through price support operations, the Commodity Credit Corporation is authorized on such terms and under such regulations as the Secretary of Agriculture may deem in the public interest, and upon application, to donate food commodities acquired through price support operations to Federal penal and correctional institutions, and to State correctional institutions for minors, other than those in which food service is provided for inmates on a fee, contract, or concession basis.

(May 28, 1956, ch. 327, title II, § 210, 70 Stat. 202.)

AUTHORIZATION FOR COMMODITY CREDIT CORPORATION TO PURCHASE AND DONATE FLOUR AND CORNMEAL

Pub. L. 85–683, Aug. 19, 1958, 72 Stat. 635, as authorizing Commodity Credit Corporation to purchase and donate flour and cornmeal when it has wheat or corn available for donation pursuant to this section, see note set out under section 1431 of this title.

§ 1860. Federal irrigation, drainage, and flood-control projects

(a) Restriction on crop loans or farm payments or benefits

For a period of three years from May 28, 1956, no agricultural commodity determined by the Secretary of Agriculture in accordance with subsection (c) of this section to be in surplus supply shall receive any crop loans or Federal farm payments or benefits if grown on any newly irrigated or drained lands within any Federal irrigation or drainage project hereafter authorized unless such lands were used for the production of such commodity prior to May 28, 1956.

(b) Contract provisions; ineligibility for benefits

The Secretary of the Interior and the Secretary of Agriculture shall cause to be included, in all irrigation, drainage, or flood-control contracts entered into with respect to Federal irrigation, drainage, or flood-control projects hereafter authorized, such provisions as they may deem necessary to provide for the enforcement of the provisions of this section. For a period of three years from May 28, 1956, surplus crops grown on lands reclaimed by flood-control projects hereafter authorized and the lands so reclaimed shall be ineligible for any benefits under the soil-bank provisions of this Act and under price support legislation.

(c) Determination and proclamation of surplus agricultural commodities

On or before October 1 of each year, the Secretary of Agriculture shall determine and proclaim the agricultural commodities the supplies of which are in excess of estimated requirements for domestic consumption and export plus adequate reserves for emergencies. The commodities so proclaimed shall be considered to be in surplus supply for the purposes of this section during the succeeding crop year.

(d) "Federal irrigation or drainage project" defined

For the purposes of this section the term ''Federal irrigation or drainage project'' means any irrigation or drainage project subject to the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) in effect at the date of the adoption of this amendment and any irrigation or drainage project subject to the laws relating to irrigation and drainage administered by the Department of Agriculture or the Secretary of Agriculture.

(May 28, 1956, ch. 327, title II, § 211, 70 Stat. 202.)

REFERENCES IN TEXT

The soil-bank provisions of this Act, referred to in subsec. (c), probably means those provisions of act May 28, 1956, ch. 327, known as the Agricultural Act of 1956, which enacted the Soil Bank Act, and which were classified to subchapters I to III (§ 1801 et seq.) of chapter 45 of this title. The Soil Bank Act was repealed by Pub. L. 89–321, title VI, § 601, Nov. 3, 1965, 79 Stat. 1206. For complete classification of the Soil Bank Act to the Code prior to repeal, see Tables.

Act of June 17, 1902, referred to in subsec. (d), is act June 17, 1902, ch. 1093, 32 Stat. 388, which is classified generally to chapter 12 (§ 371 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 371 of Title 43 and Tables.

The date of the adoption of this amendment, referred to in subsec. (d), probably means the date of enactment of the Agricultural Act of 1956, which was May 28, 1956.

CHAPTER 47—INTERCHANGE OF DEPARTMENT OF AGRICULTURE AND STATE EMPLOYEES

§§ 1881 to 1888. Repealed. Pub. L. 91–648, title IV, § 403, Jan. 5, 1971, 84 Stat. 1925

Sections, act Aug. 2, 1956, ch. 878, §§ 1–8, 70 Stat. 934, related to:

Section 1881, declaration of purpose;

Section 1882, definitions;

Section 1883, cooperative agreements and period of assignment;

Section 1884, amended Aug. 4, 1965, Pub. L. 89–106, § 6, 79 Stat. 432, Departmental employees, status, salary and leave rights, and disability or death arising out of injury;

Section 1885, travel expenses of departmental employees;

Section 1886, State employees: appointments or detail, compensation, and supervision of duties;

Section 1887, State employees: conflict of interest and disability or death arising out of injury; and

Section 1888, travel expenses of state employees. See section 3371 et seq. of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF REPEAL

Repeal effective sixty days after Jan. 5, 1971, see section 404 of Pub. L. 91–648, set out as an Effective Date note under section 3371 of Title 5, Government Organization and Employees.

CHAPTER 48—HUMANE METHODS OF LIVESTOCK SLAUGHTER

Sec.
1901. Findings and declaration of policy.
1902. Humane methods.
1903. Repealed.
1904. Methods research; designation of methods.
1905. Repealed.
1906. Exemption of ritual slaughter.
1907. Practices involving nonambulatory livestock.

§ 1901. Findings and declaration of policy

The Congress finds that the use of humane methods in the slaughter of livestock prevents needless suffering; results in safer and better working conditions for persons engaged in the

slaughtering industry; brings about improvement of products and economies in slaughtering operations; and produces other benefits for producers, processors, and consumers which tend to expedite an orderly flow of livestock and livestock products in interstate and foreign commerce. It is therefore declared to be the policy of the United States that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods.

(Pub. L. 85–765, § 1, Aug. 27, 1958, 72 Stat. 862.)

SHORT TITLE OF 1978 AMENDMENT

For citation of Pub. L. 95–445, Oct. 10, 1978, 92 Stat. 1069, as the ''Humane Methods of Slaughter Act of 1978'', see Short Title of 1978 Amendment note set out under section 601 of Title 21, Food and Drugs.

ENFORCEMENT OF HUMANE METHODS OF SLAUGHTER ACT OF 1958

Pub. L. 107–171, title X, § 10305, May 13, 2002, 116 Stat. 493, provided that:

''(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Agriculture should—

''(1) continue tracking the number of violations of Public Law 85–765 (7 U.S.C. 1901 et seq.; commonly known as the 'Humane Methods of Slaughter Act of 1958') and report the results and relevant trends annually to Congress; and

''(2) fully enforce Public Law 85–765 by ensuring that humane methods in the slaughter of livestock—

''(A) prevent needless suffering;

''(B) result in safer and better working conditions for persons engaged in slaughtering operations;

''(C) bring about improvement of products and economies in slaughtering operations; and

''(D) produce other benefits for producers, processors, and consumers that tend to expedite an orderly flow of livestock and livestock products in interstate and foreign commerce.

''(b) UNITED STATES POLICY.—It is the policy of the United States that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods, as provided by Public Law 85–765.''

COMMERCIAL TRANSPORTATION OF EQUINE FOR SLAUGHTER

Pub. L. 104–127, title IX, subtitle A, Apr. 4, 1996, 110 Stat. 1184, provided that:

''SEC. 901. FINDINGS.

''Because of the unique and special needs of equine being transported to slaughter, Congress finds that it is appropriate for the Secretary of Agriculture to issue guidelines for the regulation of the commercial transportation of equine for slaughter by persons regularly engaged in that activity within the United States.

''SEC. 902. DEFINITIONS.

''In this subtitle:

''(1) COMMERCIAL TRANSPORTATION.—The term 'commercial transportation' means the regular operation for profit of a transport business that uses trucks, tractors, trailers, or semitrailers, or any combination thereof, propelled or drawn by mechanical power on any highway or public road.

''(2) EQUINE FOR SLAUGHTER.—The term 'equine for slaughter' means any member of the Equidae family being transferred to a slaughter facility, including an assembly point, feedlot, or stockyard.

''(3) PERSON.—The term 'person'—

''(A) means any individual, partnership, corporation, or cooperative association that regularly engages in the commercial transportation of equine for slaughter; but

''(B) does not include any individual or other entity referred to in subparagraph (A) that occasionally transports equine for slaughter incidental to the principal activity of the individual or other entity in production agriculture.

''SEC. 903. REGULATION OF COMMERCIAL TRANSPORTATION OF EQUINE FOR SLAUGHTER.

''(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary of Agriculture may issue guidelines for the regulation of the commercial transportation of equine for slaughter by persons regularly engaged in that activity within the United States.

''(b) ISSUES FOR REVIEW.—In carrying out this section, the Secretary of Agriculture shall review the food, water, and rest provided to equine for slaughter in transit, the segregation of stallions from other equine during transit, and such other issues as the Secretary considers appropriate.

''(c) ADDITIONAL AUTHORITY.—In carrying out this section, the Secretary of Agriculture may—

''(1) require any person to maintain such records and reports as the Secretary considers necessary;

''(2) conduct such investigations and inspections as the Secretary considers necessary; and

''(3) establish and enforce appropriate and effective civil penalties.

''SEC. 904. LIMITATION OF AUTHORITY TO EQUINE FOR SLAUGHTER.

''Nothing in this subtitle authorizes the Secretary of Agriculture to regulate the routine or regular transportation, to slaughter or elsewhere, of—

''(1) livestock other than equine; or

''(2) poultry.

''SEC. 905. EFFECTIVE DATE.

''This subtitle shall become effective on the first day of the first month that begins 30 days or more after the date of enactment of this Act [Apr. 4, 1996].''

§ 1902. Humane methods

No method of slaughtering or handling in connection with slaughtering shall be deemed to comply with the public policy of the United States unless it is humane. Either of the following two methods of slaughtering and handling are hereby found to be humane:

(a) in the case of cattle, calves, horses, mules, sheep, swine, and other livestock, all animals are rendered insensible to pain by a single blow or gunshot or an electrical, chemical or other means that is rapid and effective, before being shackled, hoisted, thrown, cast, or cut; or

(b) by slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument and handling in connection with such slaughtering.

(Pub. L. 85–765, § 2, Aug. 27, 1958, 72 Stat. 862; Pub. L. 95–445, § 5(a), Oct. 10, 1978, 92 Stat. 1069.)

AMENDMENTS

1978—Par. (b). Pub. L. 95–445 inserted ''and handling in connection with such slaughtering'' at end.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95–445 effective one year after Oct. 10, 1978, and nonapplicability during not to exceed additional 18 months in hardship cases, see sec. 7 of Pub. L. 95–445 set out as a note under section 603 of Title 21, Food and Drugs.

§ 1903. Repealed. Pub. L. 95–445, § 5(b), Oct. 10, 1978, 92 Stat. 1069

Section, Pub. L. 85–765, § 3, Aug. 27, 1958, 72 Stat. 862, related to limitations on Government procurement and price support, modifications during national emergency, and statements of eligibility.

EFFECTIVE DATE OF REPEAL

Repeal effective one year after Oct. 10, 1978, and nonapplicability during not to exceed additional 18 months in hardship cases, see sec. 7 of Pub. L. 95–445 set out as an Effective Date of 1978 Amendment note under section 603 of Title 21, Food and Drugs.

CONTRACTS FOR OR PROCUREMENT OF LIVESTOCK PRODUCTS DURING THE PERIOD FROM JUNE 30, 1960, TO AUGUST 30, 1960

Pub. L. 86–547, June 29, 1960, 74 Stat. 255, permitted any agency or instrumentality of the United States, during the period from June 30, 1960, to August 30, 1960, to contract for or procure livestock products produced or processed by a slaughterer or processor which slaughters or handles for slaughter livestock by methods other than those designated and approved by the Secretary of Agriculture if such slaughterer or processor has contracted for the purchase of the equipment necessary to enable him to adopt such methods but such equipment has not been delivered to him.

§ 1904. Methods research; designation of methods

In furtherance of the policy expressed herein the Secretary is authorized and directed—

(a) to conduct, assist, and foster research, investigation, and experimentation to develop and determine methods of slaughter and the handling of livestock in connection with slaughter which are practicable with reference to the speed and scope of slaughtering operations and humane with reference to other existing methods and then current scientific knowledge; and

(b) on or before March 1, 1959, and at such times thereafter as he deems advisable, to designate methods of slaughter and of handling in connection with slaughter which, with respect to each species of livestock, conform to the policy stated in this chapter. If he deems it more effective, the Secretary may make any such designation by designating methods which are not in conformity with such policy. Designations by the Secretary subsequent to March 1, 1959, shall become effective 180 days after their publication in the Federal Register.

(Pub. L. 85–765, § 4, Aug. 27, 1958, 72 Stat. 863; Pub. L. 95–445, § 5(b)–(e), Oct. 10, 1978, 92 Stat. 1069.)

AMENDMENTS

1978—Par. (a). Pub. L. 95–445, § 5(d), inserted ''and'' after the semicolon at end.

Par. (b). Pub. L. 95–445, § 5(c), (e), struck out ''for purposes of section 1903 of this title'' before ''180 days'', and substituted a period for the semicolon at end.

Par. (c). Pub. L. 95–445, § 5(b), repealed par. (c).

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95–445 effective one year after Oct. 10, 1978, and nonapplicability during not to exceed additional 18 months in hardship cases, see sec. 7 of Pub. L. 95–445 set out as a note under section 603 of Title 21, Food and Drugs.

§ 1905. Repealed. Pub. L. 95–445, § 5(b), Oct. 10, 1978, 92 Stat. 1069

Section, Pub. L. 85–765, § 5, Aug. 27, 1958, 72 Stat. 863, related to establishment, composition, functions, compensation, meetings, and reports of advisory committees.

EFFECTIVE DATE OF REPEAL

Repeal effective one year after Oct. 10, 1978, and nonapplicability during not to exceed additional 18 months in hardship cases, see sec. 7 of Pub. L. 95–445 set out as an Effective Date of 1978 Amendment note under section 603 of Title 21, Food and Drugs.

§ 1906. Exemption of ritual slaughter

Nothing in this chapter shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group. Notwithstanding any other provision of this chapter, in order to protect freedom of religion, ritual slaughter and the handling or other preparation of livestock for ritual slaughter are exempted from the terms of this chapter. For the purposes of this section the term ''ritual slaughter'' means slaughter in accordance with section 1902(b) of this title.

(Pub. L. 85–765, § 6, Aug. 27, 1958, 72 Stat. 864.)

§ 1907. Practices involving nonambulatory livestock

(a) Report

The Secretary of Agriculture shall investigate and submit to Congress a report on—

(1) the scope of nonambulatory livestock;

(2) the causes that render livestock nonambulatory;

(3) the humane treatment of nonambulatory livestock; and

(4) the extent to which nonambulatory livestock may present handling and disposition problems for stockyards, market agencies, and dealers.

(b) Authority

Based on the findings of the report, if the Secretary determines it necessary, the Secretary shall promulgate regulations to provide for the humane treatment, handling, and disposition of nonambulatory livestock by stockyards, market agencies, and dealers.

(c) Administration and enforcement

For the purpose of administering and enforcing any regulations promulgated under subsection (b) of this section, the authorities provided under sections 10414 [7 U.S.C. 8313] and 10415 [7 U.S.C. 8314] shall apply to the regulations in a similar manner as those sections apply to the Animal Health Protection Act [7 U.S.C. 8301 et seq.]. Any person that violates regulations promulgated under subsection (b) of this section shall be subject to penalties provided in section 10414.

(Pub. L. 107–171, title X, § 10815, May 13, 2002, 116 Stat. 532.)

REFERENCES IN TEXT

The Animal Health Protection Act, referred to in subsec. (c), is subtitle E (§§ 10401–10418) of title X of Pub. L. 107–171, May 13, 2002, 116 Stat. 494, which is classified

principally to chapter 109 (§ 8301 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 8301 of this title and Tables.

CODIFICATION

Section was enacted as part of the Farm Security and Rural Investment Act of 2002 and not as part of Pub. L. 85–765, which comprises this chapter.

CHAPTER 49—CONSULTATION ON AGRICULTURAL PROGRAMS

Sec.
1911. Consultation of Secretary of Agriculture with farmers, farm and commodity organizations and other persons and organizations; travel and per diem expenses.
1912. Submission of legislative proposals.
1913. Authority of Secretary of Agriculture under other provisions of law and to establish and consult with advisory committees.

§ 1911. Consultation of Secretary of Agriculture with farmers, farm and commodity organizations and other persons and organizations; travel and per diem expenses

(a) Notwithstanding any other provision of law, whenever the Secretary of Agriculture determines that additional legislative authority is necessary to develop new agricultural programs involving supply adjustments or marketing regulations through marketing orders, marketing quotas, or price support programs with respect to any agricultural commodity, or to make substantial revisions in any existing agricultural legislation or programs, he may consult and advise with farmers, farm organizations, and appropriate commodity organizations, if any, for the commodity involved, to review the problems involved, the need for new legislation, and the provisions which should be included in any such proposed legislation.

(b) In addition, whenever and to the extent he deems such action necessary or desirable, the Secretary of Agriculture may consult and advise with any person or group of persons, or organizations, including farmers, handlers, processors, or others connected with the production, processing, handling, or use of the commodity involved, with respect to the problems involved and need for legislation and the provisions which should be included in any such proposed legislation.

(c) In order that the Secretary of Agriculture may be assured of being able to obtain the advice of any such person or organization, he is authorized, whenever he determines such action necessary, to pay for each day's attendance at meetings and while traveling to and from such meetings, transportation expenses and in lieu of subsistence, a per diem in the amount authorized under subchapter I of chapter 57 of title 5 for Federal employees. No salary or other compensation shall be paid.

(Pub. L. 87–128, title I, § 102, Aug. 8, 1961, 75 Stat. 295.)

CODIFICATION

In subsec. (c), ''subchapter I of chapter 57 of title 5'' substituted for ''the Travel Expense Act of 1949'' on authority of Pub. L. 89–554, § 7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

SHORT TITLE

Section 1 of Pub. L. 87–128 provided: ''That this Act [enacting this section and sections 1013a, 1912, 1913, 1921 to 1933, 1941 to 1947, 1961 to 1968, 1969, 1970, 1971, 1981 to 1993, and 2261 of this title, amending sections 602, 608a, 608c, 608e–1, 1334, 1335, 1336, 1340, 1444b, 1446a, 1701, 1703, 1704, 1706, 1709, 1723, 1724, and 1782 of this title and section 590p of Title 16, repealing sections 1001 to 1005d, 1006c to 1006e, 1007, 1008, 1009, 1014 to 1025, 1027 to 1029 of this title, sections 1148a–1 to 1148a–3 of Title 12, and sections 590r to 590x–4 of Title 16, and enacting provisions set out as notes under this section and sections 1282, 1334, 1335, 1441, 1446, 1703, and 1921 of this title and section 590p of Title 16, and repealing Act Aug. 31, 1954, ch. 1145, 68 Stat. 999, set out as a note under former section 1148a–1 of Title 12], may be cited as the 'Agricultural Act of 1961'.''

Section 101 of Pub. L. 87–128 provided that: ''This title [enacting this section and sections 1912 and 1913, amending sections 602, 608a, 608c, 608e–1, 1334, 1335, 1336, 1340, and 1782 of this title and section 590p of Title 16, and enacting provisions set out as notes under sections 1334, 1340, 1441, and 1911 of this title and section 590p of Title 16] may be cited as the 'Agricultural Enabling Amendments Act of 1961'.''

§ 1912. Submission of legislative proposals

If the Secretary of Agriculture, after such consultation and receipt of such advice as provided in section 1911 of this title, determines that additional legislative authority is necessary to develop agricultural programs involving supply adjustments or marketing regulations through the use of marketing orders, marketing quotas or price-support programs, he shall formulate specific recommendations in the form of proposed legislation which shall be submitted to the Congress together with a statement setting forth the purpose and need for such proposed legislation.

(Pub. L. 87–128, title I, § 103, Aug. 8, 1961, 75 Stat. 295.)

§ 1913. Authority of Secretary of Agriculture under other provisions of law and to establish and consult with advisory committees

Nothing in this Act shall be deemed to limit the authority of the Secretary of Agriculture under other provision of law or to establish or consult with advisory committees.

(Pub. L. 87–128, title I, § 104, Aug. 8, 1961, 75 Stat. 295.)

REFERENCES IN TEXT

This Act, referred to in text, means Pub. L. 87–128, Aug. 8, 1961, 75 Stat. 294, as amended, known as the Agricultural Act of 1961. For complete classification of this Act to the Code, see Short Title note set out under section 1911 of this title and Tables.

CHAPTER 50—AGRICULTURAL CREDIT

Sec.
1921. Congressional findings.

SUBCHAPTER I—REAL ESTATE LOANS

1922. Persons eligible for real estate loans.
1923. Purposes of loans.
1924. Conservation loan and loan guarantee program.
1925. Limitations on amount of farm ownership loans.
1926. Water and waste facility loans and grants.
1926–1. Repealed.