

sumers of bulk agricultural commodities used in the production of unprocessed agricultural products. A majority of the members of any plan review commission must be local producers or, when appropriate in the judgment of the Secretary, consumers of bulk agricultural commodities used in the production of unprocessed agricultural products. The plan review commission shall consider the information and analyses developed by the State or region in the development of a State or regional plan and make appropriate recommendations regarding the State or regional plan. The plan review commission shall also make recommendations, based on information developed in the plan, for the most beneficial location of subterminal facilities.

**(c) Recommendations of need**

No application for planning assistance authorized pursuant to this section may be submitted by a State or region until the appropriate plan review commission established in accordance with this chapter has had the opportunity to make recommendations to the Governor or Governors that a need exists for the development of a State or regional plan, and a majority of the members of such plan review commission concur that such application should be submitted.

**(d) Prerequisites for receipt of grant**

No State or region may receive a grant under this section unless—

(1) an application therefor has been submitted that complies with the provisions of this chapter;

(2) the average annual production of bulk agricultural commodities produced within such State or region, or shipments of such commodities transported into such State or region, meets minimum levels established by the Secretary for a period the Secretary considers appropriate preceding the year in which application for such grant is made;

(3) the Governor of such State or the Governors of the States in such region certify to the Secretary that producers of agricultural commodities have experienced serious storage and transportation problems within such State or region during the three years preceding the year in which application for such grant is made; and

(4) such State or each State within such region has established an adequate plan, as described in section 22102 of title 49, for rail service in such State or States, or such State or each State in such region is actively developing such a plan.

**(e) Approved State plans; approved regional plans**

Whenever any State or region has submitted a State or regional plan under this section, the Secretary shall approve such plan only if it has been approved by a majority of the members of the appropriate plan review commission established pursuant to this chapter, and it meets the other conditions specified in this chapter and those prescribed in regulations issued by the Secretary to carry out this chapter. When a plan is approved by the Secretary, such plan shall be known as an “approved State plan” or an “approved regional plan”, as appropriate.

**(f) Authorization of appropriations**

To carry out the purposes of this section, there are authorized to be appropriated not to exceed \$3,300,000 for each of the fiscal years ending September 30, 1981, September 30, 1982, and September 30, 1983.

(Pub. L. 96-358, § 4, Sept. 25, 1980, 94 Stat. 1185.)

**Editorial Notes**

REFERENCES IN TEXT

Act of July 2, 1862 (7 U.S.C. 301-305, 307, and 308), referred to in subsec. (a)(1), is act July 2, 1862, ch. 130, 12 Stat. 503, popularly known as the “Morrill Act” and also as the “First Morrill Act”, which is classified generally to subchapter I (§301 et seq.) of chapter 13 of this title. For complete classification of this Act to the Code, see Short Title note set out under 301 of this title and Tables.

Act of August 30, 1890 (7 U.S.C. 321-326 and 328), referred to in subsec. (a)(1), is act Aug. 30, 1890, ch. 841, 26 Stat. 417, as amended, popularly known as the Agricultural College Act of 1890 and also as the Second Morrill Act, which is classified generally to subchapter II (§321 et seq.) of chapter 13 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 321 of this title and Tables.

CODIFICATION

In subsec. (d)(4), “section 22102 of title 49” substituted for “section 5(j) of the Department of Transportation Act (49 U.S.C. 1654(j))” on authority of Pub. L. 103-272, §6(b), July 5, 1994, 108 Stat. 1378, the first section of which enacted subtitles II, III, and V to X of Title 49, Transportation. Previously, section 5 of the Department of Transportation Act was amended generally by Pub. L. 101-213, §2(c), Dec. 11, 1989, 103 Stat. 1843, and, as so amended, provisions of subsec. (j), relating to an adequate State plan, were set out in subsec. (a).

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section effective Oct. 1, 1980, see section 6 of Pub. L. 96-358, set out as a note under section 3701 of this title.

**CHAPTER 69—SWINE HEALTH PROTECTION**

Sec.	
3801.	Congressional findings and declaration of purpose.
3802.	Definitions.
3803.	Prohibition of certain garbage feeding; exemption.
3804.	Permits to operate garbage treatment facility.
3805.	Civil penalties.
3806.	Criminal penalties.
3807.	General enforcement provisions.
3808.	Cooperation with States.
3809.	Primary enforcement responsibility.
3810.	Repealed.
3811.	Issuance of regulations; maintenance of records.
3812.	Authority in addition to other laws; effect on State laws.
3813.	Authorization of appropriations.

**§ 3801. Congressional findings and declaration of purpose**

The Congress hereby finds and declares that—

(1) raw garbage is one of the primary media through which numerous infectious or communicable diseases of swine are transmitted;

(2) if certain exotic animal diseases, such as foot-and-mouth disease, African swine fever,