

- Sec.
- (d) Recovery of damages by injured person; costs; attorney's fee.
 - (e) Other rights and remedies.
2158. Protection of pets.
- (a) Holding period.
 - (b) Certification.
 - (c) Enforcement.
 - (d) Regulation.
2159. Authority to apply for injunctions.
- (a) Request.
 - (b) Issuance.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 16 section 1374; title 42 section 287a-3a.

§ 2131. Congressional statement of policy

The Congress finds that animals and activities which are regulated under this chapter are either in interstate or foreign commerce or substantially affect such commerce or the free flow thereof, and that regulation of animals and activities as provided in this chapter is necessary to prevent and eliminate burdens upon such commerce and to effectively regulate such commerce, in order—

- (1) to insure that animals intended for use in research facilities or for exhibition purposes or for use as pets are provided humane care and treatment;
- (2) to assure the humane treatment of animals during transportation in commerce; and
- (3) to protect the owners of animals from the theft of their animals by preventing the sale or use of animals which have been stolen.

The Congress further finds that it is essential to regulate, as provided in this chapter, the transportation, purchase, sale, housing, care, handling, and treatment of animals by carriers or by persons or organizations engaged in using them for research or experimental purposes or for exhibition purposes or holding them for sale as pets or for any such purpose or use.

(Pub. L. 89-544, §1(b), formerly §1, Aug. 24, 1966, 80 Stat. 350; Pub. L. 91-579, §2, Dec. 24, 1970, 84 Stat. 1560; renumbered and amended Pub. L. 94-279, §2, Apr. 22, 1976, 90 Stat. 417.)

AMENDMENTS

1976—Pub. L. 94-279 restated and expanded objectives of this chapter to include regulation of animals and activities in, or substantially affecting, interstate or foreign commerce in order to prevent and eliminate burdens on such commerce and to assure the humane treatment of animals during transportation.

1970—Pub. L. 91-579 restated objectives to include all animals as defined instead of only cats and dogs and expanded coverage to regulate animals intended for use for exhibition purposes or for use as pets.

EFFECTIVE DATE OF 1985 AMENDMENT

Pub. L. 99-198, title XVII, §1759, Dec. 23, 1985, 99 Stat. 1650, provided that: "This subtitle [subtitle F (§§1751-1759), enacting section 2157 of this title, amending sections 2132, 2143 to 2146, and 2149 of this title, and enacting provisions set out as notes under this section] shall take effect 1 year after the date of the enactment of this Act [Dec. 23, 1985]."

EFFECTIVE DATE OF 1970 AMENDMENT

Section 23 of Pub. L. 91-579 provided that: "The amendments made by this Act [enacting section 2155 of this title, amending this section and sections 2132, 2133,

2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2149, and 2150 of this title, repealing section 2148 of this title, and enacting provisions set out as notes under this section] shall take effect one year after the date of enactment of this Act [Dec. 24, 1970], except for the amendments to sections 16, 17, 19, and 20 of the Act of August 24, 1966 [sections 2146, 2147, 2149, and 2150 of this title], which shall become effective thirty days after the date of enactment of this Act [Dec. 24, 1970]."

SHORT TITLE OF 1976 AMENDMENT

Section 1 of Pub. L. 94-279 provided: "That this Act [enacting section 2156 of this title, amending this section, sections 2132, 2134, 2136, 2139 to 2146, 2149, 2153 to 2155 of this title, and section 3001 of Title 39, Postal Service, repealing section 2150 of this title, and enacting provisions set out as notes under this section] may be cited as the 'Animal Welfare Act Amendments of 1976'."

SHORT TITLE OF 1970 AMENDMENT

Section 1 of Pub. L. 91-579 provided: "That this Act [enacting section 2155 of this title, amending this section and sections 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2149, and 2150 of this title, repealing section 2148 of this title, and enacting provisions set out as notes under this section] may be cited as the 'Animal Welfare Act of 1970'."

SHORT TITLE

Section 1(a) of Pub. L. 89-544, as added by section 2 of Pub. L. 94-279, provided: "That this Act [enacting this chapter] may be cited as the 'Animal Welfare Act'."

CONGRESSIONAL FINDINGS FOR 1985 AMENDMENT

Pub. L. 99-198, title XVII, subtitle F (§§1751-1759), §1751, Dec. 23, 1985, 99 Stat. 1645, provided that: "For the purposes of this subtitle [see Effective Date of 1985 Amendment note above], the Congress finds that—

"(1) the use of animals is instrumental in certain research and education for advancing knowledge of cures and treatment for diseases and injuries which afflict both humans and animals;

"(2) methods of testing that do not use animals are being and continue to be developed which are faster, less expensive, and more accurate than traditional animal experiments for some purposes and further opportunities exist for the development of these methods of testing;

"(3) measures which eliminate or minimize the unnecessary duplication of experiments on animals can result in more productive use of Federal funds; and

"(4) measures which help meet the public concern for laboratory animal care and treatment are important in assuring that research will continue to progress."

EXTENDED DEFINITION OF "ANIMAL"

Pub. L. 99-198, title XVII, 1756(b), Dec. 23, 1985, 99 Stat. 1650, provided that: "For purposes of this Act [see Tables for classification], the term 'animal' shall have the same meaning as defined in section 2(g) of the Animal Welfare Act (7 U.S.C. 2132(g))."

§ 2132. Definitions

When used in this chapter—

(a) The term "person" includes any individual, partnership, firm, joint stock company, corporation, association, trust, estate, or other legal entity;

(b) The term "Secretary" means the Secretary of Agriculture of the United States or his representative who shall be an employee of the United States Department of Agriculture;

(c) The term "commerce" means trade, traffic, transportation, or other commerce—