

(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

of the Council of the District of Columbia to take measures to suppress the same promptly and to prevent the same from spreading; and for this purpose the said Council is empowered to order and require that any premises, farm, or farms where such disease exists, or has existed, be put in quarantine; to order all or any animals coming into the District to be detained at any place or places for the purpose of inspection and examination; to prescribe regulations for and to require the destruction of animals affected with contagious, infectious, or communicable disease, and for the proper disposition of their hides and carcasses; to prescribe regulations for disinfection, and such other regulations as they may deem necessary to prevent infection or contagion being communicated, and shall report to the Secretary of Agriculture whatever it may do in pursuance of the provisions of this section.

(May 29, 1884, ch. 60, § 8, 23 Stat. 33; 1967 Reorg. Plan No. 3, § 402(430), eff. Aug. 11, 1967, 32 F.R. 11669, 81 Stat. 948; Pub. L. 93-198, title IV, § 401, Dec. 24, 1973, 87 Stat. 793.)

CODIFICATION

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

TRANSFER OF FUNCTIONS

“Council of the District of Columbia” substituted in text for “District of Columbia Council” pursuant to section 401 of Pub. L. 93-198, District of Columbia Council, as established by Reorg. Plan No. 3 of 1967, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by Council of the District of Columbia, as provided by section 401 of Pub. L. 93-198.

Previously, references to Commissioners of District of Columbia had been changed to District of Columbia Council pursuant to section 402(430) of Reorganization Plan No. 3 of 1967, 32 F.R. 11669, effective Aug. 11, 1967, set out in the Appendix to Title 5, Government Organization and Employees, which transferred regulatory and other functions of Board of Commissioners relating to prescribing of regulations for destruction of animals or live poultry affected by contagious, infectious, or communicable disease, and for proper disposition of their hides and carcasses, and prescribing of regulations for disinfection and other regulations under this section to District of Columbia Council, subject to right of Commissioner as provided by section 406 of Plan. For provisions establishing District of Columbia Council, see section 201 of Reorg. Plan No. 3 of 1967.

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 113, 114, 118, 119, 136a of this title; title 16 section 1540.

§ 131. Fences along international boundary lines to keep out diseased animals

The Secretary of Agriculture may permit the erection of fences along international boundary lines, but entirely within the territory of the United States, for the purpose of keeping out diseased animals.

(May 26, 1910, ch. 256, 36 Stat. 440.)

SECTION REFERRED TO IN OTHER SECTIONS

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

§ 132. Transferred

CODIFICATION

Section, act May 23, 1908, ch. 192, 35 Stat. 254, which related to inspection of dairy products for export, was transferred to section 693 of this title.

§ 133. Repealed. July 13, 1949, ch. 307, 63 Stat. 410

Section, act July 24, 1946, ch. 592, 60 Stat. 633, related to establishment of a quarantine station on Swan Island.

§ 134. Definitions

As used in this Act unless the context indicates otherwise—

(a) The term “Secretary” means the Secretary of Agriculture.

(b) The term “animals” means all members of the animal kingdom including birds, whether domesticated or wild, but not including man.

(c) The term “United States” means the States, Puerto Rico, Guam, the Virgin Islands of the United States, and the District of Columbia.

(d) The term “interstate” means from a State or other area included in the definition of “United States” to or through any other State or other such area.

(Pub. L. 87-518, § 1, July 2, 1962, 76 Stat. 129.)

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 87-518, July 2, 1962, 76 Stat. 129, as amended, which enacted sections 134 to 134h of this title and amended sections 114a, 123 to 126, and 128 of this title and section 1114 of Title 18, Crimes and Criminal Procedure. For complete classification of this Act to the Code, see Tables.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 134e, 134f, 134g, 134h, 136a of this title; title 16 section 1540.

§ 134a. Seizure, quarantine, and disposal of livestock or poultry to guard against introduction or dissemination of communicable disease

(a) Authority of Secretary

The Secretary, whenever he deems it necessary in order to guard against the introduction or dissemination of a communicable disease of livestock or poultry, may seize, quarantine, and dispose of, in a reasonable manner taking into consideration the nature of the disease and the necessity of such action to protect the livestock or poultry of the United States: (1) any animals which he finds are moving or are being handled or have moved or have been handled in interstate or foreign commerce contrary to any law or regulation administered by him for the prevention of the introduction or dissemination of any communicable disease of livestock or poultry; (2) any animals which he finds are moving into the United States, or interstate, and are affected with or have been exposed to any communicable disease dangerous to livestock or poultry; and (3) any animals which he finds have moved into the United States, or interstate, and at the time of such movement were so affected or exposed.