

Section 5503, Pub. L. 101-624, title XIV, §1483, Nov. 28, 1990, 104 Stat. 3623; Pub. L. 102-237, title II, §201(e), Dec. 13, 1991, 105 Stat. 1847, required establishment of water quality coordination program within each State.

Section 5504, Pub. L. 101-624, title XIV, §1484, Nov. 28, 1990, 104 Stat. 3624, established water quality and nutrient management research program.

Section 5505, Pub. L. 101-624, title XIV, §1485, Nov. 28, 1990, 104 Stat. 3626; Pub. L. 102-237, title II, §201(f), Dec. 13, 1991, 105 Stat. 1847; Pub. L. 104-66, title I, §1011(r), Dec. 21, 1995, 109 Stat. 710, directed establishment of repository of agriculture and ground water quality planning information.

### § 5506. Water policy with respect to agricultural chemicals

#### (a) Authority

The Department of Agriculture shall be the principal Federal agency responsible and accountable for the development and delivery of educational programs, technical assistance, and research programs for the users and dealers of agricultural chemicals to insure that—

(1) the use, storage, and disposal of agricultural chemicals by users is prudent, economical, and environmentally sound; and

(2) agricultural users, dealers, and the general public understand the implications of their actions and the potential effects on water.

The Secretary is authorized to undertake such programs and assistance in cooperation with other Federal, State, and local governments and agencies, and appropriate nonprofit organizations. The Secretary shall disseminate the results of efforts in extension, technical assistance, research, and related activities. The Secretary shall undertake activities under this subtitle in coordination with the Office of Agricultural Environmental Quality in section 5402 of this title.

#### (b) Effect on existing authority

The authority granted in subsection (a) of this section does not alter or effect the responsibility of the Environmental Protection Agency under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.).

#### (c) Participation

The following agencies shall participate in the Department's water program: the Agricultural Research Service; the Agricultural Stabilization and Conservation Service; the Animal and Plant Health Inspection Service; the Cooperative State Research Service in conjunction with the system of State agricultural experiment stations; the Economic Research Service; the Extension Service, in conjunction with State and county cooperative extension services; the Forest Service; the National Agricultural Library; the National Agricultural Statistics Service; the Soil Conservation Service; and other agencies within the Department deemed appropriate by the Secretary.

(Pub. L. 101-624, title XIV, §1499, Nov. 28, 1990, 104 Stat. 3632; Pub. L. 102-237, title II, §201(g), Dec. 13, 1991, 105 Stat. 1847; Pub. L. 104-127, title VIII, §859(b), Apr. 4, 1996, 110 Stat. 1173.)

#### REFERENCES IN TEXT

This subtitle, referred to in subsec. (a), means subtitle H (§§1491-1499) of title XIV of Pub. L. 101-624, Nov.

28, 1990, 104 Stat. 3627, which enacted sections 1361-1 and 5506 of this title, amended sections 136a, 136a-1, 136d, 136w-3, and 450i of this title, and enacted provisions set out as a note under section 136a of this title. For complete classification of this subtitle to the Code, see Tables.

The Federal Insecticide, Fungicide, and Rodenticide Act, referred to in subsec. (b), is act June 25, 1947, ch. 125, as amended generally by Pub. L. 92-516, Oct. 21, 1972, 86 Stat. 973, which is classified generally to subchapter II (§136 et seq.) of chapter 6 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 136 of this title and Tables.

#### CODIFICATION

Section was not enacted as part of the Agriculture and Water Policy Coordination Act which comprises this chapter.

#### AMENDMENTS

1996—Subsec. (b). Pub. L. 104-127 struck out “and section 3125c of this title” before “does not alter”.

1991—Subsec. (a). Pub. L. 102-237, §201(g)(1), inserted “Agricultural” before “Environmental Quality” and substituted “section 5402 of this title” for “section 1612 of this Act”.

Subsec. (b). Pub. L. 102-237, §201(g)(2), substituted “Effect” for “Affect” in heading and inserted reference to section 3125c of this title.

Subsec. (c). Pub. L. 102-237, §201(g)(3), inserted “and” after “Animal”.

#### EFFECTIVE DATE OF 1991 AMENDMENT

Amendment by Pub. L. 102-237 effective as if included in the provision of the Food, Agriculture, Conservation, and Trade Act of 1990, Pub. L. 101-624, to which the amendment relates, see section 1101(b)(1) of Pub. L. 102-237, set out as a note under section 1421 of this title.

## CHAPTER 87—EXPORT PROMOTION

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L. 95-501, Oct. 21, 1978, 92 Stat. 1685, which enacted sections 1707b to 1707d, 1765a to 1765h, 1769, and 2211a of this title, amended sections 1707a, 1761, 1762, 1764, 1765, and 1766b of this title and section 5314 of Title 5, Government Organization and Employees, redesignated sections 1762(d), (f), and 1763 as sections 1766a to 1766c of this title, and enacted provisions set out as notes under sections 612c-3, 1761, and 2211a of this title and section 2431 of Title 19,</p>
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Customs Duties. The Act is shown herein, however, as having been added by Pub. L. 101-624, title XV, §1531, Nov. 28, 1990, 104 Stat. 3668, because of the extensive amendments, renumbering, reorganization of subject matter, and expansion of the basic Act's provisions by Pub. L. 101-624.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 22 section 7201.

SUBCHAPTER I—GENERAL PROVISIONS

**§ 5601. Purpose**

It is the purpose of this chapter to increase the profitability of farming and to increase opportunities for United States farms and agricultural enterprises by—

- (1) increasing the effectiveness of the Department of Agriculture in agricultural export policy formulation and implementation;
- (2) improving the competitiveness of United States agricultural commodities and products in the world market; and
- (3) providing for the coordination and efficient implementation of all agricultural export programs.

(Pub. L. 95-501, title I, §101, as added Pub. L. 101-624, title XV, §1531, Nov. 28, 1990, 104 Stat. 3669.)

PRIOR PROVISIONS

A prior section 101 of Pub. L. 95-501 amended section 1707a of this title prior to the complete revision of Pub. L. 95-501 by Pub. L. 101-624.

SHORT TITLE OF 1994 AMENDMENT

Pub. L. 103-465, title IV, §411(a)(1), Dec. 8, 1994, 108 Stat. 4962, provided that: "This subsection [amending section 5651 of this title] may be cited as the 'Export Enhancement Program Amendments of 1994'."

SHORT TITLE

Section 1 of Pub. L. 95-501, as added by Pub. L. 101-624, title XV, §1531, Nov. 28, 1990, 104 Stat. 3669, provided that: "This Act [enacting this chapter] may be cited as the 'Agricultural Trade Act of 1978'."

**§ 5602. Definitions**

As used in this chapter—

**(1) Agricultural commodity**

The term "agricultural commodity" means any agricultural commodity, food, feed, fiber, or livestock (including livestock as it is defined in section 1471(2) of this title and insects), and any product thereof.

**(2) Developing country**

The term "developing country" means a country that—

- (A) has a shortage of foreign exchange earnings and has difficulty accessing sufficient commercial credit to meet all of its food needs, as determined by the Secretary; and
- (B) has the potential to become a commercial market for agricultural commodities.

**(3) Secretary**

The term "Secretary" means the Secretary of Agriculture.

**(4) Service**

The term "Service" means the Foreign Agricultural Service of the Department of Agriculture.

**(5) Unfair trade practice**

**(A) In general**

Subject to subparagraph (B), the term "unfair trade practice" means any act, policy, or practice of a foreign country that—

- (i) violates, or is inconsistent with, the provisions of, or otherwise denies benefits to the United States under, any trade agreement to which the United States is a party; or
- (ii) is unjustifiable, unreasonable, or discriminatory and burdens or restricts United States commerce.

**(B) Consistency with 1974 Trade Act**

Nothing in this chapter may be construed to authorize the Secretary to make any determination regarding an unfair trade practice that is inconsistent with section 2411 of title 19.

**(6) United States**

The term "United States" includes each of the States, the District of Columbia, Puerto Rico, and the territories and possessions of the United States.

**(7) United States agricultural commodity**

The term "United States agricultural commodity" means—

- (A) an agricultural commodity or product entirely produced in the United States; or
- (B) a product of an agricultural commodity—
  - (i) 90 percent or more of the agricultural components of which by weight, excluding packaging and added water, is entirely produced in the United States; and
  - (ii) that the Secretary determines to be a high value agricultural product.

For purposes of this paragraph, fish entirely produced in the United States include fish harvested by a documented fishing vessel as defined in title 46 in waters that are not waters (including the territorial sea) of a foreign country.

**(8) Independent states of the former Soviet Union**

The term "independent states of the former Soviet Union" means the following: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.

(Pub. L. 95-501, title I, §102, as added Pub. L. 101-624, title XV, §1531, Nov. 28, 1990, 104 Stat. 3669; amended Pub. L. 102-511, title VII, §702, Oct. 24, 1992, 106 Stat. 3349; Pub. L. 104-127, title II, §243(c), Apr. 4, 1996, 110 Stat. 967.)

AMENDMENTS

1996—Par. (7). Pub. L. 104-127 added subpars. (A) and (B) and struck out former subpars. (A) and (B) which read as follows:

"(A) with respect to any agricultural commodity other than a product of an agricultural commodity, an agricultural commodity entirely produced in the United States; and

"(B) with respect to a product of an agricultural commodity—

"(i) a product all of the agricultural components of which are entirely produced in the United States; or