

ing “this title”, meaning title II of act Aug. 14, 1946, ch. 966, 60 Stat. 1087, as amended, known as the Agricultural Marketing Act of 1946, which is classified generally to this chapter, to reflect the probable intent of Congress.

CODIFICATION

May 13, 2002, referred to in subsec. (f)(2), was in the original “the date of enactment of this Act”, which was translated as meaning the date of enactment of Pub. L. 107-171, which enacted this subchapter, to reflect the probable intent of Congress.

AMENDMENTS

2002—Subsec. (a)(2)(D). Pub. L. 107-206 amended subpar. (D) generally. Prior to amendment, subpar. (D) read as follows: “in the case of wild fish, is—

“(i) harvested in waters of the United States, a territory of the United States, or a State; and

“(ii) processed in the United States, a territory of the United States, or a State, including the waters thereof; and”.

§ 1638b. Enforcement

(a) In general

Except as provided in subsections (b) and (c) of this section, section 1636b of this title shall apply to a violation of this subchapter.

(b) Warnings

If the Secretary determines that a retailer is in violation of section 1638a of this title, the Secretary shall—

(1) notify the retailer of the determination of the Secretary; and

(2) provide the retailer a 30-day period, beginning on the date on which the retailer receives the notice under paragraph (1) from the Secretary, during which the retailer may take necessary steps to comply with section 1638a of this title.

(c) Fines

If, on completion of the 30-day period described in subsection (b)(2) of this section, the Secretary determines that the retailer has willfully violated section 1638a of this title, after providing notice and an opportunity for a hearing before the Secretary with respect to the violation, the Secretary may fine the retailer in an amount of not more than \$10,000 for each violation.

(Aug. 14, 1946, ch. 966, title II, § 283, as added Pub. L. 107-171, title X, § 10816, May 13, 2002, 116 Stat. 535.)

§ 1638c. Regulations

(a) Guidelines

Not later than September 30, 2002, the Secretary shall issue guidelines for the voluntary country of origin labeling of covered commodities based on the requirements of section 1638a of this title.

(b) Regulations

Not later than September 30, 2004, the Secretary shall promulgate such regulations as are necessary to implement this subchapter.

(c) Partnerships with States

In promulgating the regulations, the Secretary shall, to the maximum extent practicable, enter into partnerships with States with

enforcement infrastructure to assist in the administration of this subchapter.

(Aug. 14, 1946, ch. 966, title II, § 284, as added Pub. L. 107-171, title X, § 10816, May 13, 2002, 116 Stat. 535.)

§ 1638d. Applicability

This subchapter shall apply to the retail sale of a covered commodity beginning September 30, 2008, except for “farm-raised fish” and “wild fish” which shall be September 30, 2004.

(Aug. 14, 1946, ch. 966, title II, § 285, as added Pub. L. 107-171, title X, § 10816, May 13, 2002, 116 Stat. 535; amended Pub. L. 108-199, div. A, title VII, § 749, Jan. 23, 2004, 118 Stat. 37; Pub. L. 109-97, title VII, § 792, Nov. 10, 2005, 119 Stat. 2164.)

AMENDMENTS

2005—Pub. L. 109-97 substituted “2008” for “2006”.

2004—Pub. L. 108-199 substituted “2006, except for ‘farm-raised fish’ and ‘wild fish’ which shall be September 30, 2004” for “2004”.

CHAPTER 39—STABILIZATION OF INTERNATIONAL WHEAT MARKET

Sec.

1641. Availability of wheat for export; utilization of funds and facilities; prices; authorization of appropriations.

1642. Enforcement by President.

§ 1641. Availability of wheat for export; utilization of funds and facilities; prices; authorization of appropriations

The President is authorized, acting through the Commodity Credit Corporation, to make available or cause to be made available, notwithstanding the provisions of any other law, such quantities of wheat and wheat-flour and at such prices as are necessary to exercise the rights, obtain the benefits, and fulfill the obligations of the United States under the International Wheat Agreement of 1949 signed by Australia, Canada, France, the United States, Uruguay, and certain wheat importing countries, along with the agreements signed by the United States and certain other countries revising and renewing such agreement of 1949 for periods through July 31, 1965 (hereinafter collectively called the “International Wheat Agreement”). Nothing in this chapter shall be construed to preclude the Secretary of Agriculture, in carrying out programs to encourage the exportation of agricultural commodities and products thereof pursuant to section 612c of this title, from utilizing funds available for such programs in such manner as, either separately or jointly with the Commodity Credit Corporation, to exercise the rights, obtain the benefits, and fulfill all or any part of the obligations of the United States under the International Wheat Agreement or to preclude the Commodity Credit Corporation in otherwise carrying out wheat and wheat-flour export programs as authorized by law. Nothing contained in this chapter shall limit the duty of the Commodity Credit Corporation to the maximum extent practicable consistent with the fulfillment of the Corporation’s purposes and the effective and efficient conduct of its business to utilize the usual and