

**Editorial Notes**

## REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title I of Pub. L. 110-246, June 18, 2008, 122 Stat. 1664, which is classified principally to this chapter. For complete classification of title I to the Code, see Tables.

## CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE

Enactment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as a note under section 8701 of this title.

**CHAPTER 114—AGRICULTURAL SECURITY**

Sec.

8901. Definitions.

## SUBCHAPTER I—AGRICULTURAL SECURITY

8911. Repealed.

8912. Agricultural biosecurity communication center.

8913. Assistance to build local capacity in agricultural biosecurity planning, preparedness, and response.

8914. Agriculture and food defense.

## SUBCHAPTER II—OTHER PROVISIONS

8921. Research and development of agricultural countermeasures.

8922. Agricultural biosecurity grant program.

**§ 8901. Definitions**

In this chapter:

**(1) Agent**

The term “agent” means a nuclear, biological, chemical, or radiological substance that causes agricultural disease or the adulteration of products regulated by the Secretary of Agriculture under any provision of law.

**(2) Agricultural biosecurity**

The term “agricultural biosecurity” means protection from an agent that poses a threat to—

- (A) plant or animal health;
- (B) public health as it relates to the adulteration of products regulated by the Secretary of Agriculture under any provision of law that is caused by exposure to an agent; or
- (C) the environment as it relates to agriculture facilities, farmland, and air and water within the immediate vicinity of an area associated with an agricultural disease or outbreak.

**(3) Agricultural countermeasure**

The term “agricultural countermeasure”—

- (A) means a product, practice, or technology that is intended to enhance or maintain the agricultural biosecurity of the United States; and
- (B) does not include a product, practice, or technology used solely in response to a

human medical incident or public health emergency not related to agriculture.

**(4) Agricultural disease**

The term “agricultural disease” has the meaning given the term by the Secretary.

**(5) Agricultural disease emergency**

The term “agricultural disease emergency” means an incident of agricultural disease that requires prompt action to prevent significant damage to people, plants, or animals.

**(6) Agroterrorist act**

The term “agroterrorist act” means an act that—

- (A) causes or attempts to cause—
  - (i) damage to agriculture; or
  - (ii) injury to a person associated with agriculture; and
- (B) is committed or appears to be committed with the intent to—
  - (i) intimidate or coerce a civilian population; or
  - (ii) disrupt the agricultural industry in order to influence the policy of a government by intimidation or coercion.

**(7) Animal**

The term “animal” has the meaning given the term in section 8302 of this title.

**(8) Department**

The term “Department” means the Department of Agriculture.

**(9) Development**

The term “development” means—

- (A) research leading to the identification of products or technologies intended for use as agricultural countermeasures to protect animal health;
- (B) the formulation, production, and subsequent modification of those products or technologies;
- (C) the conduct of in vitro and in vivo studies;
- (D) the conduct of field, efficacy, and safety studies;
- (E) the preparation of an application for marketing approval for submission to an applicable agency; or
- (F) other actions taken by an applicable agency in a case in which an agricultural countermeasure is procured or used prior to issuance of a license or other form of Federal Government approval.

**(10) Plant**

The term “plant” has the meaning given the term in section 7702 of this title.

**(11) Qualified agricultural countermeasure**

The term “qualified agricultural countermeasure” means an agricultural countermeasure that the Secretary, in consultation with the Secretary of Homeland Security, determines to be a priority in order to address an agricultural biosecurity threat.

(Pub. L. 110-234, title XIV, §14102, May 22, 2008, 122 Stat. 1453; Pub. L. 110-246, §4(a), title XIV, §14102, June 18, 2008, 122 Stat. 1664, 2215.)