

his premises or facility and opportunity to examine the premises or facility, the garbage there at, and books and records thereof, to copy all such books and records and to take reasonable samples of such garbage.

(c) Additional powers

For the efficient execution of the provisions of this chapter, and in order to provide information for the use of Congress, the provisions (including penalties) of sections 46 and 48 through 50 of title 15, are made applicable to the jurisdiction, powers, and duties of the Secretary in enforcing the provisions of this chapter and to any person subject to the provisions of this chapter, whether or not a corporation. The Secretary, in person or by such agents as he may designate, may prosecute any inquiry necessary to his duties under this chapter in any part of the United States.

(Pub. L. 96-468, § 8, Oct. 17, 1980, 94 Stat. 2232.)

§ 3808. Cooperation with States

In order to avoid duplication of functions, facilities, and personnel, and to attain closer coordination and greater effectiveness and economy in administration of this chapter and State laws and regulations relating to the feeding of garbage to swine, the Secretary is authorized to enter into cooperative agreements with State departments of agriculture and other State agencies charged with the administration and enforcement of such State laws and regulations and to provide that any such State agency which has adequate facilities, personnel, and procedures, as determined by the Secretary, may assist the Secretary in the administration and enforcement of this chapter and regulations hereunder. The Secretary is further authorized to coordinate the administration of this chapter and regulations with such State laws and regulations whenever feasible: *Provided*, That nothing herein shall affect the jurisdiction of the Secretary under any other Federal law, or any authority to cooperate with State agencies or other agencies or persons under existing provisions of law, or affect any restrictions upon such cooperation.

(Pub. L. 96-468, § 9, Oct. 17, 1980, 94 Stat. 2232.)

§ 3809. Primary enforcement responsibility

(a) State obligation

For purposes of this chapter, a State shall have the primary enforcement responsibility for violations of laws and regulations relating to the treatment of garbage to be fed to swine and the feeding thereof during any period for which the Secretary determines that such State—

(1) has adopted adequate laws and regulations regulating the treatment of garbage to be fed to swine and the feeding thereof which laws and regulations meet the minimum standards of this chapter and the regulations hereunder: *Provided*, That the Secretary may not require a State to have laws that are more stringent than this chapter;

(2) has adopted and is implementing adequate procedures for the effective enforcement of such State laws and regulations; and

(3) will keep such records and make such reports showing compliance with paragraphs (1) and (2) of this subsection as the Secretary may require by regulation.

Except as provided in subsection (c), the Secretary shall not enforce this chapter or the regulations hereunder in any State which has primary enforcement responsibility pursuant to this section.

(b) Inadequate enforcement or administration by State; termination of responsibility by Secretary

Whenever the Secretary determines that a State having primary enforcement responsibility pursuant to this section does not have adequate laws or regulations or is not effectively enforcing such laws or regulations, the Secretary shall notify the State. Such notice shall specify those aspects of the administration or enforcement of the State program that are determined to be inadequate. The State shall have ninety days after receipt of the notice to correct any deficiencies. If after that time the Secretary determines that the State program remains inadequate, the Secretary may terminate, in whole or in part, the State's primary enforcement responsibility under this chapter.

(c) Request of State official

(1) In general

On request of the Governor or other appropriate official of a State, the Secretary may terminate, effective as soon as the Secretary determines is practicable, the primary enforcement responsibility of a State under subsection (a). In terminating the primary enforcement responsibility under this subsection, the Secretary shall work with the appropriate State official to determine the level of support to be provided to the Secretary by the State under this chapter.

(2) Reassumption

Nothing in this subsection shall prevent a State from reassuming primary enforcement responsibility if the Secretary determines that the State meets the requirements of subsection (a).

(d) Emergency conditions

Nothing in this section shall limit the authority of the Secretary to enforce this chapter whenever the Secretary determines that emergency conditions exist that require immediate action on the part of the Secretary and the State authority is unwilling or unable adequately to respond to the emergency.

(Pub. L. 96-468, § 10, Oct. 17, 1980, 94 Stat. 2233; Pub. L. 104-127, title IX, § 914(a), Apr. 4, 1996, 110 Stat. 1186.)

Editorial Notes

AMENDMENTS

1996—Subsecs. (c), (d). Pub. L. 104-127 added subsec. (c) and redesignated former subsec. (c) as (d).

§ 3810. Repealed. Pub. L. 104-127, title IX, § 914(b)(1), Apr. 4, 1996, 110 Stat. 1186

Section, Pub. L. 96-468, § 11, Oct. 17, 1980, 94 Stat. 2233, authorized Secretary to appoint and consult with advi-

sory committees concerning matters within scope of this chapter.

§ 3811. Issuance of regulations; maintenance of records

The Secretary is authorized to issue such regulations and to require the maintenance of such records as he deems necessary to carry out the provisions of this chapter.

(Pub. L. 96-468, §11, formerly §12, Oct. 17, 1980, 94 Stat. 2233; renumbered §11, Pub. L. 104-127, title IX, §914(b)(2), Apr. 4, 1996, 110 Stat. 1186.)

Editorial Notes

PRIOR PROVISIONS

A prior section 11 of Pub. L. 96-468 was classified to section 3810 of this title prior to repeal by Pub. L. 104-127.

§ 3812. Authority in addition to other laws; effect on State laws

The authority conferred by this chapter shall be in addition to authority conferred by other statutes. Nothing in this chapter shall be construed to repeal or supersede any State law prohibiting the feeding of garbage to swine or to prohibit any State from enforcing requirements relating to the treatment of garbage to be fed to swine or the feeding thereof which are more stringent than those under this chapter or the regulations hereunder.

(Pub. L. 96-468, §12, formerly §13, Oct. 17, 1980, 94 Stat. 2233; renumbered §12, Pub. L. 104-127, title IX, §914(b)(2), Apr. 4, 1996, 110 Stat. 1186.)

Editorial Notes

PRIOR PROVISIONS

A prior section 12 of Pub. L. 96-468 was renumbered section 11 and is classified to section 3811 of this title.

§ 3813. Authorization of appropriations

There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this chapter.

(Pub. L. 96-468, §13, formerly §14, Oct. 17, 1980, 94 Stat. 2234; renumbered §13, Pub. L. 104-127, title IX, §914(b)(2), Apr. 4, 1996, 110 Stat. 1186.)

Editorial Notes

PRIOR PROVISIONS

A prior section 13 of Pub. L. 96-468 was renumbered section 12 and is classified to section 3812 of this title.

CHAPTER 70—ANIMAL CANCER RESEARCH

Sec.	
3901.	Congressional findings.
3902.	Research program on cancer in animals and birds.
3903.	Annual program review to achieve coordination with National Cancer Institute program.
3904.	Authorization of appropriations; restriction.

§ 3901. Congressional findings

Congress finds that—

(a) basic research on malignant tumors or cancers is essential to protect the health of

domestic animals, poultry, and wildlife, including birds;

(b) carcinogenic agents have not been adequately identified in domestic animals, poultry, and wildlife management;

(c) basic research in diagnosis, prevention, and control of malignant tumors in animals and birds has not been adequately coordinated;

(d) significant theories of a common factor in malignant tumors, such as chorionic gonadotropin, have not been pursued in depth;

(e) research on diagnosis, prevention, and control of cancer in animals and birds will be beneficial in identifying any common factors in human and animal malignant tumors, if such exist; and

(f) it is imperative for the Department of Agriculture and the National Institutes of Health to coordinate and consult with regard to the research authorized under this chapter to achieve the maximum benefits from such research.

(Pub. L. 96-469, §2, Oct. 17, 1980, 94 Stat. 2235.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 96-469, §1, Oct. 17, 1980, 94 Stat. 2235, provided: "That this Act [enacting this chapter] may be cited as the 'Animal Cancer Research Act'."

§ 3902. Research program on cancer in animals and birds

The Secretary of Agriculture shall conduct a program of basic research on cancer in animals and birds at appropriate facilities within the Department of Agriculture or by grants to other qualified research facilities.

(Pub. L. 96-469, §3, Oct. 17, 1980, 94 Stat. 2235.)

§ 3903. Annual program review to achieve coordination with National Cancer Institute program

The Secretary of Agriculture and the Director of the National Institutes of Health shall annually review the research program conducted under this chapter in order to coordinate the program with the National Cancer Institute research program.

(Pub. L. 96-469, §4, Oct. 17, 1980, 94 Stat. 2235.)

§ 3904. Authorization of appropriations; restriction

(a) There are hereby authorized to be appropriated to administer the program under this chapter \$25,000,000 for fiscal year 1982, and \$25,000,000 annually thereafter through the end of fiscal year 1986.

(b) Not more than 30 per centum of any of the amounts appropriated under this section in any fiscal year may be obligated for research under section 3902 of this title at facilities of the Department of Agriculture.

(Pub. L. 96-469, §5, Oct. 17, 1980, 94 Stat. 2235.)

**CHAPTER 71—AGRICULTURAL TRADE
SUSPENSION ADJUSTMENT**

Sec.	
4001.	Trade suspension reserves.