

minimize the burden in administering the assessment provision but still provide for the maximum participation of imports of cotton in the assessment provisions of this chapter.

(d) The term “handler” means any person who handles cotton or cottonseed or, for the purposes of sections 2102, 2105(c), and 2112 of this title, any person who imports cotton, including de minimis amounts of cotton described in subsection (c) of this section, in the manner specified in the order or in the rules and regulations issued thereunder.

(e) The term “United States” means the 50 States of the United States of America.

(f) The term “cotton-producing State” means any State in which the average annual production of cotton during the five years 1960–1964 was twenty thousand bales or more, except that any State producing cotton whose production during such period was less than such amount shall under regulations prescribed by the Secretary be combined with another State or States producing cotton in such manner that such average annual production of such combination of States totaled twenty thousand bales or more, and the term “cotton-producing State” shall include any such combination of States.

(g) The term “marketing” includes the sale of cotton or the pledging of cotton to the Commodity Credit Corporation as collateral for a price support loan.

(h)(1) The term “importer” means any person who enters, or withdraws from warehouse, cotton for consumption in the customs territory of the United States.

(2) The term “import” means any such entry. (Pub. L. 89–502, §17, July 13, 1966, 80 Stat. 286; Pub. L. 101–624, title XIX, §1997, Nov. 28, 1990, 104 Stat. 3913.)

#### AMENDMENTS

1990—Subsec. (c). Pub. L. 101–624, §1997(1), designated existing provisions as cl. (1) and added cl. (2).

Subsec. (d). Pub. L. 101–624, §1997(2), inserted “or, for the purposes of sections 2102, 2105(c), and 2112 of this title, any person who imports cotton, including de minimis amounts of cotton described in subsection (c) of this section,” after “cottonseed”.

Subsec. (h). Pub. L. 101–624, §1997(3), added subsec. (h).

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2107 of this title.

### § 2117. Separability

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

(Pub. L. 89–502, §18, July 13, 1966, 80 Stat. 286.)

### § 2118. Authorization of appropriations

There is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated such funds as are necessary to carry out the provisions of this chapter. The funds so appropriated shall not be available for the payment of the expenses or expenditures of the Cotton Board in administering any provi-

sions of any order issued pursuant to the terms of this chapter.

(Pub. L. 89–502, §19, July 13, 1966, 80 Stat. 287.)

### § 2119. Repealed. Pub. L. 94–366, § 1, July 14, 1976, 90 Stat. 991

Section, Pub. L. 91–524, title VI, §610, Nov. 30, 1970, 84 Stat. 1378; Pub. L. 93–86, §1(23), Aug. 10, 1973, 87 Stat. 235, related to cotton development programs of the Commodity Credit Corporation, and funding for such programs.

#### EFFECTIVE DATE OF REPEAL

Section 1 of Pub. L. 94–366 provided that this section is repealed effective Oct. 1, 1977.

## CHAPTER 54—TRANSPORTATION, SALE, AND HANDLING OF CERTAIN ANIMALS

Sec. 2131. 2132. 2133. 2134.  2135.  2136.  2137.  2138.  2139. 2140.  2141. 2142.  2143.	Congressional statement of policy. Definitions. Licensing of dealers and exhibitors. Valid license for dealers and exhibitors required. Time period for disposal of dogs or cats by dealers or exhibitors. Registration of research facilities, handlers, carriers and unlicensed exhibitors. Purchase of dogs or cats by research facilities prohibited except from authorized operators of auction sales and licensed dealers or exhibitors. Purchase of dogs or cats by United States Government facilities prohibited except from authorized operators of auction sales and licensed dealers or exhibitors. Principal-agent relationship established. Recordkeeping by dealers, exhibitors, research facilities, intermediate handlers, and carriers. Marking and identification of animals. Humane standards and recordkeeping requirements at auction sales. Standards and certification process for humane handling, care, treatment, and transportation of animals. (a) Promulgation of standards, rules, regulations, and orders; requirements; research facilities; State authority. (b) Research facility Committee; establishment, membership, functions, etc. (c) Federal research facilities; establishment, composition, and responsibilities of Federal Committee. (d) Training of scientists, animal technicians, and other personnel involved with animal care and treatment at research facilities. (e) Establishment of information service at National Agricultural Library; service functions. (f) Suspension or revocation of Federal support for research projects; prerequisites; appeal procedure. (g) Veterinary certificate; contents; exceptions. (g) Age of animals delivered to registered research facilities; power of Secretary to designate additional classes of animals and age limits. (h) Prohibition of C.O.D. arrangements for transportation of animals in commerce; exceptions.
2144.	Humane standards for animals by United States Government facilities.
2145.	Consultation and cooperation with Federal, State, and local governmental bodies by Secretary of Agriculture.

- Sec. 2146. Administration and enforcement by Secretary.
  - (a) Investigations and inspections.
  - (b) Penalties for interfering with official duties.
  - (c) Procedures.
- 2147. Inspection by legally constituted law enforcement agencies.
- 2148. Repealed.
- 2149. Violations by licensees.
  - (a) Temporary license suspension; notice and hearing; revocation.
  - (b) Civil penalties for violation of any section, etc.; separate offenses; notice and hearing; appeal; considerations in assessing penalty; compromise of penalty; civil action by Attorney General for failure to pay penalty; district court jurisdiction; failure to obey cease and desist order.
  - (c) Appeal of final order by aggrieved person; limitations; exclusive jurisdiction of United States Courts of Appeals.
  - (d) Criminal penalties for violation; initial prosecution brought before United States magistrate judges; conduct of prosecution by attorneys of United States Department of Agriculture.
- 2150. Repealed.
- 2151. Rules and regulations.
- 2152. Separability.
- 2153. Fees and authorization of appropriations.
- 2154. Effective dates.
- 2155. Annual report to the President of the Senate and the Speaker of the House of Representatives.
- 2156. Animal fighting venture prohibition.
  - (a) Sponsoring or exhibiting animal in any fighting venture.
  - (b) Buying, selling, delivering, or transporting animals for participation in animal fighting venture.
  - (c) Use of Postal Service or other interstate instrumentality for promoting or furthering animal fighting venture.
  - (d) Violation of State law.
  - (e) Penalties.
  - (f) Investigation of violations by Secretary; assistance by other Federal agencies; issuance of search warrant; forfeiture; costs recoverable in forfeiture or civil action.
  - (g) Definitions.
  - (h) Conflict with State law.
- 2157. Release of trade secrets.
  - (a) Release of confidential information prohibited.
  - (b) Wrongful use of confidential information prohibited.
  - (c) Penalties.
  - (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.

§ 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