

The Federal Food, Drug, and Cosmetic Act, referred to in subsecs. (b) and (c), is act June 25, 1938, ch. 675, 52 Stat. 1040, which is classified generally to chapter 9 (§301 et seq.) of this title. For complete classification of this Act to the Code, see section 301 of this title and Tables.

The Fair Packaging and Labeling Act, referred to in subsecs. (b) and (c), is Pub. L. 89-755, Nov. 3, 1966, 80 Stat. 1296, which is classified generally to chapter 39 (§1451 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 1451 of Title 15 and Tables.

#### AMENDMENTS

1991—Subsec. (b). Pub. L. 102-237 substituted “(2) with respect to egg handlers specified in paragraphs (1) and (2) of section 1034(e) of this title, no State or local jurisdiction may impose temperature requirements pertaining to eggs packaged for the ultimate consumer which are in addition to, or different from, Federal requirements, and (3)” for “and (2)”.

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

“Secretary of Health and Human Services” substituted for “Secretary of Health, Education, and Welfare” in subsecs. (c) and (d) pursuant to section 509(b) of Pub. L. 96-88, which is classified to section 3508(b) of Title 20, Education.

##### EFFECTIVE DATE OF 1991 AMENDMENT

Amendment by Pub. L. 102-237 effective 12 months after promulgation of final implementing regulations, see section 1012(h) of Pub. L. 102-237, set out as a note under section 1034 of this title.

##### EFFECTIVE DATE

For effective date of this section, see section 29 of Pub. L. 91-597, set out as a note under section 1031 of this title.

#### § 1053. Inspection and administration costs

##### (a) Overtime and holiday work costs; availability of funds

The cost of inspection rendered under the requirements of this chapter, and other costs of administration of this chapter, shall be borne by the United States, except that the cost of overtime and holiday work performed in official plants subject to the provisions of this chapter at such rates as the Secretary may determine shall be borne by such official plants. Sums received by the Secretary from official plants under this section shall be available without fiscal year limitation to carry out the purposes of this chapter.

##### (b) “Holiday” defined

The term “holiday” for the purposes of assessment or reimbursement of the cost of inspection performed under this chapter, the Wholesome Poultry Products Act [21 U.S.C. 467a et seq.] and the Wholesome Meat Act [21 U.S.C. 601 et seq.] shall mean the legal public holidays specified by the Congress in section 6103(a) of title 5.

(Pub. L. 91-597, §24, Dec. 29, 1970, 84 Stat. 1633.)

#### Editorial Notes

##### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 91-597, Dec. 29, 1970, 84

Stat. 1620, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1031 of this title and Tables.

The Wholesome Poultry Products Act, referred to in subsec. (b), is Pub. L. 90-492, Aug. 18, 1968, 82 Stat. 791, which enacted sections 467a to 467f and 470 of this title, amended sections 451 to 461, 463 to 465, and 467 of this title, and enacted provisions set out as notes under section 451 of this title. For complete classification of this Act to the Code, see Short Title of 1968 Amendment note set out under section 451 of this title and Tables.

The Wholesome Meat Act, referred to in subsec. (b), is Pub. L. 90-201, Dec. 15, 1967, 81 Stat. 584, which enacted sections 601, 602, 624, 641 to 645, 661, 671 to 680, and 691 of this title, amended sections 603 to 623 of this title, repealed section 96 of this title and section 1306(b) of Title 19, Customs Duties, and enacted provisions set out as notes under section 601 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 601 of this title and Tables.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

For effective date of this section, see section 29 of Pub. L. 91-597, set out as a note under section 1031 of this title.

#### § 1054. Annual report to Congressional committees

(a)<sup>1</sup> Not later than March 1 of each year following December 29, 1970, 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 comprehensive and detailed written report with respect to—

(1) the processing, storage, handling, and distribution of eggs and egg products subject to the provisions of this chapter; the inspection of establishments operated in connection therewith; the effectiveness of the operation of the inspection, including the effectiveness of the operations of State egg inspection programs; and recommendations for legislation to improve such program; and

(2) the administration of section 1046 of this title (relating to imports) during the immediately preceding calendar year, including but not limited to—

(A) a certification by the Secretary that foreign plants exporting eggs or egg products to the United States have complied with requirements of this chapter and regulations issued thereunder;

(B) the names and locations of plants authorized or permitted to export eggs or egg products to the United States;

(C) the number of inspectors employed by the Department of Agriculture in the calendar year concerned who were assigned to inspect plants referred to in paragraph (B) hereof and the frequency with which each such plant was inspected by such inspectors;

(D) the number of inspectors that were licensed by each country from which any imports were received and that were assigned, during the calendar year concerned, to inspect such imports and the facilities in

<sup>1</sup> So in original. No subsec. (b) has been enacted.