

the prior written consent of the Attorney General of the United States. Prior to granting such approval, the Attorney General shall determine that not more than one of the newspaper publications involved in the arrangement is a publication other than a failing newspaper, and that approval of such arrangement would effectuate the policy and purpose of this chapter.

**(c) Predatory practices not exempt**

Nothing contained in the chapter shall be construed to exempt from any antitrust law any predatory pricing, any predatory practice, or any other conduct in the otherwise lawful operations of a joint newspaper operating arrangement which would be unlawful under any antitrust law if engaged in by a single entity. Except as provided in this chapter, no joint newspaper operating arrangement or any party thereto shall be exempt from any antitrust law.

(Pub. L. 91-353, § 4, July 24, 1970, 84 Stat. 467.)

REFERENCES IN TEXT

Any antitrust law, referred to in subsecs. (a) and (c), are the antitrust laws defined in section 1802 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1804 of this title.

**§ 1804. Reinstatement of joint operating arrangements previously adjudged unlawful under antitrust laws**

(a) Notwithstanding any final judgment rendered in any action brought by the United States under which a joint operating arrangement has been held to be unlawful under any antitrust law, any party to such final judgment may reinstitute said joint newspaper operating arrangement to the extent permissible under section 1803(a) of this title.

(b) The provisions of section 1803 of this title shall apply to the determination of any civil or criminal action pending in any district court of the United State<sup>1</sup> on July 24, 1970, in which it is alleged that any such joint operating agreement is unlawful under any antitrust law.

(Pub. L. 91-353, § 5, July 24, 1970, 84 Stat. 467.)

REFERENCES IN TEXT

Any antitrust law, referred to in subsecs. (a) and (b), are the antitrust laws defined in section 1802 of this title.

**CHAPTER 44—PROTECTION OF HORSES**

- Sec.
- 1821. Definitions.
- 1822. Congressional statement of findings.
- 1823. Horse shows and exhibitions.
  - (a) Disqualification of horses.
  - (b) Prohibited activities.
  - (c) Appointment of inspectors; manner of inspections.
  - (d) Recordkeeping and reporting requirements; availability of records.
  - (e) Inspection by Secretary or duly appointed representative.
- 1824. Unlawful acts.
- 1825. Violations and penalties.
  - (a) Criminal acts and penalties.

<sup>1</sup> So in original. Probably should be "States".

- Sec.
- (b) Civil penalties; review and enforcement.
- (c) Disqualification of offenders; orders; civil penalties applicable; enforcement procedures.
- (d) Production of witnesses and books, papers, and documents; depositions; fees; presumptions; jurisdiction.
- (e) Detention of horses; seizure and condemnation of equipment.
- 1826. Notice of violations to Attorney General.
- 1827. Utilization of personnel of Department of Agriculture and officers and employees of consenting States; technical and other non-financial assistance to State.
  - (a) Assistance from Department of Agriculture and States.
  - (b) Assistance to States.
- 1828. Rules and regulations.
- 1829. Preemption of State laws; concurrent jurisdiction; prohibition on certain State action.
- 1830. Omitted.
- 1831. Authorization of appropriations.

**§ 1821. Definitions**

As used in this chapter unless the context otherwise requires:

(1) The term "management" means any person who organizes, exercises control over, or administers or who is responsible for organizing, directing, or administering.

(2) The term "Secretary" means the Secretary of Agriculture.

(3) The term "sore" when used to describe a horse means that—

(A) an irritating or blistering agent has been applied, internally or externally, by a person to any limb of a horse,

(B) any burn, cut, or laceration has been inflicted by a person on any limb of a horse,

(C) any tack, nail, screw, or chemical agent has been injected by a person into or used by a person on any limb of a horse, or

(D) any other substance or device has been used by a person on any limb of a horse or a person has engaged in a practice involving a horse,

and, as a result of such application, infliction, injection, use, or practice, such horse suffers, or can reasonably be expected to suffer, physical pain or distress, inflammation, or lameness when walking, trotting, or otherwise moving, except that such term does not include such an application, infliction, injection, use, or practice in connection with the therapeutic treatment of a horse by or under the supervision of a person licensed to practice veterinary medicine in the State in which such treatment was given.

(4) The term "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

(Pub. L. 91-540, § 2, Dec. 9, 1970, 84 Stat. 1404; Pub. L. 94-360, § 3, July 13, 1976, 90 Stat. 915.)

AMENDMENTS

1976—Pub. L. 94-360 added pars. (1) and (2), redesignated subsec. (a), defining "sore" as meaning that certain substances or devices had been applied to any limb of a horse prior to Dec. 9, 1970, resulting in, or reason-