

US Code

(Unofficial compilation from the Legal Information Institute)

TITLE 7 - AGRICULTURE

CHAPTER 8—NURSERY STOCK AND OTHER PLANTS AND PLANT PRODUCTS

Please Note: This compilation of the US Code, current as of Jan. 7, 2011 , has been prepared by the Legal Information Institute using data from the U.S. House of Representatives, Office of the Law Revision Counsel. It is not an official U.S. government publication. For more details please see: <http://www.law.cornell.edu/uscode/uscp rint.html>.

Notes on this document: The content in this document is taken directly from the US Code, with the following exceptions: page headers and footers, page numbering, and all formatting are artifacts of this presentation. Divider lines have been inserted between sections. The notes are set off by a vertical line and a larger left margin. The table of contents immediately following this title page is machine-generated from the headings in this portion of the Code. Commonly available fonts are used.

The Legal Information Institute promotes worldwide, free public access to law via the Internet. Founded in 1992, the LII created the first legal information website. It continues to be a pre-eminent "law-not-com" publisher of legal information and an important outreach activity of the Cornell Law School.

TITLE 7 - AGRICULTURE	1
CHAPTER 8 - NURSERY STOCK AND OTHER PLANTS AND PLANT PRODUCTS	4
§§ 151 to 154. Repealed. Pub. L. 106–224, title IV, § 438(a)(1), June 20, 2000, 114 Stat. 454	4
§ 155. Omitted	4
§§ 156 to 161. Repealed. Pub. L. 106–224, title IV, § 438(a)(1), June 20, 2000, 114 Stat. 454	4
§ 161a. Omitted	5
§§ 162 to 164a. Repealed. Pub. L. 106–224, title IV, § 438(a)(1), June 20, 2000, 114 Stat. 454	5
§ 165. Repealed. Pub. L. 88–448, title IV, § 402(a)(13), Aug. 19, 1964, 78 Stat. 493	5
§ 165a. Omitted	5
§ 166. Transferred	6
§ 167. Repealed. Pub. L. 106–224, title IV, § 438(a)(1), June 20, 2000, 114 Stat. 454	6

TITLE 7 AGRICULTURE

NB: This unofficial compilation of the U.S. Code is current as of Jan. 7, 2011 (see <http://www.law.cornell.edu/uscode/uscodeprint.html>).

TITLE 7—AGRICULTURE

- Chap. ...Sec.
1. Commodity Exchanges ...1
 2. Cotton Standards ...51
 3. Grain Standards ...71
 4. Naval Stores ...91
 5. Importation of Adulterated Seeds [Repealed] ...111
 6. Insecticides and Environmental Pesticide Control ...121
 - 6A. National Laboratory Accreditation ...138
 7. Insect Pests Generally [Repealed, Omitted, or Transferred] ...141
 - 7A. Golden Nematode [Repealed] ...150
 - 7B. Plant Pests [Repealed] ...150aa
 8. Nursery Stock and Other Plants and Plant Products [Repealed, Omitted, or Transferred] ...151
 - 8A. Rubber and Other Critical Agricultural Materials ...171
 9. Packers and Stockyards ...181
 10. Warehouses ...241
 11. Honeybees ...281
 12. Associations of Agricultural Products Producers ...291
 13. Agricultural and Mechanical Colleges ...301
 14. Agricultural Experiment Stations ...361
 15. Bureau of Animal Industry ...391
 16. Bureau of Dairy Industry ...401
 17. Miscellaneous Matters ...411
 18. Cooperative Marketing ...451
 19. Cotton Statistics and Estimates ...471
 20. Dumping or Destruction of Interstate Produce ...491
 - 20A. Perishable Agricultural Commodities ...499a
 21. Tobacco Statistics ...501
 - 21A. Tobacco Inspection ...511
 - 21B. Tobacco Control [Repealed] ...515
 - 21C. Tobacco Reform ...518
 22. Agricultural Marketing [Omitted or Transferred] ...521
 23. Foreign Agricultural Service [Repealed] ...541
 24. Perishable Agricultural Commodities [Transferred to Chapter 20A] ...551
 25. Export Standards for Apples ...581
 - 25A. Export Standards for Grapes and Plums ...591
 26. Agricultural Adjustment ...601
 - 26A. Agricultural Marketing Agreements ...671
 27. Cotton Marketing [Repealed or Omitted] ...701
 28. Tobacco Industry [Repealed] ...751
 29. Potato Act of 1935 [Repealed] ...801
 30. Anti-Hog-Cholera Serum and Hog-Cholera Virus ...851
 31. Rural Electrification and Telephone Service ...901
 - 31A. Telemedicine and Distance Learning Services in Rural Areas ...950aaa
 32. Peanut Statistics ...951
 33. Farm Tenancy ...1000
 34. Sugar Production and Control [Omitted or Repealed] ...1100
 35. Agricultural Adjustment Act of 1938 ...1281
 - 35A. Price Support of Agricultural Commodities ...1421
 36. Crop Insurance ...1501
 37. Seeds ...1551
 38. Distribution and Marketing of Agricultural Products ...1621
 39. Stabilization of International Wheat Market ...1641
 40. Halogeton Glomeratus Control [Repealed] ...1651
 41. Food for Peace ...1691
 42. Agricultural Commodity Set-Aside ...1741
 43. Foreign Market Development ...1761
 44. Wool Program [Repealed] ...1781
 45. Soil Bank Program ...1801
 46. Surplus Disposal of Agricultural Commodities ...1851
 47. Interchange of Department of Agriculture and State Employees [Repealed] ...1881

TITLE 7 AGRICULTURE

NB: This unofficial compilation of the U.S. Code is current as of Jan. 7, 2011 (see <http://www.law.cornell.edu/uscode/uscript.html>).

48. Humane Methods of Livestock Slaughter ...1901
49. Consultation on Agricultural Programs ...1911
50. Agricultural Credit ...1921
51. Supplemental Nutrition Assistance Program ...2011
52. Farm Labor Contractor Registration [Repealed] ...2041
53. Cotton Research and Promotion ...2101
54. Transportation, Sale, and Handling of Certain Animals ...2131
55. Department of Agriculture ...2201
- 55A. Department of Agriculture Advisory Committees ...2281
56. Unfair Trade Practices Affecting Producers of Agricultural Products ...2301
57. Plant Variety Protection ...2321
58. Potato Research and Promotion ...2611
59. Rural Fire Protection, Development, and Small Farm Research and Education ...2651
60. Egg Research and Consumer Information ...2701
61. Noxious Weeds ...2801
62. Beef Research and Information ...2901
63. Farmer-to-Consumer Direct Marketing ...3001
64. Agricultural Research, Extension, and Teaching ...3101
65. Wheat and Wheat Foods Research and Nutrition Education ...3401
66. Agricultural Foreign Investment Disclosure ...3501
67. Implementation of International Sugar Agreement, 1977 ...3601
68. Agricultural Subterminal Facilities ...3701
69. Swine Health Protection ...3801
70. Animal Cancer Research ...3901
71. Agricultural Trade Suspension Adjustment ...4001
72. National Agricultural Cost of Production Standards Review Board [Omitted] ...4101
73. Farmland Protection Policy ...4201
74. Floral Research and Consumer Information ...4301
75. International Carriage of Perishable Foodstuffs ...4401
76. Dairy Research and Promotion ...4501
77. Honey Research, Promotion, and Consumer Information ...4601
78. Agricultural Productivity Research [Repealed] ...4701
79. Pork Promotion, Research, and Consumer Information ...4801
80. Watermelon Research and Promotion ...4901
81. National Commission on Agriculture and Rural Development Policy [Omitted] ...5001
82. State Agricultural Loan Mediation Programs ...5101
83. Agricultural Competitiveness and Trade ...5201
84. National Nutrition Monitoring and Related Research ...5301
85. Administration of Environmental Programs ...5401
86. Water Quality Research, Education, and Coordination ...5501
87. Export Promotion ...5601
88. Research ...5801
89. Pecan Promotion and Research ...6001
90. Mushroom Promotion, Research, and Consumer Information ...6101
91. Lime Promotion, Research, and Consumer Information ...6201
92. Soybean Promotion, Research, and Consumer Information ...6301
93. Processor-Funded Milk Promotion Program ...6401
94. Organic Certification ...6501
95. Rural Revitalization Through Forestry ...6601
96. Global Climate Change ...6701
97. Fresh Cut Flowers and Fresh Cut Greens Promotion and Information ...6801
98. Department of Agriculture Reorganization ...6901
99. Sheep Promotion, Research, and Information ...7101
100. Agricultural Market Transition ...7201
101. Agricultural Promotion ...7401
102. Emergency Food Assistance ...7501
103. Agricultural Research, Extension, and Education Reform ...7601
104. Plant Protection ...7701
105. Hass Avocado Promotion, Research, and Information ...7801
106. Commodity Programs ...7901
107. Renewable Energy Research and Development ...8101
108. Tree Assistance Program ...8201

**TITLE 7 - CHAPTER 8 NURSERY STOCK AND
OTHER PLANTS AND PLANT PRODUCTS**

NB: This unofficial compilation of the U.S. Code is current as of Jan. 7, 2011 (see <http://www.law.cornell.edu/uscode/uscodeprint.html>).

- 109. Animal Health Protection ...8301
- 110. Enhancing Controls on Dangerous Biological Agents and Toxins ...8401
- 111. Brown Tree Snake Control and Eradication ...8501
- 112. Biomass Research and Development [Repealed] ...8601
- 113. Agricultural Commodity Support Programs ...8701
- 114. Agricultural Security ...8901

CHAPTER 8—NURSERY STOCK AND OTHER PLANTS AND PLANT PRODUCTS

.....

§§ 151 to 154. Repealed. Pub. L. 106–224, title IV, § 438(a)(1), June 20, 2000, 114 Stat. 454

Section 151, act Aug. 20, 1912, ch. 308, § 11, 37 Stat. 319, defined “person” as used in this chapter.

Section 152, act Aug. 20, 1912, ch. 308, § 6, 37 Stat. 317, defined “nursery stock” for purpose of this chapter.

Section 153, act Aug. 20, 1912, ch. 308, § 11, 37 Stat. 319, related to liability of principal for act or omission of agent.

Section 154, acts Aug. 20, 1912, ch. 308, § 1, 37 Stat. 315; July 31, 1947, ch. 405, 61 Stat. 680; Pub. L. 100–449, title III, § 301(f)(3)(A), Sept. 28, 1988, 102 Stat. 1869; Pub. L. 103–465, title IV, § 431(d)(1), Dec. 8, 1994, 108 Stat. 4967, required that movement of nursery stock into or through the United States be made in accordance with regulations to prevent dissemination of plant pests, plant diseases, or insect pests.

Effective Date

Section 14 of act Aug. 20, 1912, provided that act Aug. 20, 1912, enacting this chapter, was effective Oct. 1, 1912, except as otherwise provided, prior to repeal by Pub. L. 106-224, title IV, § 438(a)(1), June 20, 2000, 114 Stat. 454.

.....

§ 155. Omitted

Codification

Section, act Mar. 4, 1913, ch. 145, § 1 [part], 37 Stat. 854, provided that any class of nursery stock or of any other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products of which the importation could be forbidden from any country or locality under the provisions of section 160 of this title could be imported for experimental or scientific purposes by the Department of Agriculture.

.....

§§ 156 to 161. Repealed. Pub. L. 106–224, title IV, § 438(a)(1), June 20, 2000, 114 Stat. 454

Section 156, acts Aug. 20, 1912, ch. 308, § 2, 37 Stat. 316; Pub. L. 100–449, title III, § 301(f)(3)(B), Sept. 28, 1988, 102 Stat. 1869; Pub. L. 103–465, title IV, § 431(d)(2), Dec. 8, 1994, 108 Stat. 4968, required that Secretary of Agriculture be notified of arrival of nursery stock at port of entry, prohibited forwarding without notification, and provided for inspection before shipment.

Section 157, act Aug. 20, 1912, ch. 308, § 3, 37 Stat. 316, set forth marking requirements for entry of nursery stock into United States.

Section 158, act Aug. 20, 1912, ch. 308, § 4, 37 Stat. 316, related to marking and inspection of imported nursery stock for interstate shipment.

Section 159, acts Aug. 20, 1912, ch. 308, § 5, 37 Stat. 316; Pub. L. 97–432, § 1(1), Jan. 8, 1983, 96 Stat. 2276, related to regulation of importation of plant products other than nursery stock.

Section 160, acts Aug. 20, 1912, ch. 308, § 7, 37 Stat. 317; Pub. L. 97–432, § 1(2), Jan. 8, 1983, 96 Stat. 2276, authorized regulations prohibiting importation of nursery stock or other plant products to prevent introduction into United States of any tree, plant or fruit disease or any injurious insect.

Section 161, acts Aug. 20, 1912, ch. 308, § 8, 37 Stat. 318; Mar. 4, 1917, ch. 179, 39 Stat. 1165; Apr. 13, 1926, ch. 135, 44 Stat. 250; Pub. L. 95–439, § 4, Oct. 10, 1978, 92 Stat. 1062; Pub. L. 97–432, § 1(3), Jan. 8, 1983, 96 Stat. 2276; Pub. L. 104–127, title IX, § 911, Apr. 4, 1996, 110

Stat. 1185, authorized quarantine of any State, territory, or district of the United States in order to prevent the spread of a dangerous plant disease or insect infestation.

.....

§ 161a. Omitted

Codification

Section was from the Department of Agriculture Appropriation Act, 1945, act June 28, 1944, ch. 296, 58 Stat. 440, related to disposition of moneys from inspection and certification of domestic plants and plant products for export, and was not repeated in subsequent appropriation acts. Similar provisions were contained in prior appropriation acts as follows:

July 12, 1943, ch. 215, 57 Stat. 408.

July 22, 1942, ch. 516, 56 Stat. 686.

.....

§§ 162 to 164a. Repealed. Pub. L. 106–224, title IV, § 438(a)(1), June 20, 2000, 114 Stat. 454

Section 162, act Aug. 20, 1912, ch. 308, § 9, 37 Stat. 318, authorized rules and regulations as necessary for carrying out the purposes of this chapter.

Section 163, acts Aug. 20, 1912, ch. 308, § 10, 37 Stat. 318; Pub. L. 97–461, § 2, Jan. 12, 1983, 96 Stat. 2523, set forth penalties for violations of provisions of this chapter or regulations promulgated thereunder.

Section 164, act Aug. 20, 1912, ch. 308, § 10, 37 Stat. 318, set forth duty of United States attorneys to prosecute violations of this chapter.

Section 164a, act Aug. 20, 1912, ch. 308, § 10, as added May 1, 1928, ch. 462, 45 Stat. 468, authorized search and seizure of nursery stock and plant products by Department of Agriculture employees.

.....

§ 165. Repealed. Pub. L. 88–448, title IV, § 402(a)(13), Aug. 19, 1964, 78 Stat. 493

Section, act Aug. 20, 1912, ch. 308, § 12, 37 Stat. 319, related to appointment of members of a Federal Horticultural Board from among employees of Department of Agriculture.

Effective Date of Repeal

Repeal effective on first day of first month which begins later than ninetieth day following Aug. 19, 1964, see section 403 of Pub. L. 88–448.

.....

§ 165a. Omitted

Codification

Section, act May 16, 1928, ch. 572, 45 Stat. 565, provided that the functions of the Federal Horticultural Board should devolve upon and be exercised by the Plant Quarantine and Control Administration. Said act also created an Advisory Federal Plant Quarantine Board which was abolished by act Mar. 3, 1933, ch. 203, 47 Stat. 1463. Appropriations to enable the Secretary of Agriculture to carry into effect the provisions of this chapter, which in prior appropriation acts had been made to the Plant Quarantine and Control Administration, were made to the Bureau of Plant Quarantine by the appropriation act of July 7, 1932, ch. 443, 47 Stat. 640, and to the Bureau of Entomology and Plant Quarantine by the appropriation act of Mar. 26, 1934, ch. 89, 48 Stat. 486, and subsequent appropriation acts.

.....

§ 166. Transferred

Codification

Section, act Mar. 4, 1915, ch. 144, 38 Stat. 1113, as amended, which related to transmission by the Postal Service of packages containing plants or plant products for States inspection, was transferred to section 7760 of this title.

.....

§ 167. Repealed. Pub. L. 106–224, title IV, § 438(a)(1), June 20, 2000, 114 Stat. 454

Section, act Aug. 20, 1912, ch. 308, § 15, as added May 31, 1920, ch. 217, 41 Stat. 726; amended May 16, 1928, ch. 572, 45 Stat. 565; July 7, 1932, ch. 443, 47 Stat. 640; Mar. 26, 1934, ch. 89, 48 Stat. 486; Apr. 1, 1942, ch. 207, §§ 1, 4, 56 Stat. 190, 192; Pub. L. 88–60, §§ 1, 7, July 8, 1963, 77 Stat. 77, 78; Pub. L. 91–358, title I, § 155(a), July 29, 1970, 84 Stat. 570, related to rules and regulations to prevent dissemination of dangerous plant diseases and insect infections and infestations in the District of Columbia.