

(Aug. 11, 1916, ch. 313, pt. B, §22, as added Pub. L. 101-624, title XX, §2009, Nov. 28, 1990, 104 Stat. 3931; amended Pub. L. 103-156, §§11, 13(b)(2), Nov. 24, 1993, 107 Stat. 1528, 1529; Pub. L. 103-354, title II, §293(a)(7), (8), Oct. 13, 1994, 108 Stat. 3237.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (c), was in the original "this Act" and was translated as reading "this part", meaning part B of act Aug. 11, 1916, known as the United States Grain Standards Act, to reflect the probable intent of Congress.

AMENDMENTS

1994—Pub. L. 103-354 substituted "Secretary" for "Administrator" wherever appearing and "Secretary" for "Service" in subsec. (c).

1993—Subsec. (a). Pub. L. 103-156, §11, substituted "the National Conference on Weights and Measures, or other appropriate governmental, scientific, or technical organizations" for "and the National Conference on Weights and Measures" in introductory provisions.

Subsec. (c). Pub. L. 103-156, §13(b)(2), substituted "subsections (a) and (b)" for "subsection (a) and (b)".

CHAPTER 4—NAVAL STORES

- 91. Short title.
- 92. Definitions.
- 93. Establishment of official naval stores standards.
- 94. Supplying duplicates of standards; examination, etc., of naval stores and certification thereof.
- 95. Prohibition of acts deemed injurious to commerce in naval stores.
- 96. Punishment for violation of prohibition.
- 97. Purchase and analysis by Secretary of samples of spirits of turpentine to detect violations; reports to Department of Justice; publication of results of analysis, etc.
- 98. Fees and charges for naval stores inspection and related services; establishment; collection, etc.; authorization of appropriations; administrative expenses.
- 99. Separability.

TRANSFER OF FUNCTIONS

All functions of the Federal Security Administrator were transferred to the Secretary of Health, Education, and Welfare and all agencies of the Federal Security Agency were transferred to the Department of Health, Education, and Welfare by section 5 of 1953 Reorg. Plan No. 1, eff. Mar. 12, 1953, 18 F.R. 2053, 67 Stat. 631, set out in the Appendix to Title 5, Government Organization and Employees. The Federal Security Agency and the office of Administrator were abolished by section 8 of 1953 Reorg. Plan No. 1.

The Secretary and Department of Health, Education, and Welfare was redesignated the Secretary and Department of Health and Human Services by section 3508 of Title 20, Education.

The Food and Drug Administration in the Department of Agriculture and its functions, except those functions relating to the administration of the Naval Stores Act, this chapter, were transferred to the Federal Security Agency by 1940 Reorg. Plan No. IV, §12, set out in the Appendix to Title 5, Government Organization and Employees.

§ 91. Short title

For convenience of reference, this chapter may be designated and cited as "The Naval Stores Act."

(Mar. 3, 1923, ch. 217, §1, 42 Stat. 1435.)

EFFECTIVE DATE

Act Mar. 3, 1923, ch. 217, §10, 42 Stat. 1437, provided: "That this Act [enacting this chapter] shall become ef-

fective at the expiration of ninety days next after the date of its approval [Mar. 23, 1923]."

§ 92. Definitions

When used in this chapter—

- (a) "Naval stores" means spirits of turpentine and rosin.
- (b) "Spirits of turpentine" includes gum spirits of turpentine and wood turpentine.
- (c) "Gum spirits of turpentine" means spirits of turpentine made from gum (oleoresin) from a living tree.
- (d) "Wood turpentine" includes steam distilled wood turpentine and destructively distilled wood turpentine.
- (e) "Steam distilled wood turpentine" means wood turpentine distilled with steam from the oleoresin within or extracted from the wood.
- (f) "Destructively distilled wood turpentine" means wood turpentine obtained in the destructive distillation of the wood.
- (g) "Rosin" includes gum rosin and wood rosin.
- (h) "Gum rosin" means rosin remaining after the distillation of gum spirits of turpentine.
- (i) "Wood rosin" means rosin remaining after the distillation of steam distilled wood turpentine.
- (j) "Package" means any container of naval stores, and includes barrel, tank, tank car, or other receptacle.
- (k) "Person" includes partnerships, associations, and corporations, as well as individuals.
- (l) The term "commerce" means commerce between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory or possession or the District of Columbia.

(Mar. 3, 1923, ch. 217, §2, 42 Stat. 1435.)

§ 93. Establishment of official naval stores standards

For the purposes of this chapter the kinds of spirits of turpentine defined in subdivisions (c), (e), and (f) of section 92 of this title and the rosin types heretofore prepared and recommended under existing laws, by or under authority of the Secretary of Agriculture, are made the standards for naval stores until otherwise prescribed as hereinafter provided. The Secretary of Agriculture is authorized to establish and promulgate standards for naval stores for which no standards are herein provided, after at least three months' notice of the proposed standard shall have been given to the trade, so far as practicable, and due hearings or reasonable opportunities to be heard shall have been afforded those favoring or opposing the same. No such standard shall become effective until after three months from the date of the promulgation thereof. Any standard made by this chapter or established and promulgated by the Secretary of Agriculture in accordance therewith may be modified by said Secretary whenever, for reasons and causes deemed by him sufficient, the interests of the trade shall so require, after at least six months' notice of the proposed modi-