

(d) Regulation

Not later than 180 days after November 28, 1990, the Secretary shall promulgate regulations to carry out this section.

(Pub. L. 89-544, §28, as added Pub. L. 101-624, title XXV, §2503(2), Nov. 28, 1990, 104 Stat. 4066; amended Pub. L. 102-237, title X, §1004, Dec. 13, 1991, 105 Stat. 1894.)

AMENDMENTS

1991—Subsec. (b)(2)(F). Pub. L. 102-237 substituted “subsection (a)” for “subsection (b)”.

§ 2159. Authority to apply for injunctions**(a) Request**

Whenever the Secretary has reason to believe that any dealer, carrier, exhibitor, or intermediate handler is dealing in stolen animals, or is placing the health of any animal in serious danger in violation of this chapter or the regulations or standards promulgated thereunder, the Secretary shall notify the Attorney General, who may apply to the United States district court in which such dealer, carrier, exhibitor, or intermediate handler resides or conducts business for a temporary restraining order or injunction to prevent any such person from operating in violation of this chapter or the regulations and standards prescribed under this chapter.

(b) Issuance

The court shall, upon a proper showing, issue a temporary restraining order or injunction under subsection (a) without bond. Such injunction or order shall remain in effect until a complaint pursuant to section 2149 of this title is issued and dismissed by the Secretary or until an order to cease and desist made thereon by the Secretary has become final and effective or is set aside on appellate review. Attorneys of the Department of Agriculture may, with the approval of the Attorney General, appear in the United States district court representing the Secretary in any action brought under this section.

(Pub. L. 89-544, §29, as added Pub. L. 101-624, title XXV, §2503(2), Nov. 28, 1990, 104 Stat. 4067.)

§ 2160. Prohibition on slaughter of dogs and cats for human consumption**(a) In general**

Except as provided in subsection (c), no person may—

- (1) knowingly slaughter a dog or cat for human consumption; or
- (2) knowingly ship, transport, move, deliver, receive, possess, purchase, sell, or donate—
 - (A) a dog or cat to be slaughtered for human consumption; or
 - (B) a dog or cat part for human consumption.

(b) Scope

Subsection (a) shall apply only with respect to conduct—

- (1) in or affecting interstate commerce or foreign commerce; or
- (2) within the special maritime and territorial jurisdiction of the United States.

(c) Exception for Indian tribes

The prohibition in subsection (a) shall not apply to an Indian (as defined in section 5304 of title 25) carrying out any activity described in subsection (a) for the purpose of a religious ceremony.

(d) Penalty

Any person who violates subsection (a) shall be subject to a fine in an amount not greater than \$5,000 for each violation.

(e) Effect on State law

Nothing in this section—

- (1) limits any State or local law or regulation protecting the welfare of animals; or
- (2) prevents a State or unit of local government from adopting and enforcing an animal welfare law or regulation that is more stringent than this section.

(Pub. L. 115-334, title XII, §12515, Dec. 20, 2018, 132 Stat. 5000.)

CODIFICATION

Section was enacted as part of the Agriculture Improvement Act of 2018, and not as part of the Animal Welfare Act which comprises this chapter.

CHAPTER 55—DEPARTMENT OF AGRICULTURE

Sec.	
2201.	Establishment of Department.
2202.	Executive Department; Secretary.
2203.	Seal.
2204.	General duties of Secretary; advisory functions; research and development.
2204-1.	Delegation of regulatory functions of Secretary of Agriculture; definitions.
2204-2.	Delegation of regulatory functions to designated employees; status of employees; number; revocation of delegation.
2204-3.	Authority of designated employees; retroactive revocation of delegation.
2204-4.	Delegation of functions under other laws as unaffected.
2204-5.	Authorization of appropriations for cooperative research projects.
2204a.	Rural development; utilization of non-Federal offices; location of field units; interchange of personnel and facilities.
2204b.	Rural development policy.
2204b-1.	Rural development.
2204b-2.	Temporary prioritization of rural health assistance.
2204b-3.	Council on Rural Community Innovation and Economic Development.
2204c.	Water management for rural areas.
2204d.	Encouragement of private contracting.
2204e.	Office of Risk Assessment and Cost-Benefit Analysis.
2204f.	Repealed.
2204g.	Authority of Secretary of Agriculture to conduct census of agriculture.
2204h.	Local food production and program evaluation.
2204i.	Reports on land access and farmland ownership data collection.
2204j.	National agriculture imagery program.
2205.	Duties of former Commissioner of Agriculture transferred to Secretary.
2206.	Custody of property and records.
2206a.	Conveyance of excess Federal personal property.
2206b.	Availability of excess and surplus computers in rural areas.
2207.	Reports.

Sec.		Sec.	
2207a.	Reports to Congress on obligation and expenditure.	2229.	Travel and per diem expenses of temporary or seasonal employees.
2207b.	Program metrics.	2230.	Employees in Alaska; subsistence, equipment, and supplies.
2207c.	Annual report on work of agricultural experiment stations and of college extension work; publication and distribution.	2231.	Official expenses of employees stationed abroad.
2207d.	Reports on disbursement of funds for agricultural research and extension at 1862 and 1890 land-grant colleges, including Tuskegee University.	2231a.	Reimbursement of employees for costs of State licenses and certification fees.
2208.	Expenditure of appropriations; accounting.	2231b.	First amendment rights of employees of the United States Department of Agriculture.
2208a.	Loan levels provided to Department of Agriculture.	2232.	Stenographic reporting service.
2209.	Additional statement of expenditures.	2233.	Funds available for expenses of advisory committees.
2209a.	Advances to chiefs of field parties.	2234.	Purchases for bureaus from appropriations for contingent expenses.
2209b.	Availability of appropriations.	2235.	Working capital fund established; use of central services by bureaus, etc., of the Department.
2209c.	Use of funds for one-year contracts to be performed in two fiscal years.	2235a.	Deposit and retention of credit card refunds or rebates.
2209d.	Statement of percentage and dollar amount of Federal funding.	2236.	Working capital fund for Agricultural Research Center; establishment.
2209e.	Prohibition on payments to parties involved with prohibited drug-producing plants.	2237.	Use of field work funds for employment of men with equipment, etc.
2209f.	Restriction on commodity purchase program payments.	2238.	Use of field work funds for purchase of arms and ammunition.
2209g.	Availability of funds for uniforms or allowances.	2239.	Funds for printing, binding, and scientific and technical article reprint purchases.
2209h.	Reimbursement of Office of the General Counsel.	2240.	Reimbursement of appropriation for salaries and compensation of employees in mechanical shops.
2209i.	Funding for preparation of final agency decisions regarding discrimination complaints.	2241.	Sale or exchange of animals or animal products.
2209j.	Permanent debarment from participation in Department of Agriculture programs for fraud.	2241a.	Exchange or sale authority.
2209k.	Prohibition on payments to fossil fuel refiners and importers.	2241b.	Purchase of seeds and plants for distribution.
2210.	Deputy Secretary of Agriculture; appointment.	2242.	Repealed.
2211.	Powers and duties of Deputy Secretary of Agriculture.	2242a.	User fees for reports, publications, and software.
2211a to 2213.	Omitted or Repealed.	2242b.	Translation of publications into foreign languages.
2214.	General Counsel; appointment.	2243.	Sale of photographic prints and maps.
2215.	Chief clerk.	2244.	Repealed.
2216.	Repealed.	2245.	Sale of prints and lantern slides.
2217.	Oaths, affirmations, and affidavits taken by officers, agents, or employees of Department; use and effect.	2246.	Loan, rental, or sale of films.
2217a.	Power to administer oaths, examine witnesses, or require production of books, etc.	2247.	Sale of samples of pure sugars.
2218.	Fee for administering or taking oaths, affirmations, and affidavits.	2247a.	Farm or food products; sale of samples, practical forms, etc.
2219.	Salaries; how paid.	2248.	Statistics relating to turpentine and rosin.
2219a.	Overtime and holiday pay.	2249.	Amount and character of cooperation.
2220.	Certain officials and employees of Department and others not subject to restriction on payment of compensation to Government officials and employees.	2250.	Construction and repair of buildings and public improvements.
2221.	Details of persons from or to office of Secretary.	2250a.	Erection of buildings and other structures on non-Federal lands; duration of use of such lands; removal of structures after termination of use; availability of funds for expenses of acquiring long-term leases or other agreements.
2222.	Details of law clerks.	2250b.	Nonrecurring expenses fund.
2223.	Details of employees from and to library and bureaus and offices.	2251.	Reimbursement of Production and Marketing Administration appropriations for expenses of maintaining registers of indebtedness and making set-offs.
2224.	Details of employees from and to Division of Accounts and Disbursements and bureaus and offices; traveling expenses.	2252.	Reimbursement of Production and Marketing Administration appropriations for costs of procuring agricultural commodities for nongovernmental agencies or foreign governments.
2224a.	Utilization of employees of agencies for part-time and intermittent assistance to other agencies; exclusion of overtime resulting from natural disasters from staff year ceilings.	2253.	Adjustment by Secretary of titles to lands acquired by Government and subject to his control.
2225.	Employment of temporary personnel.	2254.	Operation, maintenance and purchase of aircraft by Agricultural Research Service; construction and repair of buildings.
2225a.	Contracts for consulting services.	2254a.	Availability of funds appropriated for Agricultural Research Service for research related to tobacco or tobacco products.
2225b.	Personal service contracts for veterinarians.	2254b.	Availability of funds appropriated for Agricultural Research Service for research related to tobacco or tobacco products; exception.
2225c.	Employment contracts for services abroad.		
2225d.	Availability of Department of Agriculture funds for temporary employment.		
2226.	Employment of persons for forest fire fighting, pest control, and handling of animals.		
2227.	Traveling expenses.		
2228.	Emergency subsistence for employees.		

Sec.
2254c. Research.
2255. Membership in International Wheat Advisory Committee, International Sugar Council, etc.
2255a. Financial assistance to national and international conferences.
2255b. Department of Agriculture conference transparency.
2256. Inspections, analyses, and tests for other Government departments and agencies; reimbursement.
2257. Interchangeability of funds for miscellaneous expenses and general expenses.
2258. Purchase of newspapers.
2259. Market-inspection certificates as prima facie evidence.
2260, 2260a. Repealed.
2261. Credit of donations and proceeds from exhibitions to appropriations concerned with foreign market development programs.
2262. Employee liability insurance on motor vehicles in foreign countries.
2262a. Overseas tort claims.
2263. Transfer of funds.
2264. National Agricultural Library; acceptance of gifts, bequests, or devises; conditional gifts.
2265. Deposit of money accepted for benefit of National Agricultural Library; disbursement.
2266. Congressional reaffirmation of policy to foster and encourage family farms.
2266a. Century Farms program.
2266b. Eligibility for operators on heirs property land to obtain a farm number.
2267. Repealed.
2268. Public lands; relinquishment.
2268a. Acquisition of land; options.
2269. Gifts of property; acceptance and administration by Secretary of Agriculture; Federal tax law consideration; separate fund in Treasury; regulations.
2270. Authority of Office of Inspector General.
2270a. Office of Inspector General; transfer of forfeiture funds for law enforcement activities.
2270b. Department of Agriculture Inspector General investigation of Forest Service firefighter deaths.
2270c. Submission of results.
2271. Marketing education programs for small and medium size family farm operations.
2271a. Advanced marketing training for farmers and ranchers.
2272. Volunteers for Department of Agriculture programs.
2272a. Funds for incidental expenses and promotional items relating to volunteers.
2273. Local search and rescue operations.
2274. Firearm authority of employees engaged in animal quarantine enforcement.
2274a. Firearm authority of employees conducting field work in remote locations.
2275. Repealed.
2276. Confidentiality of information.
2277. Contracts by Animal and Plant Health Inspection Service for services to be performed abroad.
2278. Consistency with international obligations of United States.
2279. Farming opportunities training and outreach.
2279-1. Transparency and accountability for socially disadvantaged farmers and ranchers.
2279-2. Report of civil rights complaints, resolutions, and actions.
2279a. Fair and equitable treatment of socially disadvantaged producers.
2279b. Department of Agriculture educational, training, and professional development activities.
2279c. Student internship programs.
2279d. Compensatory damages in claims under Rehabilitation Act of 1973.

Sec.
2279e. Civil penalty.
2279f. Subpoena authority.
2279g. Marketing services; cooperative agreements.
2279h. Cross-servicing activities of National Finance Center.
2279i. Cooperation with State and other agencies; expenditures.
2279j. Conversion authority.
2279k. Authorization of protection operations for the Secretary of Agriculture and others.

§ 2201. Establishment of Department

There shall be at the seat of government a Department of Agriculture, the general design and duties of which shall be to acquire and to diffuse among the people of the United States useful information on subjects connected with agriculture, rural development, aquaculture, and human nutrition, in the most general and comprehensive sense of those terms, and to procure, propagate, and distribute among the people new and valuable seeds and plants.

(R.S. § 520; Pub. L. 92-419, title VI, § 603(a), Aug. 30, 1972, 86 Stat. 675; Pub. L. 95-113, title XV, § 1502(a), Sept. 29, 1977, 91 Stat. 1021.)

CODIFICATION

R.S. § 520 derived from act May 15, 1862, ch. 72, § 1, 12 Stat. 387.

Section was formerly classified to section 511 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1977—Pub. L. 95-113 inserted references to aquaculture and human nutrition.

1972—Pub. L. 92-419 substituted “agriculture and rural development” and “those terms” for “agriculture” and “that word”, respectively.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-113 effective Oct. 1, 1977, see section 1901 of Pub. L. 95-113, set out as a note under section 1307 of this title.

SHORT TITLE OF 1997 AMENDMENT

Pub. L. 105-113, § 1, Nov. 21, 1997, 111 Stat. 2274, provided that: “This Act [enacting section 2204g of this title, amending sections 1991 and 2276 of this title and section 9 of Title 13, Census, repealing section 142 of Title 13, and enacting provisions set out as a note under section 1991 of this title] may be cited as the ‘Census of Agriculture Act of 1997.’”

SHORT TITLE OF 1980 AMENDMENT

Pub. L. 96-355, § 1, Sept. 24, 1980, 94 Stat. 1171, provided that: “This Act [enacting sections 2204b and 2211b of this title, amending sections 1926, 2204, 2204a, 2663, and 2667 of this title, section 5314 of Title 5, Government Organization and Employees, and section 3122 of Title 42, The Public Health and Welfare, and enacting provisions set out as a note under section 2204b of this title] may be cited as the ‘Rural Development Policy Act of 1980.’”

SHORT TITLE OF 1956 AMENDMENT

Act Aug. 3, 1956, ch. 950, § 1, 70 Stat. 1032, provided that: “This Act [enacting sections 1040, 2228, 2229, 2268a, and 2333 of this title, and sections 579b and 590h-4 of Title 16, Conservation, and amending sections 1004, 1392, 1516, and 1766 of this title, sections 590k and 590n of Title 16, and sections 114a and 114c of Title 21, Food and Drugs] may be cited as the ‘Department of Agriculture Organic Act of 1956.’”

SHORT TITLE

This section popularly known as the “Department of Agriculture Organic Act”.