

(3) An additional \$5,000,000 for the fiscal year ending June 30, 1949, and each subsequent fiscal year.

(4) An additional \$5,000,000 for the fiscal year ending June 30, 1950, and each subsequent fiscal year.

(5) An additional \$5,000,000 for the fiscal year ending June 30, 1951, and each subsequent fiscal year.

(6) In addition to the foregoing, such additional funds beginning with the fiscal year ending June 30, 1952, and thereafter, as the Congress may deem necessary.

Such sums appropriated in pursuance of this chapter shall be in addition to, and not in substitution for, sums appropriated or otherwise made available to the Department of Agriculture.

(b) The Secretary of Agriculture is authorized to make available from such funds such sums as he may deem appropriate for allotment to State departments of agriculture, State bureaus and departments of markets, State agricultural experiment stations, and other appropriate State agencies for cooperative projects in marketing service and in marketing research to effectuate the purposes of this chapter: *Provided*, That no such allotment and no payment under any such allotment shall be made for any fiscal year to any State agency in excess of the amount which such State agency makes available out of its own funds for such research. The funds which State agencies are required to make available in order to qualify for such an allotment shall be in addition to any funds now available to such agencies for marketing services and for marketing research. The allotments authorized under this section shall be made to the agency or agencies best equipped and qualified to conduct the specific project to be undertaken. Such allotments shall be covered by cooperative agreements between the Secretary of Agriculture and the cooperating agency and shall include appropriate provisions for preventing duplication or overlapping of work within the State or States cooperating. Should duplication or overlapping occur subsequent to approval of a cooperative project or allotment of funds, the Secretary of Agriculture is authorized and directed to withhold unexpended balances on such projects notwithstanding the prior approval thereof.

(Aug. 14, 1946, ch. 966, title II, § 204, 60 Stat. 1089.)

#### § 1623a. Omitted

##### CODIFICATION

Section, Pub. L. 107-76, title VII, § 703, Nov. 28, 2001, 115 Stat. 731, which provided that not less than \$1,500,000 of the appropriations of the Department of Agriculture for research and service work authorized by sections 1621 et seq., 3104, and 3105 of this title and chapter 63 of title 31 would be available for contracting in accordance with those laws, was from the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002, and was not repeated in subsequent appropriation acts. Similar provisions were contained in the following prior appropriation acts:

Pub. L. 106-387, § 1(a) [title VII, § 703], Oct. 28, 2000, 114 Stat. 1549, 1549A-28.

Pub. L. 106-78, title VII, § 703, Oct. 22, 1999, 113 Stat. 1160.

Pub. L. 105-277, div. A, § 101(a) [title VII, § 703], Oct. 21, 1998, 112 Stat. 2681, 2681-25.

Pub. L. 105-86, title VII, § 703, Nov. 18, 1997, 111 Stat. 2104.

Pub. L. 104-180, title VII, § 703, Aug. 6, 1996, 110 Stat. 1596.

Pub. L. 104-37, title VII, § 703, Oct. 21, 1995, 109 Stat. 329.

Pub. L. 103-330, title VII, § 703, Sept. 30, 1994, 108 Stat. 2466.

Pub. L. 103-111, title VII, § 703, Oct. 21, 1993, 107 Stat. 1078.

Pub. L. 102-341, title VII, § 703, Aug. 14, 1992, 106 Stat. 906.

Pub. L. 102-142, title VII, § 704, Oct. 28, 1991, 105 Stat. 911.

Pub. L. 101-506, title VI, § 604, Nov. 5, 1990, 104 Stat. 1346.

Pub. L. 101-161, title VI, § 604, Nov. 21, 1989, 103 Stat. 982.

Pub. L. 100-460, title VI, § 604, Oct. 1, 1988, 102 Stat. 2259.

Pub. L. 100-202, § 101(k) [title VI, § 604], Dec. 22, 1987, 101 Stat. 1329-322, 1329-353.

Pub. L. 99-500, § 101(a) [title VI, § 604], Oct. 18, 1986, 100 Stat. 1783, 1783-27, and Pub. L. 99-591, § 101(a) [title VI, § 604], Oct. 30, 1986, 100 Stat. 3341, 3341-27.

Pub. L. 99-190, § 101(a) [H.R. 3037, title VI, § 604], Dec. 19, 1985, 99 Stat. 1185; Pub. L. 100-202, § 106, Dec. 22, 1987, 101 Stat. 1329-433.

Pub. L. 97-370, title VI, § 604, Dec. 18, 1982, 96 Stat. 1810.

Pub. L. 97-103, title VI, § 604, Dec. 23, 1981, 95 Stat. 1487.

Pub. L. 96-528, title VI, § 604, Dec. 15, 1980, 94 Stat. 3116.

Pub. L. 96-108, title VI, § 603, Nov. 9, 1979, 93 Stat. 840.

Pub. L. 95-448, title VI, § 603, Oct. 11, 1978, 92 Stat. 1092.

Pub. L. 95-97, title VI, § 603, Aug. 12, 1977, 91 Stat. 828.

Pub. L. 94-351, title VI, § 603, July 12, 1976, 90 Stat. 868.

Pub. L. 94-122, title VI, § 605, Oct. 21, 1975, 89 Stat. 667.

Pub. L. 93-563, title V, § 505, Dec. 31, 1974, 88 Stat. 1842.

Pub. L. 93-135, title V, § 506, Oct. 24, 1973, 87 Stat. 490.

Pub. L. 92-399, title V, § 506, Aug. 22, 1972, 86 Stat. 611.

Pub. L. 92-73, title V, § 506, Aug. 10, 1971, 85 Stat. 201.

Pub. L. 91-566, title V, § 506, Dec. 22, 1970, 84 Stat. 1496.

Pub. L. 91-127, title V, § 506, Nov. 26, 1969, 83 Stat. 260.

Pub. L. 90-463, title V, § 506, Aug. 8, 1968, 82 Stat. 653.

Pub. L. 90-113, title V, § 506, Oct. 24, 1967, 81 Stat. 335.

Pub. L. 89-556, title V, § 506, Sept. 7, 1966, 80 Stat. 704.

Pub. L. 89-316, title V, § 506, Nov. 2, 1965, 79 Stat. 1179.

Pub. L. 88-573, title V, § 506, Sept. 2, 1964, 78 Stat. 876.

Pub. L. 88-250, title VI, § 606, Dec. 30, 1963, 77 Stat. 833.

Pub. L. 87-879, title VI, § 606, Oct. 24, 1962, 76 Stat. 1215.

Pub. L. 87-112, title V, § 506, July 26, 1961, 75 Stat. 241.

Pub. L. 86-532, title IV, § 406, June 29, 1960, 74 Stat. 244.

Pub. L. 86-80, title IV, § 406, July 8, 1959, 73 Stat. 180.

Pub. L. 85-459, title IV, § 406, June 13, 1958, 72 Stat. 199.

Pub. L. 85-118, title V, § 506, Aug. 2, 1957, 71 Stat. 340.

June 4, 1956, ch. 355, title V, § 506, 70 Stat. 241.

May 23, 1955, ch. 43, title V, § 506, 69 Stat. 63.

June 29, 1954, ch. 409, title V, § 506, 68 Stat. 319.

#### § 1624. Cooperation with Government and State agencies, private research organizations, etc.; rules and regulations

(a) In carrying out the provisions of this chapter, the Secretary of Agriculture may cooperate with other branches of the Government, State agencies, private research organizations, purchasing and consuming organizations, boards of trade, chambers of commerce, other associations of business or trade organizations, transportation and storage agencies and organizations,

or other persons or corporations engaged in the production, transportation, storing, processing, marketing, and distribution of agricultural products whether operating in one or more jurisdictions. The Secretary of Agriculture shall have authority to enter into contracts and agreements under the terms of regulations promulgated by him with States and agencies of States, private firms, institutions, and individuals for the purpose of conducting research and service work, making and compiling reports and surveys, and carrying out other functions relating thereto when in his judgment the services or functions to be performed will be carried out more effectively, more rapidly, or at less cost than if performed by the Department of Agriculture. Contracts under this section may be made for work to be performed within a period not more than four years from the date of any such contract, and advance, progress, or other payments may be made. The provisions of section 3324(a) and (b) of title 31 and section 6101 of title 41 shall not be applicable to contracts or agreements made under the authority of this section. Any unexpended balances of appropriations obligated by contracts as authorized by this section may, notwithstanding the provisions of section 5 of the Act of June 20, 1874, as amended (31 U.S.C., sec. 713), remain upon the books of the Treasury for not more than five fiscal years before being carried to the surplus fund and covered into the Treasury. Any contract made pursuant to this section shall contain requirements making the result of such research and investigations available to the public by such means as the Secretary of Agriculture shall determine.

(b) The Secretary of Agriculture shall promulgate such orders, rules, and regulations as he deems necessary to carry out the provisions of this chapter.

(Aug. 14, 1946, ch. 966, title II, §205, 60 Stat. 1090; Aug. 30, 1954, ch. 1076, §1(7), 68 Stat. 966.)

#### REFERENCES IN TEXT

Section 5 of the Act of June 20, 1874, as amended (31 U.S.C. sec. 713), referred to in subsec. (a), was repealed by act July 6, 1949, ch. 299, §3, 63 Stat. 407.

#### CODIFICATION

In subsec. (a), "section 3324(a) and (b) of title 31" substituted for reference to section 3648 (31 U.S.C., sec. 529) of the Revised Statutes on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

In subsec. (a), "section 6101 of title 41" substituted for "section 3709 (41 U.S.C., sec. 5) of the Revised Statutes" on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

#### AMENDMENTS

1954—Subsec. (b). Act Aug. 30, 1954, repealed second sentence requiring Secretary of Agriculture to include in his annual report to Congress a complete statement of research work being performed under contracts or cooperative agreements under this chapter.

#### DISTRIBUTION OF SURPLUS COMMODITIES

Pub. L. 97-253, title I, §191, Sept. 8, 1982, 96 Stat. 787, provided that:

"(a) The Congress finds that—

"(1) for an increasing number of people in the United States, these are times of great suffering and deprivation;

"(2) rising unemployment, decreasing appropriations for social services, and increasingly adverse economic conditions have all contributed to produce hunger and want on a scale not experienced since the time of the Great Depression;

"(3) the demand for every conceivable form of assistance for the hungry and needy people of the United States grows more critical daily, while the availability of goods and services to meet the needs of such people is rapidly diminishing;

"(4) soup kitchens, food banks, and other organizations which provide food to the hungry report an astronomical increase in the number of persons seeking the assistance of such organizations;

"(5) according to a study completed by the General Accounting Office [now Government Accountability Office] in 1977, one hundred and thirty-seven million tons of food, or more than 20 per centum of this country's total annual food production, is wasted or discarded in the United States each year;

"(6) at wholesale and retail food distributors, shipping terminals, and other establishments all across the country, enormous quantities of fresh fruits and vegetables and dated dairy and bakery products are discarded each day, while growing numbers of Americans go to bed hungry and undernourished each night;

"(7) in these times of budget constraints and appeals for reductions in Federal spending, the use of private resources to meet the basic food requirements of our citizens should be encouraged; and

"(8) many States and local governments have not enacted laws which limit the liability of food donors, such as so-called Good Samaritan Acts and donor liability laws, and thus have discouraged donation of food to the needy by private persons.

"(b) It is the sense of the Congress that—

"(1) departments and agencies of the Federal Government should take such steps as may be necessary to distribute to hungry people of the United States surplus food or food which would otherwise be discarded;

"(2) State and local governments which have not yet enacted so-called Good Samaritan or donor liability laws to encourage private cooperative efforts to provide food for hungry people within their respective jurisdictions should do so as quickly as possible; and

"(3) wholesale and retail food distributors, shipping terminals, and other establishments should work more closely with religious, community, and other charitable organizations to make wholesome food which is currently being wasted or discarded by such establishments available for immediate distribution to hungry people of the United States."

#### § 1625. Transfer and consolidation of functions, powers, bureaus, etc.

In order to facilitate administration and to increase the effectiveness of the marketing research, service, and regulatory work of the Department of Agriculture to the fullest extent practicable, the Secretary of Agriculture is authorized, notwithstanding any other provisions of law, to transfer, group, coordinate, and consolidate the functions, powers, duties, and authorities of each and every agency, division, bureau, service, section, or other administrative unit in the Department of Agriculture primarily concerned with research, service, or regulatory activities in connection with the marketing, transportation, storage, processing, distribution of, or service or regulatory activities in connection with, the utilization of, agricultural products, into a single administrative agency. In making such changes as may be necessary to carry out effectively the purposes of this chapter, the records, property, personnel, and funds