

(Feb. 15, 1927, ch. 155, §6, 44 Stat. 1103; 1940 Reorg. Plan No. IV, §12, eff. June 30, 1940, 5 F.R. 2421, 54 Stat. 1237; 1953 Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Pub. L. 96-88, title V, §509(b), Oct. 17, 1979, 93 Stat. 695.)

CHANGE OF NAME

“Secretary of Health and Human Services” substituted in text for “Secretary of Health, Education, and Welfare” pursuant to section 509(b) of Pub. L. 96-88, which is classified to section 3508(b) of Title 20, Education.

TRANSFER OF FUNCTIONS

For transfer of functions of Federal Security Administrator to Secretary of Health, Education, and Welfare [now Health and Human Services], and of Food and Drug Administration to Federal Security Agency, see Transfer of Functions notes set out under section 321 of this title.

§ 147. Repeal of inconsistent laws

Any laws or parts of laws inconsistent with this subchapter are repealed.

(Feb. 15, 1927, ch. 155, §7, 44 Stat. 1103.)

§ 148. Powers of State with respect to milk or cream lawfully imported

Nothing in this subchapter is intended nor shall be construed to affect the powers of any State, or any political subdivision thereof, to regulate the shipment of milk or cream into, or the handling, sale, or other disposition of milk or cream in, such State or political subdivision after the milk and/or cream shall have been lawfully imported under the provisions of this subchapter.

(Feb. 15, 1927, ch. 155, §8, 44 Stat. 1103.)

§ 149. Definitions

When used in this subchapter—

(a) The term “person” means an individual, partnership, association, or corporation.

(b) The term “United States” means the fifty States and the District of Columbia.

(Feb. 15, 1927, ch. 155, §9, 44 Stat. 1103; Pub. L. 86-70, §19, June 25, 1959, 73 Stat. 145; Pub. L. 86-624, §15, July 12, 1960, 74 Stat. 415.)

AMENDMENTS

1960—Subsec. (b). Pub. L. 86-624 substituted “means the fifty States and the District of Columbia” for “means continental United States, including Alaska”.

1959—Subsec. (b). Pub. L. 86-70 inserted “, including Alaska” after “continental United States”.

CHAPTER 5—VIRUSES, SERUMS, TOXINS, ANTITOXINS, AND ANALOGOUS PRODUCTS

Sec.

- 151. Preparation and sale of worthless or harmful products for domestic animals prohibited; preparation to be in compliance with rules at licensed establishments.
- 152. Importation regulated and prohibited.
- 153. Inspection of imports; denial of entry and destruction.
- 154. Regulations for preparation and sale; licenses.
- 154a. Special licenses for special circumstances; expedited procedure; conditions; exemptions; criteria.

Sec.

- 155. Permits for importation.
- 156. Licenses conditioned on permitting inspection; suspension of licenses.
- 157. Inspection.
- 158. Offenses; punishment.
- 159. Enforcement; penalties applicable; Congressional findings.

FEDERAL FOOD, DRUG, AND COSMETIC ACT

By virtue of act June 25, 1938, ch. 675, §902(c), 52 Stat. 1059 [section 392(b) of this title], nothing contained in section 301 et seq. of this title shall be construed as in any way affecting, modifying, repealing, or superseding the provisions of this chapter.

§ 151. Preparation and sale of worthless or harmful products for domestic animals prohibited; preparation to be in compliance with rules at licensed establishments

It shall be unlawful for any person, firm, or corporation to prepare, sell, barter, or exchange in the District of Columbia, or in the Territories, or in any place under the jurisdiction of the United States, or to ship or deliver for shipment in or from the United States, the District of Columbia, any territory of the United States, or any place under the jurisdiction of the United States, any worthless, contaminated, dangerous, or harmful virus, serum, toxin, or analogous product intended for use in the treatment of domestic animals, and no person, firm, or corporation shall prepare, sell, barter, exchange, or ship as aforesaid any virus, serum, toxin, or analogous product manufactured within the United States and intended for use in the treatment of domestic animals, unless and until the said virus, serum, toxin, or analogous product shall have been prepared, under and in compliance with regulations prescribed by the Secretary of Agriculture, at an establishment holding an unsuspended and unrevoked license issued by the Secretary of Agriculture as hereinafter authorized.

(Mar. 4, 1913, ch. 145, §1 (part), 37 Stat. 832; Pub. L. 99-198, title XVII, §1768(a), Dec. 23, 1985, 99 Stat. 1654.)

CODIFICATION

The sections of this chapter are comprised of the sentences of the eighth paragraph under the heading “Bureau of Animal Industry,” in the Department of Agriculture Appropriation Act, 1914, as amended.

Another section 1768 of Pub. L. 99-198, cited as a credit to this section, amended section 136y of Title 7, Agriculture.

AMENDMENTS

1985—Pub. L. 99-198 substituted “in or from the United States, the District of Columbia, any territory of the United States, or any place under the jurisdiction of the United States” for “from one State or Territory or the District of Columbia to any other State or Territory or the District of Columbia”.

EFFECTIVE DATE OF 1985 AMENDMENT

Section 1768(f) of Pub. L. 99-198 provided that:

“(1) Except as provided in paragraph (2), the amendments made by this section [enacting sections 154a and 159 of this title and amending this section and sections 154 and 157 of this title] shall become effective on the date of enactment of this Act [Dec. 23, 1985].

“(2)(A) Subject to subparagraphs (B) through (D), in the case of a person, firm, or corporation preparing,