

Section 268, act Aug. 11, 1916, ch. 313, pt. C, § 28, 39 Stat. 490, authorized rules and regulations.

Section 269, acts Aug. 11, 1916, ch. 313, pt. C, § 29, 39 Stat. 490; Feb. 23, 1923, ch. 106, 42 Stat. 1285; Mar. 2, 1931, ch. 366, § 9, 46 Stat. 1465, related to cooperation with States, exclusivity of Secretary's authority, and pre-emption of laws. See section 242 of this title.

Section 270, acts Aug. 11, 1916, ch. 313, pt. C, § 30, 39 Stat. 490; Feb. 23, 1923, ch. 106, 42 Stat. 1285; Mar. 2, 1931, ch. 366, § 10, 46 Stat. 1465; Pub. L. 101-624, title V, § 508(b), Nov. 28, 1990, 104 Stat. 3443, set forth punishment for violations of this chapter. See section 254 of this title.

Section 271, acts Aug. 11, 1916, ch. 313, pt. C, § 31, 39 Stat. 491; Pub. L. 97-35, title I, § 158(a)(2), Aug. 13, 1981, 95 Stat. 376, authorized appropriations and employment of temporary personnel. See section 256 of this title.

Section 272, act Aug. 11, 1916, ch. 313, pt. C, § 32, 39 Stat. 491, related to separability of provisions.

Section 273, act Aug. 11, 1916, ch. 313, pt. C, § 33, 39 Stat. 491, reserved right to amend, alter, or repeal this chapter.

## CHAPTER 11—HONEYBEES

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### § 281. Honeybee importation

#### (a) In general

The Secretary of Agriculture is authorized to prohibit or restrict the importation or entry of honeybees and honeybee semen into or through the United States in order to prevent the introduction and spread of diseases and parasites harmful to honeybees, the introduction of genetically undesirable germ plasm of honeybees, or the introduction and spread of undesirable species or subspecies of honeybees and the semen of honeybees.

#### (b) Regulations

The Secretary of Agriculture and the Secretary of the Treasury are each authorized to prescribe such regulations as the respective Secretary determines necessary to carry out this section.

#### (c) Enforcement

Honeybees or honeybee semen offered for importation into, intercepted entering, or having entered the United States, other than in accordance with regulations promulgated by the Secretary of Agriculture and the Secretary of the Treasury, shall be destroyed or immediately exported.

#### (d) "Honeybee" defined

As used in this chapter, the term "honeybee" means all life stages and the germ plasm of honeybees of the genus *Apis*, except honeybee semen.

(Aug. 31, 1922, ch. 301, § 1, 42 Stat. 833; Pub. L. 87-539, § 1, July 19, 1962, 76 Stat. 169; Pub. L. 94-319, § 1, June 25, 1976, 90 Stat. 709; Pub. L. 103-182, title III, § 361(d)(2), Dec. 8, 1993, 107 Stat. 2123; Pub. L. 103-465, title IV, § 431(e), Dec. 8, 1994, 108 Stat. 4968.)

## AMENDMENTS

1994—Pub. L. 103-465 amended section generally, substituting present provisions for former subsecs. (a) to (e) restricting importation of honeybees and honeybee semen into United States, providing for promulgation of rules and regulations as to such importation, providing for destruction or immediate exportation of non-accepted honeybees or honeybee semen offered for import or intercepted, and defining "honeybee".

1993—Subsec. (a)(3). Pub. L. 103-182, § 361(d)(2)(A), added par. (3).

Subsec. (b). Pub. L. 103-182, § 361(d)(2)(B), inserted "(1)" after "only from" and added cl. (2).

1976—Pub. L. 94-319 incorporated existing provisions, which related only to honeybees, into subsecs. (a) to (e) relating to honeybees and honeybee semen, making honeybee provisions applicable to all life stages and the germ plasm of honeybees instead of only to honeybees in the adult stage, restating purpose of prohibiting importation of honeybees and restating conditions to be determined by Secretary of Agriculture with respect to countries from which honeybees may be imported.

1962—Pub. L. 87-539 enlarged prohibition against importation of honeybees to include the honeybee of the genus *Apis* instead of only the honeybee *Apis mellifica* and restricted permission to import the honeybee to countries which take adequate precautions to prevent importation of honeybees from countries where dangerous diseases exist.

#### EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-465 effective on the date of entry into force of the WTO Agreement with respect to the United States (Jan. 1, 1995), except as otherwise provided, see section 451 of Pub. L. 103-465, set out as an Effective Date note under section 3601 of Title 19, Customs Duties.

#### SHORT TITLE

Act Aug. 31, 1922, as amended, which is classified to this chapter, is popularly known as the "Honeybee Act".

#### TRANSFER OF FUNCTIONS

For transfer of functions of the Secretary of Agriculture relating to agricultural import and entry inspection activities under this section 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.

### § 282. Punishment for unlawful importation

Any person who violates any provision of section 281 of this title or any regulation issued under it is guilty of an offense against the United States and shall, upon conviction, be fined not more than \$1,000, or imprisoned for not more than one year, or both.

(Aug. 31, 1922, ch. 301, § 2, 42 Stat. 834; Pub. L. 94-319, § 2, June 25, 1976, 90 Stat. 709.)

## AMENDMENTS

1976—Pub. L. 94-319 inserted reference to regulations, substituted characterization of violation as offense against the United States for characterization as a misdemeanor, increased maximum fine to \$1,000 from \$500 and struck out provision relating to discretion of the court.

### § 283. Propagation of stock and release of germ plasm

The Secretary of Agriculture may propagate bee-breeding stock and may release bee germ plasm to the public.