

or actual charges for personal services, materials, equipment, information technology, and other expenses. Charges for equipment and information technology shall include costs associated with maintenance, repair, and depreciation (including improvement and replacement).

(b) Appropriations

Of any discretionary resources appropriated in this Act for fiscal year 2018 for “Department of Health and Human Services, Food and Drug Administration, Salaries and Expenses”, not to exceed \$5,000,000 of amounts available as of September 30 may be transferred to and merged with the Fund established under subsection (a), notwithstanding any otherwise applicable purpose limitations.

(c) Emergency funds excluded

No amounts may be transferred pursuant to this section that are designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

(Pub. L. 115–141, div. A, title VII, §722, Mar. 23, 2018, 132 Stat. 387.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in subsec. (b), is div. A of Pub. L. 115–141, Mar. 23, 2018, 132 Stat. 351, known as the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2018. For complete classification of this Act to the Code, see Tables.

The Balanced Budget and Emergency Deficit Control Act of 1985, referred to in subsec. (c), is title II of Pub. L. 99–177, Dec. 12, 1985, 99 Stat. 1038, which enacted chapter 20 (§900 et seq.) and sections 654 to 656 of Title 2, The Congress, amended sections 602, 622, 631 to 642, and 651 to 653 of Title 2, sections 1104 to 1106, and 1109 of Title 31, Money and Finance, and section 911 of Title 42, The Public Health and Welfare, repealed section 661 of Title 2, enacted provisions set out as notes under section 900 of Title 2 and section 911 of Title 42, and amended provisions set out as a note under section 621 of Title 2. For complete classification of this Act to the Code, see Short Title note set out under section 900 of Title 2 and Tables.

CODIFICATION

Section was enacted as part of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2018, and also as part of the Consolidated Appropriations Act, 2018, and not as part of the Federal Food, Drug, and Cosmetic Act which comprises this chapter.

CHAPTER 10—POULTRY AND POULTRY PRODUCTS INSPECTION

- Sec. 451. Congressional statement of findings.
- 452. Congressional declaration of policy.
- 453. Definitions.
- 454. Federal and State cooperation in development and administration of State poultry product inspection programs.
- 455. Inspection in official establishments.
- 456. Operation of premises, facilities and equipment.
- 457. Labeling and container standards.
- 458. Prohibited acts.
- 459. Compliance by all establishments.

- Sec. 460. Miscellaneous activities subject to regulation.
- 461. Offenses and punishment.
- 462. Reporting of violations; notice; opportunity to present views.
- 463. Rules and regulations.
- 464. Exemptions.
- 465. Limitations upon entry of poultry products and other materials into official establishments.
- 466. Imports.
- 467. Inspection services.
- 467a. Administrative detention; duration; pending judicial proceedings; notification of government authorities; release; removal of official marks.
- 467b. Seizure and condemnation.
- 467c. Federal court jurisdiction of enforcement and injunction proceedings and other kinds of cases; limitations; United States as plaintiff; subpoenas.
- 467d. Administration and enforcement; applicability of penalty provisions; conduct of inquiries; power and jurisdiction of courts.
- 467e. Non-Federal jurisdiction of federally regulated matters; prohibition of additional or different requirements for establishments with inspection services and as to marking, labeling, packaging, and ingredients; recordkeeping and related requirements; concurrent jurisdiction over distribution for human food purposes of adulterated or misbranded and imported articles; other matters.
- 467f. Federal Food, Drug, and Cosmetic Act applications.
- 468. Cost of inspection; overtime.
- 469. Authorization of appropriations.
- 470. Omitted.
- 471. Safe Meat and Poultry Inspection Panel.
- 472. Interstate shipment of poultry inspected by Federal and State agencies for certain small establishments.
- 473. Grants for improvements to meat and poultry facilities to allow for interstate shipment.

§ 451. Congressional statement of findings

Poultry and poultry products are an important source of the Nation’s total supply of food. They are consumed throughout the Nation and the major portion thereof moves in interstate or foreign commerce. It is essential in the public interest that the health and welfare of consumers be protected by assuring that poultry products distributed to them are wholesome, not adulterated, and properly marked, labeled, and packaged. Unwholesome, adulterated, or misbranded poultry products impair the effective regulation of poultry products in interstate or foreign commerce, are injurious to the public welfare, destroy markets for wholesome, not adulterated, and properly labeled and packaged poultry products, and result in sundry losses to poultry producers and processors of poultry and poultry products, as well as injury to consumers. It is hereby found that all articles and poultry which are regulated under this chapter are either in interstate or foreign commerce or substantially affect such commerce, and that regulation by the Secretary of Agriculture and cooperation by the States and other jurisdictions as contemplated by this chapter are appropriate to prevent and eliminate burdens upon such commerce, to effectively regulate such commerce, and to protect the health and welfare of consumers.