

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.

(Pub. L. 106-387, §1(a) [title I], Oct. 28, 2000, 114 Stat. 1549, 1549A-9.)

CODIFICATION

Section is from the appropriation act cited as the credit to this section.

Similar provisions relating to authority to transfer funds for emergency arrest of animal or poultry diseases are set out in section 129a of this title and similar provisions relating to authority to transfer funds for emergency arrest of plant pests or noxious weeds are set out in section 7772 of Title 7, Agriculture.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 106-78, title I, Oct. 22, 1999, 113 Stat. 1143.
 Pub. L. 105-277, div. A, §101(a) [title I], Oct. 21, 1998, 112 Stat. 2681, 2681-8.
 Pub. L. 105-86, title I, Nov. 18, 1997, 111 Stat. 2086.
 Pub. L. 104-180, title I, Aug. 6, 1996, 110 Stat. 1576.
 Pub. L. 104-37, title I, Oct. 21, 1995, 109 Stat. 307.
 Pub. L. 103-330, title I, Sept. 30, 1994, 108 Stat. 2443.
 Pub. L. 103-111, title I, Oct. 21, 1993, 107 Stat. 1054.
 Pub. L. 102-341, title I, Aug. 14, 1992, 106 Stat. 882.
 Pub. L. 102-142, title I, Oct. 28, 1991, 105 Stat. 886.
 Pub. L. 101-506, title I, Nov. 5, 1990, 104 Stat. 1323.
 Pub. L. 101-161, title I, Nov. 21, 1989, 103 Stat. 959.
 Pub. L. 100-460, title I, Oct. 1, 1988, 102 Stat. 2237.
 Pub. L. 100-202, §101(k) [title I], Dec. 22, 1987, 101 Stat. 1329-322, 1329-331.
 Pub. L. 99-500, §101(a) [title I], Oct. 18, 1986, 100 Stat. 1783, 1783-8, and Pub. L. 99-591, §101(a) [title I], Oct. 30, 1986, 100 Stat. 3341, 3341-8.
 Pub. L. 99-190, §101(a) [H.R. 3037, title I], Dec. 19, 1985, 99 Stat. 1185.
 Pub. L. 98-473, title I, §101(a) [H.R. 5743, title I], Oct. 12, 1984, 98 Stat. 1837.
 Pub. L. 98-151, §101(d) [H.R. 3223, title I], Nov. 14, 1983, 97 Stat. 972.
 Pub. L. 97-370, title I, Dec. 18, 1982, 96 Stat. 1792.
 Pub. L. 97-103, title I, Dec. 23, 1981, 95 Stat. 1472.
 Pub. L. 96-528, title I, Dec. 15, 1980, 94 Stat. 3099.
 Pub. L. 96-108, title I, Nov. 9, 1979, 93 Stat. 826.
 Pub. L. 95-448, title I, Oct. 11, 1978, 92 Stat. 1076.
 Pub. L. 95-97, title I, Aug. 12, 1977, 91 Stat. 813.
 Pub. L. 94-351, title I, July 12, 1976, 90 Stat. 854.
 Pub. L. 94-122, title I, Oct. 21, 1975, 89 Stat. 645.
 Pub. L. 93-563, title I, Dec. 31, 1974, 88 Stat. 1824.
 Pub. L. 93-135, title I, Oct. 24, 1973, 87 Stat. 472.
 Pub. L. 92-399, title I, Aug. 22, 1972, 86 Stat. 594.
 Pub. L. 92-73, title I, Aug. 10, 1971, 85 Stat. 185.
 Pub. L. 91-566, title I, Dec. 22, 1970, 84 Stat. 1482.
 Pub. L. 91-127, title I, Nov. 26, 1969, 83 Stat. 246.
 Pub. L. 90-463, title I, Aug. 8, 1968, 82 Stat. 640.
 Pub. L. 90-113, title I, Oct. 24, 1967, 81 Stat. 321.
 Pub. L. 89-556, title I, Sept. 7, 1966, 80 Stat. 690.
 Pub. L. 89-316, title I, Nov. 2, 1965, 79 Stat. 1166.
 Pub. L. 88-573, title I, Sept. 2, 1964, 78 Stat. 863.
 Pub. L. 88-250, title I, Dec. 30, 1963, 77 Stat. 821.
 Pub. L. 87-879, title I, Oct. 24, 1962, 76 Stat. 1204.
 Pub. L. 87-112, title I, July 26, 1961, 75 Stat. 228.
 Pub. L. 86-532, title I, June 29, 1960, 74 Stat. 233.
 Pub. L. 86-80, title I, July 8, 1959, 73 Stat. 168.
 Pub. L. 85-459, title I, June 13, 1958, 72 Stat. 189.
 Pub. L. 85-118, title I, Aug. 2, 1957, 71 Stat. 330.
 June 4, 1956, ch. 355, title I, 70 Stat. 230.
 May 23, 1955, ch. 43, title I, 69 Stat. 52.
 June 29, 1954, ch. 409, title I, 68 Stat. 305.
 July 28, 1953, ch. 251, title III, 67 Stat. 223.
 July 5, 1952, ch. 574, title III, 66 Stat. 354.
 Aug. 31, 1951, ch. 374, title II, 65 Stat. 243.
 Sept. 6, 1950, ch. 896, Ch. VI, title I, 64 Stat. 661.
 June 29, 1949, ch. 280, title I, 63 Stat. 332.
 June 19, 1948, ch. 543, 62 Stat. 515.
 July 30, 1947, ch. 356, title I, 61 Stat. 532.
 June 22, 1946, ch. 445, 60 Stat. 278.
 May 5, 1945, ch. 109, 59 Stat. 144.
 June 28, 1944, ch. 296, 58 Stat. 434.

July 12, 1943, ch. 215, 57 Stat. 403.
 July 22, 1942, ch. 516, 56 Stat. 676.
 July 1, 1941, ch. 267, 55 Stat. 418.
 June 25, 1940, ch. 421, 54 Stat. 542.
 June 30, 1939, ch. 253, title I, 53 Stat. 951.
 June 16, 1938, ch. 464, title I, 52 Stat. 722.
 June 29, 1937, ch. 404, 50 Stat. 406.
 June 4, 1936, ch. 489, 49 Stat. 1432.
 May 17, 1935, ch. 131, title I, 49 Stat. 257.
 Mar. 26, 1934, ch. 89, 48 Stat. 477.
 Mar. 3, 1933, ch. 203, 47 Stat. 1442.
 July 7, 1932, ch. 443, 47 Stat. 620.
 Feb. 23, 1931, ch. 278, 46 Stat. 1252.
 May 27, 1930, ch. 341, 46 Stat. 403.
 Feb. 16, 1929, ch. 227, 45 Stat. 1198.
 May 16, 1928, ch. 572, 45 Stat. 548.
 Jan. 18, 1927, ch. 39, 44 Stat. 1005.
 May 11, 1926, ch. 286, 44 Stat. 529.
 Feb. 10, 1925, ch. 200, 43 Stat. 851.
 Dec. 5, 1924, ch. 4, 43 Stat. 683.
 June 5, 1924, ch. 266, 43 Stat. 458.
 Apr. 2, 1924, ch. 81, 43 Stat. 40.
 Feb. 26, 1923, ch. 119, 42 Stat. 1318.
 May 11, 1922, ch. 185, 42 Stat. 536.
 Mar. 4, 1917, ch. 179, 39 Stat. 1167.

SECTION REFERRED TO IN OTHER SECTIONS

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

§ 129a. Transfer of funds for emergency arrest of animal or poultry diseases

The Secretary of Agriculture may, in connection with emergencies which threaten any segment of the agricultural production industry of this country, transfer from other appropriations or funds available to the agencies or corporations of the Department of Agriculture such sums as the Secretary may deem necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious diseases of animals or poultry, and for expenses in accordance with section 114b of this title.

(Pub. L. 97-46, §1, Sept. 25, 1981, 95 Stat. 953; Pub. L. 106-224, title IV, §438(b), June 20, 2000, 114 Stat. 454.)

CODIFICATION

Section was formerly classified to section 147b of Title 7, Agriculture.

Similar provisions relating to authority to transfer funds for emergency arrest of animal, poultry, or plant diseases or pests are contained in section 129 of this title and similar provisions relating to authority to transfer funds for emergency arrest of plant pests or noxious weeds are set out in section 7772 of Title 7, Agriculture.

AMENDMENTS

2000—Pub. L. 106-224 struck out “plant pests or” after “eradication of” and “section 7759 of title 7 and” after “in accordance with”.

EFFECTIVE DATE

Section 2 of Pub. L. 97-46 provided that: “The provisions of this Act [this section] shall become effective upon enactment [Sept. 25, 1981].”

§ 130. Pleuropneumonia in District of Columbia; duties of Council of the District of Columbia

Whenever any contagious, infectious, or communicable disease affecting domestic animals, and especially the disease known as pleuropneumonia, shall be brought into or shall break out in the District of Columbia, it shall be the duty