Congress—

(1) to promote the marketing of grain of high quality to both domestic and foreign buyers;

(2) that the primary objective of the official United States standards for grain is to certify the quality of grain as accurately as practicable; and

(3) that official United States standards for grain shall—

(A) define uniform and accepted descriptive terms to facilitate trade in grain;

(B) provide information to aid in determining grain storability;

(C) offer users of such standards the best possible information from which to determine end-product yield and quality of grain;

(D) provide the framework necessary for markets to establish grain quality improvement incentives;

(E) reflect the economic value-based characteristics in the end uses of grain; and

(F) accommodate scientific advances in testing and new knowledge concerning factors related to, or highly correlated with, the end use performance of grain.

(Aug. 11, 1916, ch. 313, pt. B, §2, 39 Stat. 482; July 18, 1940, ch. 636, 54 Stat. 765; Pub. L. 90-487, §1, Aug. 15, 1968, 82 Stat. 761; Pub. L. 94-582, §2, Oct. 21, 1976, 90 Stat. 2867; Pub. L. 99-641, title III, §302, Nov. 10, 1986, 100 Stat. 3564; Pub. L. 101-624, title XX, §2004, Nov. 28, 1990, 104 Stat. 3929.)

## AMENDMENTS

1990—Subsec. (b)(3)(E), (F). Pub. L. 101-624 added subpars. (E) and (F).

1986—Pub. L. 99-641 designated existing provisions as subsec. (a) and added subsec. (b).

1976—Pub. L. 94-582 expressed the policy of Congress to regulate the weighing and the certification of the weight of grain shipped in interstate or foreign commerce and the finding of Congress of the necessity to regulate grain transactions to prevent or eliminate burdens on commerce and to regulate effectively such interstate or foreign commerce, and provided that the grain be marketed in a timely manner.

1968—Pub. L. 90-487 substituted a declaration of policy by the Congress for provisions authorizing promulgation and establishment of grain standards by Secretary of Agriculture.

1940—Act July 18, 1940, inserted "soybeans," after "flaxseed."

## EFFECTIVE DATE OF 1976 AMENDMENT

Pub. L. 94-582, §27, Oct. 21, 1976, 90 Stat. 2889, as amended by Pub. L. 95-113, title XVI, §§1602(d), 1605(b), 1607(b), 1608, Sept. 29, 1977, 91 Stat. 1025, 1030, 1031; Pub. L. 106-472, title I, §110(c), Nov. 9, 2000, 114 Stat. 2061, provided that: "This Act [see Short Title of 1976 Amendment note set out under section 71 of this title] shall become effective thirty days after enactment hereof [Oct. 21, 1976]."

## EFFECTIVE DATE OF 1968 AMENDMENT

For effective date of amendment by Pub. L. 90-487, see section 2 of Pub. L. 90-487, set out as a note under section 78 of this title.

**§ 75. Definitions**

When used in this chapter, except where the context requires otherwise—

(a) the term "Secretary" means the Secretary of Agriculture of the United States or delegates of the Secretary;

(b) the term "Department of Agriculture" means the United States Department of Agriculture;

(c) the term "person" means any individual, partnership, corporation, association, or other business entity;

(d) the term "United States" means the States (including Puerto Rico) and the territories and possessions of the United States (including the District of Columbia);

(e) the term "State" means any one of the States (including Puerto Rico) or territories or possessions of the United States (including the District of Columbia);

(f) the term "interstate or foreign commerce" means commerce from any State to or