

ommendations contained in the roadmap described in section 7614a of this title.

(Pub. L. 103-354, title II, §251, Oct. 13, 1994, 108 Stat. 3226; Pub. L. 110-234, title VII, §7511(a), May 22, 2008, 122 Stat. 1259; Pub. L. 110-246, §4(a), title VII, §7511(a), June 18, 2008, 122 Stat. 1664, 2021; Pub. L. 113-79, title VII, §§7111(b)(2), 7212(b), Feb. 7, 2014, 128 Stat. 874, 886; Pub. L. 115-334, title XI, §11125(b), title XII, §§12301(a)(2)(B), 12411(a), (b)(1), Dec. 20, 2018, 132 Stat. 4936, 4950, 4978, 4979.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of this paragraph and the date of enactment of the Food, Conservation, and Energy Act of 2008, referred to in subsections (e)(3)(A)(ii), (5)(A)(ii), and (f)(1)(C), (D), is the date of enactment of Pub. L. 110-246, which was approved June 18, 2008.

This Act, referred to in subsection (e)(3)(E), is Pub. L. 103-354, Oct. 13, 1994, 108 Stat. 3178, known as the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994. For complete classification of this Act to the Code, see Short Title note set out under section 6901 of this title and Tables.

The Hatch Act of 1887, referred to in subsection (f)(1)(C)(iv), is act Mar. 2, 1887, ch. 314, 24 Stat. 440, which is classified generally to sections 361a to 361i of this title. For complete classification of this Act to the Code, see Short Title note set out under section 361a of this title and Tables.

The National Agricultural Research, Extension, and Teaching Policy Act of 1977, referred to in subsection (f)(1)(C)(vi), is title XIV of Pub. L. 95-113, Sept. 29, 1977, 91 Stat. 913. Subtitle E of the Act is classified generally to subchapter V (§3191 et seq.) of chapter 64 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of this title and Tables.

Public Law 87-788, referred to in subsection (f)(1)(C)(xii), is Pub. L. 87-788, Oct. 10, 1962, 76 Stat. 806, popularly known as the “McIntire-Stennis Act of 1962” and also as the “McIntire-Stennis Cooperative Forestry Act”, which is classified generally to subchapter III (§582a et seq.) of chapter 3 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 582a of Title 16 and Tables.

The Renewable Resources Extension Act of 1978, referred to in subsection (f)(1)(C)(xiii), is Pub. L. 95-306, June 30, 1978, 92 Stat. 349, which is classified generally to subchapter III (§1671 et seq.) of chapter 36 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title of 1978 Amendments note set out under section 1600 of Title 16 and Tables.

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

Section is comprised of section 251 of Pub. L. 103-354. Subsec. (g), formerly (e), of section 251 of Pub. L. 103-354, as redesignated by Pub. L. 110-246, §7511(a)(3), amended section 5314 of Title 5, Government Organization and Employees.

AMENDMENTS

2018—Subsec. (e). Pub. L. 115-334, §12411(a)(1), substituted “Office of the Chief Scientist” for “Research, Education, and Extension Office” in heading.

Subsec. (e)(1). Pub. L. 115-334, §12411(a)(2), substituted “Office of the Chief Scientist” for “Research, Education, and Extension Office”.

Subsec. (e)(2). Pub. L. 115-334, §12411(a)(3), substituted “Office of the Chief Scientist” for “Research, Edu-

cation, and Extension Office” in introductory provisions.

Subsec. (e)(3)(C). Pub. L. 115-334, §12411(a)(4), substituted “clauses (i) and (iii) of subparagraph (A) shall be for not less than 3 years” for “subparagraph (A) shall not exceed 4 years”.

Subsec. (e)(4). Pub. L. 115-334, §12411(a)(6), added par. (4). Former par. (4) redesignated (5).

Subsec. (e)(5). Pub. L. 115-334, §12411(a)(5), redesignated par. (4) as (5). Former par. (5) redesignated (6).

Subsec. (e)(5)(A). Pub. L. 115-334, §12411(a)(7)(A), designated existing provisions as cl. (ii), inserted heading, substituted “In addition to amounts made available under clause (i), notwithstanding” for “Notwithstanding”, and added cl. (i).

Subsec. (e)(5)(C)(iii). Pub. L. 115-334, §12411(a)(7)(B), added cl. (iii).

Subsec. (e)(6). Pub. L. 115-334, §12411(a)(5), (8), redesignated par. (5) as (6) and substituted “Office of the Chief Scientist” for “Research, Education, and Extension Office”.

Subsec. (f)(1)(D)(ii). Pub. L. 115-334, §11125(b), substituted “section 1524(a) of this title” for “section 1524(a)(3) of this title”.

Subsec. (f)(1)(D)(iv). Pub. L. 115-334, §12301(a)(2)(B), added cl. (iv) and struck out former cl. (iv) which read as follows: “The program providing grants for beginning farmer and rancher development established under section 3319f of this title.”

Subsec. (f)(5)(B). Pub. L. 115-334, §12411(b)(1), substituted “Office of the Chief Scientist” for “Research, Education and Extension Office”.

2014—Subsec. (f)(1)(C)(vi). Pub. L. 113-79, §7111(b)(2), inserted “except for the competitive grant program under section 1433(b)” before period at end.

Subsec. (f)(1)(D)(xi) to (xiii). Pub. L. 113-79, §7212(b), redesignated cls. (xii) and (xiii) as (xi) and (xii), respectively, and struck out former cl. (xi) which read as follows: “The administration and management of the Agricultural Bioenergy Feedstock and Energy Efficiency Research and Extension Initiative carried out under section 5925e of this title.”

2008—Subsec. (a). Pub. L. 110-246, §7511(a)(1), inserted “(referred to in this section as the ‘Under Secretary’)” before period at end.

Subsecs. (b) to (f). Pub. L. 110-246, §7511(a)(2), (4), added subsections (b) to (f) and struck out former subsections (b) to (d) which related to Senate confirmation, functions of the Under Secretary, and establishment and functions of the Cooperative State Research, Education, and Extension Service.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment 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 an Effective Date note under section 8701 of this title.

§ 6972. Repealed. Pub. L. 115-334, title XII, § 12414(a)(6), Dec. 20, 2018, 132 Stat. 4981

Section, Pub. L. 103-354, title II, §252, Oct. 13, 1994, 108 Stat. 3227, related to program staff.

SUBCHAPTER VII—FOOD SAFETY

§ 6981. Under Secretary of Agriculture for Food Safety

(a) Establishment

There is established in the Department of Agriculture the position of Under Secretary of Agriculture for Food Safety. The Under Secretary shall be appointed by the President, by and with the advice and consent of the Senate, from among individuals with specialized training or

significant experience in food safety or public health programs.

(b) Functions of Under Secretary

(1) Principal functions

The Secretary shall delegate to the Under Secretary of Agriculture for Food Safety those functions and duties under the jurisdiction of the Department that are primarily related to food safety.

(2) Additional functions

The Under Secretary of Agriculture for Food Safety shall perform such other functions and duties as may be required by law or prescribed by the Secretary.

(c) Omitted

(d) Technical and scientific review groups

The Secretary, acting through the Under Secretary for Research, Education, and Economics, may, without regard to the provisions of title 5 governing appointment in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5 relating to classification and General Schedule pay rates—

(1) establish such technical and scientific review groups as are needed to carry out the functions of the Department; and

(2) appoint and pay the members of the groups, except that officers and employees of the United States shall not receive additional compensation for service as a member of a group.

(Pub. L. 103-354, title II, §261, Oct. 13, 1994, 108 Stat. 3227.)

Editorial Notes

CODIFICATION

Section is comprised of section 261 of Pub. L. 103-354. Subsec. (c) of section 261 of Pub. L. 103-354 amended section 5314 of Title 5, Government Organization and Employees.

§ 6982. Conditions for implementation of alterations in the level of additives allowed in animal diets

(a) Conditions

The Food and Drug Administration shall not implement or enforce the final rule described in subsection (b) to alter the level of selenium allowed to be used as a supplement in animal diets unless the Commissioner of the Food and Drug Administration makes a determination that—

(1) selenium additives are not essential, at levels authorized in the absence of such final rule, to maintain animal nutrition and protect animal health;

(2) selenium at such levels is not safe to the animals consuming the additive;

(3) selenium at such levels is not safe to individuals consuming edible portions of animals that receive the additive;

(4) selenium at such levels does not achieve its intended effect of promoting normal growth and reproduction of livestock and poultry; and

(5) the manufacture and use of selenium at such levels cannot reasonably be controlled by

adherence to current good manufacturing practice requirements.

(b) Final rule described

The final rule referred to in subsection (a) is the final rule issued by the Food and Drug Administration and published in the Federal Register on September 13, 1993 (58 Fed. Reg. 47962), in which the Administration stayed 1987 amendments to the selenium food additive regulations, and any modification of such rule issued after October 13, 1994.

(Pub. L. 103-354, title II, §262, Oct. 13, 1994, 108 Stat. 3227.)

SUBCHAPTER VIII—NATIONAL APPEALS
DIVISION

§ 6991. Definitions

For purposes of this subchapter:

(1) Adverse decision

The term “adverse decision” means an administrative decision made by an officer, employee, or committee of an agency that is adverse to a participant. The term includes a denial of equitable relief by an agency or the failure of an agency to issue a decision or otherwise act on the request or right of the participant. The term does not include a decision over which the Board of Contract Appeals has jurisdiction.

(2) Agency

The term “agency” means any agency of the Department designated by the Secretary or a successor agency of the Department, except that the term shall include the following (and any successor to the following):

(A) The Farm Service Agency (or other office, agency, or administrative unit of the Department assigned the functions authorized for the Farm Service Agency under section 6932 of this title).

(B) The Commodity Credit Corporation, with respect to domestic programs.

(C) The Farmers Home Administration.

(D) The Federal Crop Insurance Corporation.

(E) The Rural Development Administration.

(F) The Natural Resources Conservation Service (or other office, agency, or administrative unit of the Department assigned the functions authorized for the Natural Resources Conservation Service under section 6936(b) of this title).

(G) A State, county, or area committee established under section 590h(b)(5) of title 16.

(3) Appellant

The term “appellant” means a participant who appeals an adverse decision in accordance with this subchapter.

(4) Case record

The term “case record” means all the materials maintained by the Secretary related to an adverse decision.

(5) Director

The term “Director” means the Director of the Division.