

Stat. 380, set out as a note under section 1261 of Title 15, Commerce and Trade.

§ 1716A. Nonmailable locksmithing devices and motor vehicle master keys

(a) Whoever knowingly deposits for mailing or delivery, or knowingly causes to be delivered by mail according to the direction thereon, or at any place to which it is directed to be delivered by the person to whom it is addressed, any matter declared to be nonmailable by section 3002 of title 39, shall be fined under this title or imprisoned not more than one year, or both.

(b) Whoever knowingly deposits for mailing or delivery, causes to be delivered by mail, or causes to be delivered by any interstate mailing or delivery other than by the United States Postal Service, any matter declared to be nonmailable by section 3002a of title 39, shall be fined under this title, imprisoned not more than one year, or both.

(Added Pub. L. 90-560, §2(1), Oct. 12, 1968, 82 Stat. 997; amended Pub. L. 91-375, Aug. 12, 1970, §6(j)(26), 84 Stat. 780; Pub. L. 100-690, title VII, §7090(c), Nov. 18, 1988, 102 Stat. 4410; Pub. L. 101-647, title XXXV, §3551, Nov. 29, 1990, 104 Stat. 4926.)

AMENDMENTS

1990—Subsec. (a). Pub. L. 101-647 substituted “shall be fined under this title or” for “shall be under this title”.

1988—Pub. L. 100-690 inserted “locksmithing devices and” in section catchline, designated existing provisions as subsec. (a), substituted “under this title” for “fined not more than \$1,000, or”, and added subsec. (b).

1970—Pub. L. 91-375 substituted “section 3002” for “section 4010” of title 39.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-375 effective within 1 year after Aug. 12, 1970, on date established therefor by Board of Governors of United States Postal Service and published by it in Federal Register, see section 15(a) of Pub. L. 91-375, set out as an Effective Date note preceding section 101 of Title 39, Postal Service.

EFFECTIVE DATE

Section 3 of Pub. L. 90-560 provided that: “The amendments made by the first section and section 2 of this Act [enacting this section and section 4010 of former Title 39, The Postal Service] shall become effective on the sixtieth day after the date of enactment of this Act [Oct. 12, 1968].”

§ 1716B. Nonmailable plants

Whoever knowingly deposits for mailing or delivery, or knowingly causes to be delivered by mail, according to the direction thereon, or at any place at which it is directed to be delivered by the person to whom it is addressed, anything declared nonmailable by section 3014(b) of title 39, unless in accordance with the rules and regulations prescribed by the Postal Service under section 3014(c) of such title, shall be fined under this title, or imprisoned not more than one year, or both.

(Added Pub. L. 100-574, §1(b)(1), Oct. 31, 1988, 102 Stat. 2893.)

EFFECTIVE DATE

Section effective Oct. 31, 1989, see section 4 of Pub. L. 100-574, set out as a note under section 3014 of Title 39, Postal Service.

§ 1716C. Forged agricultural certifications

Whoever forges or counterfeits any certification authorized under any rules or regulations prescribed under section 3014(c) of title 39 with intent to make it appear that such is a genuine certification, or makes or knowingly uses or sells, or possesses with intent to use or sell, any forged or counterfeited certification so authorized, or device for imprinting any such certification, shall be fined under this title, or imprisoned not more than one year, or both.

(Added Pub. L. 100-574, §2(a), Oct. 31, 1988, 102 Stat. 2893.)

EFFECTIVE DATE

Section effective Oct. 31, 1989, see section 4 of Pub. L. 100-574, set out as a note under section 3014 of Title 39, Postal Service.

§ 1716D. Nonmailable injurious animals, plant pests, plants, and illegally taken fish, wildlife, and plants

A person who knowingly deposits for mailing or delivery, or knowingly causes to be delivered by mail, according to the direction thereon, or at any place at which it is directed to be delivered by the person to whom it is addressed, anything that section 3015 of title 39 declares to be nonmailable matter shall be fined under this title, imprisoned not more than 1 year, or both.

(Added Pub. L. 103-322, title XXXII, §320108(b)(1), Sept. 13, 1994, 108 Stat. 2113.)

§ 1717. Letters and writings as nonmailable

(a) Every letter, writing, circular, postal card, picture, print, engraving, photograph, newspaper, pamphlet, book, or other publication, matter or thing, in violation of sections 499, 506, 793, 794, 915, 954, 956, 957, 960, 964, 1017, 1542, 1543, 1544 or 2388 of this title or which contains any matter advocating or urging treason, insurrection, or forcible resistance to any law of the United States is nonmailable and shall not be conveyed in the mails or delivered from any post office or by any letter carrier.

(b) Whoever uses or attempts to use the mails or Postal Service for the transmission of any matter declared by this section to be nonmailable, shall be fined under this title or imprisoned not more than ten years or both.

(June 25, 1948, ch. 645, 62 Stat. 782; Pub. L. 86-682, §12(b), Sept. 2, 1960, 74 Stat. 708; Pub. L. 91-375, §6(j)(27), Aug. 12, 1970, 84 Stat. 780; Pub. L. 101-647, title XXXV, §3552(a), Nov. 29, 1990, 104 Stat. 4926; Pub. L. 103-322, title XXXIII, §330016(1)(K), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§343, 344, 345, 346 (June 15, 1917, ch. 30, title XII, §§1-3, title XIII, §1, 40 Stat. 230, 231; Mar. 28, 1940, ch. 72, §9, 54 Stat. 80).

Section consolidates said sections 343-345 of title 18, U.S.C., 1940 ed. The provision as to opening letters was incorporated in paragraph (c).

Venue provisions in said section 345 of title 18, U.S.C., 1940 ed., were omitted as covered by section 3237 of this title.

Section 346 of title 18, U.S.C., 1940 ed., defining “United States” was omitted. It is incorporated, however, in section 5 of this title.