

or exposed to ticks upon being freed therefrom, and the admission from the British Virgin Islands into the Virgin Islands of the United States, for slaughter only, of cattle which have been infested with or exposed to ticks upon being freed therefrom”.

1983—Pub. L. 97-461 substituted reference to violation of this section or sections 101, 102, 103, and 105 of this title or any regulation prescribed by the Secretary of Agriculture under any such section, for reference to violation of the foregoing provisions, substituted imprisonment not exceeding one year for imprisonment not exceeding three years, inserted provisions relating to civil penalties, and struck out provision for forfeiture of any vessel used for such importation if the master or owner knew the importation was diseased or had been exposed to infection.

1956—Act Jan. 28, 1956, struck out “and the admission into the Virgin Islands” in proviso and limited importation of cattle into Virgin Islands of the United States to cattle from the British Virgin Islands intended for slaughter.

1954—Act July 22, 1954, inserted “and the admission into the Virgin Islands” in proviso.

1931—Act Feb. 28, 1931, struck out “meat” and substituted “before their exportation” for “before their importation” in provisions relating to the prohibition of importation of diseased or infected animals.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-465 effective, except as otherwise provided, on the date of entry into force of the World Trade Organization Agreement with respect to the United States [Jan. 1, 1995], see section 451 of Pub. L. 103-465, set out as an Effective Date note under section 3601 of Title 19, Customs Duties.

EFFECTIVE DATE OF 1954 AMENDMENT

For effective date of amendment by act July 22, 1954, see section 34 of act July 22, 1954, set out as an Effective Date note under section 1541 of Title 48, Territories and Insular Possessions.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 136a of this title; title 16 section 1540.

§ 105. Inspection of animals

The Secretary of Agriculture may cause careful inspection of any imported animals described in this subchapter, to ascertain whether such animals are infected with contagious diseases or have been exposed to infection so as to be dangerous to other animals, which shall then either be placed in quarantine or dealt with according to the regulations of the Secretary of Agriculture. All food, litter, manure, clothing, utensils, and other appliances that have been so related to such animals on board ship as to be judged liable to convey infection shall be dealt with according to the regulations of the Secretary of Agriculture. The Secretary of Agriculture may cause inspection to be made of all animals described in this subchapter intended for exportation, and provide for the disinfection of all vessels engaged in the transportation thereof, and of all barges or other vessels used in the conveyance of such animals intended for export to the ocean steamer or other vessels, and of all attendants and their clothing, and of all headropes and other appliances used in such exportation, by such orders and regulations as he may prescribe; and if, upon such inspection, any such animals shall be adjudged, under the regulations of the Secretary of Agriculture, to be infected or to have been exposed to infection so as

to be dangerous to other animals, the Secretary may prohibit or restrict their placement upon any vessel for exportation; the expense of all the inspection and disinfection provided for in this section to be borne by the owners of the vessels on which such animals are exported.

(Aug. 30, 1890, ch. 839, § 10, 26 Stat. 417; Pub. L. 103-182, title III, § 361(c), Dec. 8, 1993, 107 Stat. 2122; Pub. L. 103-465, title IV, § 431(i), Dec. 8, 1994, 108 Stat. 4969.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this Act”, meaning act Aug. 30, 1890, ch. 839, 26 Stat. 415, as amended, which is classified to sections 18 and 101 to 105 of this title and section 181 of Title 19, Customs Duties. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

1994—Pub. L. 103-465 struck out subsec. (a) heading “In general”, in first sentence, substituted “The” for “Except as provided in subsection (b) of this section, the” and “may cause careful inspection of any” for “shall cause careful inspection to be made by a suitable officer of all”, in third sentence, substituted “the Secretary may prohibit or restrict their placement” for “they shall not be allowed to be placed”, and struck out heading and text of subsec. (b). Prior to amendment, text read as follows: “The Secretary of Agriculture, in accordance with such regulations as the Secretary may issue, may waive any provision of subsection (a) of this section in the case of shipments between the United States and Canada or Mexico.”

1993—Pub. L. 103-182 inserted section catchline, designated existing provisions as subsec. (a), inserted heading and exception to subsec. (b), and added subsec. (b).

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-465 effective, except as otherwise provided, on the date of entry into force of the World Trade Organization Agreement with respect to the United States [Jan. 1, 1995], see section 451 of Pub. L. 103-465, set out as an Effective Date note under section 3601 of Title 19, Customs Duties.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 104, 136a of this title; title 16 section 1540.

§§ 106, 107. Omitted

CODIFICATION

Sections, acts Aug. 10, 1917, ch. 52, § 9, 40 Stat. 275; Nov. 21, 1918, ch. 212, § 3, 40 Stat. 1048, related to slaughter of tick-infested cattle. Section 12 of act Aug. 10, 1917, provided that the act should cease to be in effect when the national emergency resulting from World War I had passed.

SUBCHAPTER III—PREVENTION OF INTRODUCTION AND SPREAD OF CONTAGION

§ 111. Regulations to prevent contagious diseases

The Secretary of Agriculture shall have authority to make such regulations and take such measures as he may deem proper to prevent the introduction or dissemination of the contagion of any contagious, infectious, or communicable disease of animals from a foreign country into the United States or from one State or Territory of the United States or the District of Columbia to another, and to seize, quarantine, and dispose of any hay, straw, forage, or similar material, or

any meats, hides, or other animal products coming from an infected foreign country to the United States, or from one State or Territory or the District of Columbia in transit to another State or Territory or the District of Columbia whenever in his judgment such action is advisable in order to guard against the introduction or spread of such contagion.

(Feb. 2, 1903, ch. 349, § 2, 32 Stat. 792; July 22, 1954, ch. 558, § 33, 68 Stat. 510; Jan. 28, 1956, ch. 12, § 2, 70 Stat. 5.)

AMENDMENTS

1956—Act Jan. 28, 1956, struck out proviso “that no such regulations or measures shall pertain to the introduction of live poultry into the Virgin Islands of the United States”.

1954—Act July 22, 1954, inserted proviso containing an exception with respect to admission of live poultry into the Virgin Islands.

EFFECTIVE DATE OF 1954 AMENDMENT

For effective date of amendment by act July 22, 1954, see section 34 of act July 22, 1954, set out as an Effective Date note under section 1541 of Title 48, Territories and Insular Possessions.

EXTENSION OF PROVISIONS TO LIVE POULTRY

Act Feb. 7, 1928, ch. 30, 45 Stat. 59, extended the terms and provisions of this section to live poultry.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 114g, 122, 136a of this title; title 16 section 1540.

§ 112. Investigations as to pleuropneumonia, and other diseases; regulations

In order to promote the exportation of livestock and/or live poultry from the United States the Secretary of Agriculture shall make special investigation as to the existence of pleuropneumonia, or any contagious, infectious, or communicable disease, along the dividing lines between the United States and foreign countries, and along the lines of transportation from all parts of the United States to ports from which livestock and/or live poultry are exported, and shall, from time to time, establish such regulations concerning the exportation and transportation of livestock and/or live poultry as the results of said investigations may require.

(May 29, 1884, ch. 60, § 4, 23 Stat. 32; Feb. 2, 1903, ch. 349, § 1, 32 Stat. 791; Feb. 7, 1928, ch. 30, 45 Stat. 59.)

CODIFICATION

Originally this section and sections 113, 114, 117, 119, 120, and 130 of this title read “Commissioner” instead of “Secretary” of Agriculture, and this section contained between the words “and” and “shall,” the additional words “make report of the results of such investigation to the Secretary of the Treasury, who”.

Designation of office of Commissioner of Agriculture changed by change of department into an executive department under a Secretary of Agriculture, by act Feb. 9, 1889, ch. 122, § 1, 25 Stat. 659, set out as section 2202 of Title 7, Agriculture. Authority granted to Commissioner by act May 29, 1884, vested in Secretary of Agriculture by a provision of act July 14, 1890, ch. 707, 26 Stat. 288, set out as section 2205 of Title 7.

Powers conferred on Secretary of the Treasury by act May 29, 1884, were conferred on Secretary of Agriculture by part of section 1 of act Feb. 2, 1903. Remain-

der of such section 1 is classified to sections 113, 120, and 121 of this title.

AMENDMENTS

1928—Act Feb. 7, 1928, inserted “and/or live poultry” after “livestock” wherever appearing.

SHORT TITLE

Act Feb. 2, 1903, classified to sections 112 and 120 to 122 of this title, entitled, “An act to enable the Secretary of Agriculture to more effectually suppress and prevent the spread of contagious and infectious diseases of live stock, and for other purposes” is popularly known as the Cattle Contagious Diseases Act of 1903.

Act May 29, 1884, entitled, “An act for the establishment of a Bureau of Animal Industry, to prevent the exportation of diseased cattle, and to provide means for the suppression and extirpation of pleuro-pneumonia and other contagious diseases among domestic animals” is popularly known as the Animal Industry Act. The Act is classified to sections 112, 113 to 114a-1, 115, 116, 117 to 120, and 130 of this title and section 391 of Title 7, Agriculture.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 113, 114, 118, 119, 136a of this title; title 16 section 1540.

§ 112a. Omitted

CODIFICATION

Section, act Feb. 7, 1928, ch. 30, 45 Stat. 59, amended acts May 29, 1884, ch. 60, 23 Stat. 31; Feb. 2, 1903, ch. 349, 32 Stat. 791; and Mar. 3, 1905, ch. 1496, 33 Stat. 1264, to include live poultry in their provisions, added “and/or live poultry” following “live stock” wherever the term “live stock” appeared, and extended the penalties, terms, and provisions of said acts to live poultry. For complete classification of such acts to the Code, see Short Title note set out under section 112 of this title and Tables.

§ 113. Measures to prevent exportation of diseased livestock and live poultry

In order to prevent the exportation from any port of the United States to any port in a foreign country of livestock and/or live poultry affected with any contagious, infectious, or communicable disease, and especially pleuropneumonia, the Secretary of Agriculture is authorized to take such steps and adopt such measures, not inconsistent with the provisions of this Act, as he may deem necessary.

(May 29, 1884, ch. 60, § 5, 23 Stat. 32; Feb. 2, 1903, ch. 349, § 1, 32 Stat. 791; Feb. 7, 1928, ch. 30, 45 Stat. 59.)

REFERENCES IN TEXT

This Act, referred to in text, is act May 29, 1884, ch. 60, 23 Stat. 31, as amended, which is popularly known as the Animal Industry Act. For complete classification of this Act to the Code, see Short Title note set out under section 112 of this title and Tables.

CODIFICATION

Section is comprised of part of section 1 of act Feb. 2, 1903. Remainder of such section 1 is classified to sections 112, 120, and 121 of this title.

Substitution of Secretary of Agriculture for Commissioner of Agriculture, see note set out under section 112 of this title.

AMENDMENTS

1928—Act Feb. 7, 1928, inserted “and/or live poultry” after “livestock”.