

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 134, 134f, 134h, 136a of this title; title 16 section 1540.

§ 134h. Separability

If any provision of this Act or application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of such provision to other persons and circumstances shall not be affected thereby.

(Pub. L. 87-518, § 13, July 2, 1962, 76 Stat. 132.)

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 134, 134f, 134g, 136a of this title; title 16 section 1540.

§ 135. International animal quarantine station; establishment; acceptance of gifts; cooperation with breeders' organizations; collection of fees

The Secretary of Agriculture is authorized, in his discretion, to establish and maintain an international animal quarantine station within the territory of the United States. The quarantine station shall be located on an island selected by the Secretary of Agriculture where, in his judgment, maximum animal disease and pest security measures can be maintained. The Secretary of Agriculture is authorized to acquire land or any interest therein, by purchase, donation, exchange, or otherwise and construct or lease buildings, improvements, and other facilities as may be necessary for the establishment and maintenance of such quarantine station. The Secretary of Agriculture, on behalf of the United States, is authorized to accept any gift or donation of money, personal property, buildings, improvements, and other facilities for the purpose of conducting the functions authorized under sections 135 to 135b of this title. Notwithstanding the provisions of any other law to prevent the introduction or dissemination of livestock or poultry disease or pests, animals may be brought into the quarantine station from any country, including but not limited to those countries in which the Secretary of Agriculture determines that rinderpest or foot-and-mouth disease exists, and subsequently moved into other parts of the United States in accordance with such conditions as the Secretary of Agriculture shall determine are adequate in order to prevent the introduction into and the dissemination within the United States of livestock or poultry diseases or pests. The Secretary of Agriculture is authorized to cooperate in such manner as he deems appropriate, with other countries or with breeders' organizations or similar organizations or with individuals regarding im-

portation of animals into and through the quarantine station and to charge and collect reasonable fees for use of the facilities of such station from importers. Such fees shall be deposited into the Treasury of the United States to the credit of the appropriation charged with the operating expenses of the quarantine station. The Secretary is authorized to issue such regulations as he deems necessary to carry out the provisions of sections 135 to 135b of this title.

(Pub. L. 91-239, § 1, May 6, 1970, 84 Stat. 202; Pub. L. 103-465, title IV, § 431(j), Dec. 8, 1994, 108 Stat. 4969.)

AMENDMENTS

1994—Pub. L. 103-465, in sixth sentence, struck out “North American” before “countries” and “within the United States” after “individuals”.

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 135a, 135b, 136a of this title; title 16 section 1540.

§ 135a. Smuggling penalties

(a) Criminal penalty

The provisions and penalties of section 545 of title 18 shall apply to the bringing of animals to the quarantine station or the subsequent movement of animals to other parts of the United States, including Puerto Rico, Guam, and the Virgin Islands, contrary to the conditions prescribed by the Secretary in regulations issued hereunder.

(b) Civil penalty

Any person who brings any animal to the quarantine station or moves any animal from the quarantine station, contrary to the conditions prescribed by the Secretary in regulations issued hereunder, may be assessed a civil penalty by the Secretary not to exceed \$1,000. 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.

(Pub. L. 91-239, § 2, May 6, 1970, 84 Stat. 202; Pub. L. 97-461, § 9, Jan. 12, 1983, 96 Stat. 2525.)

AMENDMENTS

1983—Pub. L. 97-461 designated existing provisions as subsec. (a) and added subsec. (b).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 135, 135b of this title; title 16 section 1540.

§ 135b. Authorization of appropriations

There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of sections 135 to 135b of this title.