

State or Territory or the District of Columbia, and from the quarantined portion of any State or Territory or the District of Columbia, into any other State or Territory or the District of Columbia.

(Mar. 3, 1905, ch. 1496, §3, 33 Stat. 1265; Feb. 7, 1928, ch. 30, 45 Stat. 59; Pub. L. 87-518, §8(b), July 2, 1962, 76 Stat. 131; Pub. L. 95-439, §3, Oct. 10, 1978, 92 Stat. 1061.)

AMENDMENTS

1978—Pub. L. 95-439 struck out provision requiring Secretary of Agriculture to give notice of rules and regulations in the manner prescribed in section 123 of this title for notice of establishment of quarantine.

1962—Pub. L. 87-518 substituted “quarantined animals” for “cattle or other livestock”.

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

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 126, 128, 136a of this title; title 16 section 1540.

§ 126. Moving quarantined animals and live poultry from State or Territory, under regulations

Quarantined animals and/or live poultry may be moved from a quarantined State or Territory or the District of Columbia, or from the quarantined portion of any State or Territory or the District of Columbia, into any other State or Territory or the District of Columbia, under and in compliance with the rules and regulations of the Secretary of Agriculture, made and promulgated in pursuance of the provisions of section 125 of this title; but it shall be unlawful to move, or to allow to be moved, any quarantined animals and/or live poultry from any quarantined State or Territory or the District of Columbia, or from the quarantined portion of any State or Territory or the District of Columbia, into any other State or Territory or the District of Columbia, in manner or method or under conditions other than those prescribed by the Secretary of Agriculture.

(Mar. 3, 1905, ch. 1496, §4, 33 Stat. 1265; Feb. 7, 1928, ch. 30, 45 Stat. 59; Pub. L. 87-518, §8(b), July 2, 1962, 76 Stat. 131.)

AMENDMENTS

1962—Pub. L. 87-518 substituted “quarantined animals” for “cattle or other livestock” wherever appearing.

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

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 127, 128, 136a of this title; title 16 section 1540.

§ 127. Transportation from quarantined State, Territory, etc.; penalty

Any person, company, or corporation violating the provisions of sections 124 or 126 of this title shall be guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than one hundred dollars nor more than five thousand dollars, or by imprisonment not more than one year, or by both such fine and imprisonment. Any person, company, or corporation violating

such provisions may be assessed a civil penalty by the Secretary of Agriculture of not more than one thousand dollars. The Secretary may issue an order assessing such civil penalty only after notice and an opportunity for an agency hearing on the record. Such order shall be treated as a final order reviewable under chapter 158 of title 28. The validity of such order may not be reviewed in an action to collect such civil penalty.

(Mar. 3, 1905, ch. 1496, §6, 33 Stat. 1265; Pub. L. 97-461, §7, Jan. 12, 1983, 96 Stat. 2525.)

AMENDMENTS

1983—Pub. L. 97-461 substituted “five thousand dollars” for “one thousand dollars” and inserted provisions relating to a civil penalty.

EXTENSION OF PROVISIONS TO LIVE POULTRY

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

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 128, 136a of this title; title 16 section 1540.

§ 128. Extension of quarantine law to carriers in interstate commerce

The provisions of sections 123 to 127 of this title shall apply to any railroad company or other common carrier whose road or line forms any part of a route over which quarantined animals are transported in the course of shipment from any quarantined State or Territory or the District of Columbia, or from the quarantined portion of any State or Territory or the District of Columbia into any other State or Territory or the District of Columbia.

(June 30, 1914, ch. 131, 38 Stat. 419; Pub. L. 87-518, §9, July 2, 1962, 76 Stat. 131.)

CODIFICATION

Section is from the Department of Agriculture Appropriation Act, 1915.

AMENDMENTS

1962—Pub. L. 87-518 substituted “quarantined animals” for “cattle or other livestock”.

SECTION REFERRED TO IN OTHER SECTIONS

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

§ 129. Transfer of funds for emergency arrest of animal, poultry, or plant diseases or pests

In emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 114b to 114d-1 of this title and section 7759 of title 7, and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts.