

**TITLE 18 - CRIMES AND CRIMINAL PROCEDURE**  
**PART I - CRIMES**  
**CHAPTER 10 - BIOLOGICAL WEAPONS**

**§ 178. Definitions**

As used in this chapter—

- (1) the term “biological agent” means any microorganism (including, but not limited to, bacteria, viruses, fungi, rickettsiae or protozoa), or infectious substance, or any naturally occurring, bioengineered or synthesized component of any such microorganism or infectious substance, capable of causing—
- (A) death, disease, or other biological malfunction in a human, an animal, a plant, or another living organism;
  - (B) deterioration of food, water, equipment, supplies, or material of any kind; or
  - (C) deleterious alteration of the environment;
- (2) the term “toxin” means the toxic material or product of plants, animals, microorganisms (including, but not limited to, bacteria, viruses, fungi, rickettsiae or protozoa), or infectious substances, or a recombinant or synthesized molecule, whatever their origin and method of production, and includes—
- (A) any poisonous substance or biological product that may be engineered as a result of biotechnology produced by a living organism; or
  - (B) any poisonous isomer or biological product, homolog, or derivative of such a substance;
- (3) the term “delivery system” means—
- (A) any apparatus, equipment, device, or means of delivery specifically designed to deliver or disseminate a biological agent, toxin, or vector; or
  - (B) any vector;
- (4) the term “vector” means a living organism, or molecule, including a recombinant or synthesized molecule, capable of carrying a biological agent or toxin to a host; and
- (5) the term “national of the United States” has the meaning prescribed in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101 (a)(22)).

(Added Pub. L. 101–298, § 3(a), May 22, 1990, 104 Stat. 202; amended Pub. L. 104–132, title V, § 511(b)(3), title VII, § 721(h), Apr. 24, 1996, 110 Stat. 1284, 1299; Pub. L. 107–188, title II, § 231(c)(4), June 12, 2002, 116 Stat. 661.)

**Amendments**

2002—Par. (1). Pub. L. 107–188, § 231(c)(4)(A), in introductory provisions substituted “means any microorganism (including, but not limited to, bacteria, viruses, fungi, rickettsiae or protozoa), or infectious substance, or any naturally occurring, bioengineered or synthesized component of any such microorganism or infectious substance, capable of” for “means any micro-organism, virus, infectious substance, or biological product that may be engineered as a result of biotechnology, or any naturally occurring or bioengineered component of any such microorganism, virus, infectious substance, or biological product, capable of”.

Par. (2). Pub. L. 107–188, § 231(c)(4)(B), in introductory provisions substituted “means the toxic material or product of plants, animals, microorganisms (including, but not limited to, bacteria, viruses, fungi, rickettsiae or protozoa), or infectious substances, or a recombinant or synthesized molecule, whatever their origin and method of production, and includes—” for “means the toxic material of plants, animals, microorganisms, viruses, fungi, or infectious substances, or a recombinant molecule, whatever its origin or method of production, including—”.

Par. (4). Pub. L. 107–188, § 231(c)(4)(C), substituted “recombinant or synthesized molecule,” for “recombinant molecule, or biological product that may be engineered as a result of biotechnology,”.

1996—Par. (1). Pub. L. 104–132, § 511(b)(3)(A), substituted “infectious substance, or biological product that may be engineered as a result of biotechnology, or any naturally occurring or bioengineered component of any such

*NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscpri.html>).*

microorganism, virus, infectious substance, or biological product” for “or infectious substance” in introductory provisions.

Par. (2). Pub. L. 104–132, § 511(b)(3)(B)(i), (ii), in introductory provisions, inserted “the toxic material of plants, animals, microorganisms, viruses, fungi, or infectious substances, or a recombinant molecule” after “means” and substituted “production, including—” for “production—”.

Par. (2)(A). Pub. L. 104–132, § 511(b)(3)(B)(iii), inserted “or biological product that may be engineered as a result of biotechnology” after “poisonous substance”.

Par. (2)(B). Pub. L. 104–132, § 511(b)(3)(B)(iv), inserted “or biological product” after “isomer”.

Par. (4). Pub. L. 104–132, § 511(b)(3)(C), inserted “, or molecule, including a recombinant molecule, or biological product that may be engineered as a result of biotechnology,” after “organism”.

Par. (5). Pub. L. 104–132, § 721(h), added par. (5).