

EFFECTIVE DATE

Section effective 90 days after Nov. 21, 1997, except as otherwise provided, see section 501 of Pub. L. 105-115, set out as an Effective Date of 1997 Amendment note under section 321 of this title.

**§ 398. Notices to States regarding imported food**

**(a) In general**

If the Secretary has credible evidence or information indicating that a shipment of imported food or portion thereof presents a threat of serious adverse health consequences or death to humans or animals, the Secretary shall provide notice regarding such threat to the States in which the food is held or will be held, and to the States in which the manufacturer, packer, or distributor of the food is located, to the extent that the Secretary has knowledge of which States are so involved. In providing notice to a State, the Secretary shall request the State to take such action as the State considers appropriate, if any, to protect the public health regarding the food involved.

**(b) Rule of construction**

Subsection (a) of this section may not be construed as limiting the authority of the Secretary with respect to food under any other provision of this chapter.

(June 25, 1938, ch. 675, §908, as added Pub. L. 107-188, title III, §310, June 12, 2002, 116 Stat. 673.)

**§ 399. Grants to States for inspections**

**(a) In general**

The Secretary is authorized to make grants to States, territories, and Indian tribes (as defined in section 450b(e) of title 25) that undertake examinations, inspections, and investigations, and related activities under section 372 of this title. The funds provided under such grants shall only be available for the costs of conducting such examinations, inspections, investigations, and related activities.

**(b) Notices regarding adulterated imported food**

The Secretary may make grants to the States for the purpose of assisting the States with the costs of taking appropriate action to protect the public health in response to notification under section 398 of this title, including planning and otherwise preparing to take such action.

**(c) Authorization of appropriations**

For the purpose of carrying out this section, there are authorized to be appropriated \$10,000,000 for fiscal year 2002, and such sums as may be necessary for each of the fiscal years 2003 through 2006.

(June 25, 1938, ch. 675, §909, as added Pub. L. 107-188, title III, §311, June 12, 2002, 116 Stat. 673.)

**CHAPTER 10—POULTRY AND POULTRY PRODUCTS INSPECTION**

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467c.	Federal court jurisdiction of enforcement and injunction proceedings and other kinds of cases; limitations; United States as plaintiff; subpoenas.
467d.	Administration and enforcement; applicability of penalty provisions; conduct of inquiries; power and jurisdiction of courts.
467e.	Non-Federal jurisdiction of federally regulated matters; prohibition of additional or different requirements for establishments with inspection services and as to marking, labeling, packaging, and ingredients; recordkeeping and related requirements; concurrent jurisdiction over distribution for human food purposes of adulterated or misbranded and imported articles; other matters.
467f.	Federal Food, Drug, and Cosmetic Act applications.
468.	Cost of inspection; overtime.
469.	Authorization of appropriations.
470.	Omitted.
471.	Safe Meat and Poultry Inspection Panel.

**§ 451. Congressional statement of findings**

Poultry and poultry products are an important source of the Nation's total supply of food. They are consumed throughout the Nation and the major portion thereof moves in interstate or foreign commerce. It is essential in the public interest that the health and welfare of consumers be protected by assuring that poultry products distributed to them are wholesome, not adulterated, and properly marked, labeled, and packaged. Unwholesome, adulterated, or misbranded poultry products impair the effective regulation of poultry products in interstate or foreign commerce, are injurious to the public welfare, destroy markets for wholesome, not adulterated, and properly labeled and packaged poultry products, and result in sundry losses to poultry producers and processors of poultry and poultry products, as well as injury to consumers. It is hereby found that all articles and poultry which are regulated under this chapter are either in interstate or foreign commerce or substantially affect such commerce, and that regulation by the Secretary of Agriculture and cooperation by the States and other jurisdictions as contemplated by this chapter are appropriate to prevent and eliminate burdens upon such commerce, to effectively regulate such com-