

for sale or advertise, by variety name, seed not certified by an official seed certifying agency, when it is a variety for which a certificate of plant variety protection under the Plant Variety Protection Act [7 U.S.C. 2321 et seq.] specifies sale only as a class of certified seed: *Provided*, That seed from a certified lot may be labeled as to variety name when used in a mixture by, or with the approval of, the owners of the variety.

(Aug. 9, 1939, ch. 615, title V, § 501, as added Pub. L. 91-577, title III, § 142(a), Dec. 24, 1970, 84 Stat. 1558; amended Pub. L. 97-98, title XI, § 1118, Dec. 22, 1981, 95 Stat. 1272.)

REFERENCES IN TEXT

The Plant Variety Protection Act, referred to in text, is Pub. L. 91-577, Dec. 24, 1970, 84 Stat. 1542, as amended, which is classified principally to chapter 57 (§ 2321 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2321 of this title and Tables.

AMENDMENTS

1981—Pub. L. 97-98 substituted “sell or offer for sale or advertise, by variety name, seed” for “sell by variety name seed”, “certifying agency, when” for “certifying agency when”, and “owners of the variety” for “owner of the variety”.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE DATE

Section effective Dec. 24, 1970, see section 141 of Pub. L. 91-577, set out as a note under section 2321 of this title.

CHAPTER 38—DISTRIBUTION AND MARKETING OF AGRICULTURAL PRODUCTS

SUBCHAPTER I—GENERAL PROVISIONS

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| 1621. | Congressional declaration of purpose; use of existing facilities; cooperation with States. |
| 1622. | Duties of Secretary relating to agricultural products. <ul style="list-style-type: none"> (a) Determination of methods of processing, packaging, marketing, etc.; publication of results. (b) Determination of costs. (c) Improvement of standards of quality, condition, etc.; standard of quality for ice cream. (d) Elimination of artificial barriers to free movement. (e) Development of new markets. (f) Increasing consumer education. (g) Collection and dissemination of marketing information. (h) Inspection and certification of products in interstate commerce; credit and future availability of funds; investment; certificates as evidence; penalties. (i) Development of facilities for assembling, processing, transporting, etc. (j) Improvement of transportation facilities and rates. (k) Collection and dissemination of marketing statistics. (l) Development of procurement standards and specifications. (m) Promotion of research for handling, storing, preserving, etc. |

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| Sec. | |
| | (n) General research, services, and activities. |
| 1622a. | Authority to assist farmers and elevator operators. |
| 1623. | Authorization of appropriations; allotments to States. |
| 1623a. | Minimum sum for contracting. |
| 1624. | Cooperation with Government and State agencies, private research organizations, etc.; rules and regulations. |
| 1625. | Transfer and consolidation of functions, powers, bureaus, etc. |
| 1626. | Definitions. |
| 1627. | Appointment of personnel; compensation; employment of specialists. |
| 1628. | Repealed. |
| 1629. | Establishment of committees to assist in research and service programs. |
| 1630. | Omitted. |
| 1631. | Protection for purchasers of farm products. <ul style="list-style-type: none"> (a) Congressional findings. (b) Declaration of purpose. (c) Definitions. (d) Purchases free of security interest. (e) Purchases subject to security interest. (f) Law governing “receipt”. (g) Commission merchants or selling agents: sales free of or subject to security interest; law governing “receipt”. (h) Security agreements; identity lists; notice of identity or accounting for proceeds; violations. (i) Regulations. (j) Effective date. |
| 1632. | Market expansion research. |

SUBCHAPTER II—LIVESTOCK MANDATORY REPORTING

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| 1635. | Purpose. |
| 1635a. | Definitions. |
| PART B—CATTLE REPORTING | |
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| 1635e. | Mandatory reporting for live cattle. <ul style="list-style-type: none"> (a) Establishment. (b) General reporting provisions applicable to packers and the Secretary. (c) Daily reporting. (d) Weekly reporting. (e) Regional reporting of cattle types. |
| 1635f. | Mandatory packer reporting of boxed beef sales. <ul style="list-style-type: none"> (a) Daily reporting. (b) Publication. |

PART C—SWINE REPORTING

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| 1635i. | Definitions. |
| 1635j. | Mandatory reporting for swine. <ul style="list-style-type: none"> (a) Establishment. (b) General reporting provisions applicable to packers and the Secretary. (c) Daily reporting. (d) Weekly noncarcass merit premium report. |

PART D—LAMB REPORTING

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| 1635m. | Mandatory reporting for lambs. <ul style="list-style-type: none"> (a) Establishment. (b) Notice and comment. |
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PART E—ADMINISTRATION

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| 1636. | General provisions. <ul style="list-style-type: none"> (a) Confidentiality. (b) Disclosure by Federal Government employees. |
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- (c) Reporting by packers.
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 - (g) Electronic reporting and publishing.
 - (h) Reporting of activities on weekends and holidays.
 - (i) Effect on other laws.
- 1636a. Unlawful acts.
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- (a) Civil penalty.
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- 1636c. Fees.
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- (a) In general.
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 - (c) Purchases of cattle or swine.
- 1636e. Voluntary reporting.
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- (a) In general.
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- 1636g. Suspension authority regarding specific terms of price reporting requirements.
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CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 198b, 1623a, 6104 of this title; title 21 section 1033.

SUBCHAPTER I—GENERAL PROVISIONS

§ 1621. Congressional declaration of purpose; use of existing facilities; cooperation with States

The Congress declares that a sound, efficient, and privately operated system for distributing and marketing agricultural products is essential to a prosperous agriculture and is indispensable to the maintenance of full employment and to the welfare, prosperity, and health of the Nation. It is further declared to be the policy of Congress to promote through research, study, experimentation, and through cooperation among Federal and State agencies, farm organizations, and private industry a scientific approach to the problems of marketing, transportation, and distribution of agricultural products similar to the scientific methods which have been utilized so successfully during the past eighty-four years in connection with the production of agricultural products so that such products capable of being produced in abundance may be marketed in an orderly manner and efficiently distributed. In order to attain these objectives, it is the intent of Congress to provide for (1) continuous research to improve the marketing, handling, storage, processing, transportation, and distribution of agricultural products; (2) cooperation among Federal and State agencies, producers, industry organizations, and others in the development and effectuation of research and marketing programs to improve the distribution processes; (3) an integrated administration of all laws enacted by Congress to

aid the distribution of agricultural products through research, market aids and services, and regulatory activities, to the end that marketing methods and facilities may be improved, that distribution costs may be reduced and the price spread between the producer and consumer may be narrowed, that dietary and nutritional standards may be improved, that new and wider markets for American agricultural products may be developed, both in the United States and in other countries, with a view to making it possible for the full production of American farms to be disposed of usefully, economically, profitably, and in an orderly manner. In effectuating the purposes of this chapter, maximum use shall be made of existing research facilities owned or controlled by the Federal Government or by State agricultural experiment stations and of the facilities of the Federal and State extension services. To the maximum extent practicable marketing research work done under this chapter in cooperation with the States shall be done in cooperation with the State agricultural experiment stations; marketing educational and demonstrational work done under this chapter in cooperation with the States shall be done in cooperation with the State agricultural extension service; market information, inspection, regulatory work and other marketing service done under this chapter in cooperation with the State agencies shall be done in cooperation with the State departments of agriculture, and State bureaus and departments of markets.

(Aug. 14, 1946, ch. 966, title II, §202, 60 Stat. 1087.)

SHORT TITLE

Section 201 of title II of act Aug. 14, 1946, provided that: "This title [enacting this chapter] may be cited as the 'Agricultural Marketing Act of 1946'."

TRANSFER OF FUNCTIONS

Functions of all officers, agencies, and employees of Department of Agriculture transferred, with certain exceptions, to Secretary of Agriculture by 1953 Reorg. Plan No. 2, §1, eff. June 4, 1953, 18 F.R. 3219, 67 Stat. 633, set out as a note under section 2201 of this title.

NATIONAL COMMISSION ON FOOD MARKETING

Pub. L. 88-354, July 3, 1964, 78 Stat. 269, as amended by Pub. L. 89-20, May 15, 1965, 79 Stat. 111, provided for the establishment of a bipartisan National Commission on Food Marketing composed of fifteen members, five from the Senate, five from the House of Representatives and five from outside the Federal Government, to study and appraise the marketing structure of the food industry and to make a final report of its findings and conclusions to the President and to the Congress by July 1, 1966. The Commission ceased to exist ninety days after submission of its final report.

CROSS REFERENCES

Marketing of agricultural products, cooperation with state agencies in administration and enforcement of laws relating to, see section 450 of this title.

Poultry and poultry products inspection, see section 451 et seq. of Title 21, Food and Drugs.

§ 1622. Duties of Secretary relating to agricultural products

The Secretary of Agriculture is directed and authorized: