

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-429 effective July 5, 1994, see section 9 of Pub. L. 103-429, set out as a note under section 321 of this title.

§ 5566. Records and audits

(a) RECORD REQUIREMENTS.—Each recipient of financial assistance under this chapter shall keep records required by the Secretary of Transportation. The records shall disclose—

- (1) the amount, and disposition by the recipient, of the proceeds of the assistance;
(2) the total cost of the project for which the assistance was given or used;
(3) the amount of that part of the cost of the project supplied by other sources; and
(4) any other records that will make an effective audit easier.

(b) AUDITS AND INSPECTIONS.—For 3 years after a project is completed, the Secretary and the Comptroller General may audit and inspect records of a recipient that the Secretary or Comptroller General decides may be related or pertinent to the financial assistance.

(Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 853.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Rows for 5566(a) and 5566(b).

In this section, the word "undertaking" is omitted as being included in "project".

In subsection (a), before clause (1), the word "fully" is omitted as surplus.

In subsection (b), the words "the expiration of" and "of the United States" are omitted as surplus. The words "or any of their duly authorized representatives" are omitted as unnecessary because of 49:322(b) and 31:711(2). The words "may audit and inspect" are substituted for "shall have access for the purpose of audit and examination" for consistency in the revised title and with other titles of the United States Code. The word "recipient" is substituted for "such receipts" to correct an error in the underlying source provisions.

§ 5567. Preference for preserving buildings of historic or architectural significance

Amtrak shall give preference to the use of rail passenger terminal facilities that will preserve buildings of historic or architectural significance.

(Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 854.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row for 5567.

The word "Amtrak" is substituted for "The National Railroad Passenger Corporation" for consistency in the revised title. The words "rail passenger terminal" are substituted for "station" for consistency in this chapter. The word "or" is substituted for "and" for consistency with the source provisions being restated in section 5562(a)(3) of the revised title.

§ 5568. Authorization of appropriations

(a) GENERAL.—The following amounts may be appropriated to the Secretary of Transportation:

- (1) not more than \$15,000,000 to carry out section 5562(a)(1) and (3) of this title.
(2) not more than \$2,500,000 to carry out section 5562(a)(2) of this title.
(3) not more than \$2,500,000 to carry out section 5562(a)(4) of this title.

(b) AVAILABILITY OF AMOUNTS.—Amounts appropriated to carry out this chapter remain available until expended.

(Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 854.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row for 5568.

In subsection (a), before clause (1), the words "to the Secretary of Transportation" are added for clarity and consistency in this chapter.

In subsection (b), the words "to carry out" are substituted for "for the purpose set forth . . . in" for consistency in the revised title and with other titles of the United States Code.

CHAPTER 57—SANITARY FOOD TRANSPORTATION

Sec. 5701. Food transportation safety inspections.

AMENDMENTS

2008—Pub. L. 110-244, title III, §302(g), June 6, 2008, 122 Stat. 1618, substituted "transportation" for "Transportation" in item 5701.

2005—Pub. L. 109-59, title VII, §7203, Aug. 10, 2005, 119 Stat. 1913, reenacted chapter heading without change and amended table of sections generally, substituting item 5701 for former items 5701 "Findings", 5702 "Definitions", 5703 "General regulation", 5704 "Tank trucks, rail tank cars, and cargo tanks", 5705 "Motor and rail transportation of nonfood products", 5706 "Dedicated vehicles", 5707 "Waiver authority", 5708 "Food transportation inspections", 5709 "Consultation", 5710 "Administrative", 5711 "Enforcement and penalties", 5712 "Relationship to other laws", 5713 "Application of sections 5711 and 5712", and 5714 "Coordination procedures".

§ 5701. Food transportation safety inspections

(a) INSPECTION PROCEDURES.—

(1) IN GENERAL.—The Secretary of Transportation, in consultation with the Secretary of Health and Human Services and the Secretary of Agriculture, shall establish procedures for transportation safety inspections for the pur-

pose of identifying suspected incidents of contamination or adulteration of—

(A) food in violation of regulations promulgated under section 416 of the Federal Food, Drug, and Cosmetic Act;

(B) a carcass, part of a carcass, meat, meat food product, or animal subject to detention under section 402 of the Federal Meat Inspection Act (21 U.S.C. 672); and

(C) poultry products or poultry subject to detention under section 19 of the Poultry Products Inspection Act (21 U.S.C. 467a).

(2) TRAINING.—

(A) IN GENERAL.—The Secretary of Transportation shall develop and carry out a training program to conduct enforcement of this chapter and regulations prescribed under this chapter or compatible State laws and regulations.

(B) CONDUCT.—In carrying out this paragraph, the Secretary of Transportation shall train inspectors, including Department of Transportation personnel, State employees described under subsection (c), or personnel paid with funds authorized under sections 31102 and 31104, in the recognition of adulteration problems associated with the transportation of cosmetics, devices, drugs, food, and food additives and in the procedures for obtaining assistance of the appropriate departments, agencies, and instrumentalities of the Government and State authorities to support the enforcement.

(3) APPLICABILITY.—The procedures established under paragraph (1) shall apply, at a minimum, to Department of Transportation personnel that perform commercial motor vehicle or railroad safety inspections.

(b) NOTIFICATION OF SECRETARY OF HEALTH AND HUMAN SERVICES OR SECRETARY OF AGRICULTURE.—The Secretary of Transportation shall promptly notify the Secretary of Health and Human Services or the Secretary of Agriculture, as applicable, of any instances of potential food contamination or adulteration of a food identified during transportation safety inspections.

(c) USE OF STATE EMPLOYEES.—The means by which the Secretary of Transportation carries out subsection (b) may include inspections conducted by State employees using funds authorized to be appropriated under sections 31102 through 31104.

(Added Pub. L. 109-59, title VII, §7203, Aug. 10, 2005, 119 Stat. 1913.)

REFERENCES IN TEXT

Section 416 of the Federal Food, Drug, and Cosmetic Act, referred to in subsec. (a)(1)(A), is classified to section 350e of Title 21, Food and Drugs.

PRIOR PROVISIONS

Prior sections 5701 to 5714 were omitted in the general amendment of this chapter by Pub. L. 109-59, §7203.

Section 5701, Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 854, related to findings.

Section 5702, Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 854, defined terms.

Section 5703, Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 855, directed Secretary to prescribe regulations.

Section 5704, Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 856, related to prohibited use of tank trucks, rail tank cars, and cargo tanks.

Section 5705, Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 857, related to prohibited motor and rail transportation of nonfood products.

Section 5706, Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 857, related to dedication of vehicles to transport asbestos, extremely dangerous products, or refuse.

Section 5707, Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 857, related to waiver of provisions.

Section 5708, Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 858, related to food transportation inspections. See section 5701 of this title.

Section 5709, Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 858, related to consultation with Secretaries of Agriculture and Health and Human Services and Administrator of the Environmental Protection Agency.

Section 5710, Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 858, related to duties and powers of Secretary.

Section 5711, Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 858, related to enforcement and penalties.

Section 5712, Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 859, related to relationship to other laws.

Section 5713, Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 859, related to application of sections 5711 and 5712.

Section 5714, Pub. L. 103-272, §1(d), July 5, 1994, 108 Stat. 859, related to coordination between departments, agencies, and instrumentalities.

EFFECTIVE DATE

Section effective Oct. 1, 2005, see section 7204 of Pub. L. 109-59, set out as an Effective Date of 2005 Amendment note under section 331 of Title 21, Food and Drugs.

CHAPTER 59—INTERMODAL SAFE CONTAINER TRANSPORTATION

Sec. 5901.	Definitions.
5902.	Notifications and certifications.
5903.	Prohibitions.
5904.	State enforcement.
5905.	Liens.
5906.	Perishable agricultural commodities.
5907.	Effective date.
5908.	Relationship to other laws.

AMENDMENTS

1996—Pub. L. 104-291, title II, §§208(b), 209(b), Oct. 11, 1996, 110 Stat. 3457, 3458, substituted “Effective date” for “Regulations and effective date” in item 5907 and added item 5908.

§ 5901. Definitions

In this chapter—

(1) except as otherwise provided in this chapter, the definitions in sections 10102 and 13102 of this title apply.

(2) “beneficial owner” means a person not having title to property but having ownership rights in the property, including a trustee of property in transit from an overseas place of origin that is domiciled or doing business in the United States, except that a carrier, agent of a carrier, broker, customs broker, freight forwarder, warehouse, or terminal operator is not a beneficial owner only because of providing or arranging for any part of the intermodal transportation of property.

(3) “carrier” means—

(A) a motor carrier, water carrier, and rail carrier providing transportation of property in commerce; and