

**TITLE 7 - AGRICULTURE**  
**CHAPTER 55 - DEPARTMENT OF AGRICULTURE**

**§ 2241a. Exchange or sale authority**

**(a) Definition of qualified item of personal property**

In this section, the term “qualified item of personal property” means—

- (1) an animal;
- (2) an animal product;
- (3) a plant; or
- (4) a plant product.

**(b) General authority**

Except as provided in subsection (c), notwithstanding chapter 5 of subtitle I of title 40, the Secretary, acting through the Under Secretary for Research, Education, and Economics, in managing personal property for the purpose of carrying out the research functions of the Department, may exchange, sell, or otherwise dispose of any qualified item of personal property, including by way of public auction, and may retain and apply the sale or other proceeds, without further appropriation and without fiscal year limitation, in whole or in partial payment—

- (1) to acquire any qualified item of personal property; or
- (2) to offset costs related to the maintenance, care, or feeding of any qualified item of personal property.

**(c) Exception**

Subsection (b) does not apply to the free dissemination of new varieties of seeds and germplasm in accordance with section 2201 of this title.

(Pub. L. 103–354, title III, § 307, as added Pub. L. 110–234, title VII, § 7408, May 22, 2008, 122 Stat. 1252, and Pub. L. 110–246, § 4(a), title VII, § 7408, June 18, 2008, 122 Stat. 1664, 2013.)

**Codification**

Pub. L. 110–234 and Pub. L. 110–246 enacted identical sections. Pub. L. 110–234 was repealed by section 4(a) of Pub. L. 110–246.

Pub. L. 110–234, § 7408, and Pub. L. 110–246, § 7408, which directed the addition of this section at the end of “Title III of the Department of Agriculture Reorganization Act of 1994 (Public Law 103–354; 108 Stat. 3238)”, was executed by adding this section at the end of title III of the “Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994”, Pub. L. 103–354, to reflect the probable intent of Congress. The Department of Agriculture Reorganization Act of 1994 is title II of Pub. L. 103–354.

**Effective Date**

Enactment of this section and repeal of Pub. L. 110–234 by Pub. L. 110–246 effective May 22, 2008, the date of enactment of Pub. L. 110–234, see section 4 of Pub. L. 110–246, set out as a note under section 8701 of this title.