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 Importation of Adulterated Seeds [Repealed] ...111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 Insect Pests Generally [Repealed, Omitted, or Transferred] ...141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 Golden Nematode [Repealed] ...150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 Plant Pests [Repealed] ...150aa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 Nursery Stock and Other Plants and Plant Products [Repealed, Omitted, or Transferred] ...151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 Tobacco Control [Repealed] ...515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 Foreign Agricultural Service [Repealed] ...541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 Cotton Marketing [Repealed or Omitted] ...701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 Tobacco Industry [Repealed] ...751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 Potato Act of 1935 [Repealed] ...801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 Sugar Production and Control [Omitted or Repealed] ...1100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 Halogeton Glomeratus Control [Repealed] ...1651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 Wool Program [Repealed] ...1781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
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
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 75—INTERNATIONAL CARRIAGE OF PERISHABLE FOODSTUFFS

Sec.
4401. Congressional findings and declaration of purpose.
4402. Definitions.
4403. Duties of Secretary of Agriculture.
4404. Duties of Secretary of State.
4405. Fees and charges.
4406. Authorization of appropriations.

§ 4401. Congressional findings and declaration of purpose

Congress hereby finds and declares that—

(1) the United States, as a member of the Economic Commission for Europe of the United Nations, participated in development by that Commission of the Agreement on the International Carriage of Perishable Foodstuffs and on the Special Equipment to be Used for Such Carriage;

(2) the agreement requires that equipment involved in the international carriage of perishable foodstuffs be inspected, tested, and certified to specified standards;

(3) this chapter will make it possible for equipment in the United States to be inspected, tested, and certified in accordance with the agreement and the standards specified therein; and

(4) this chapter will improve the conditions for the movement of perishable foodstuffs in international carriage in equipment owned or operated by United States firms, which will serve to protect existing trade and promote expansion of trade in perishable foodstuffs, and will improve the sale of United States manufactured equipment for use in international carriage.


References in Text

This chapter, referred to in pars. (3) and (4), was in the original “this Act”, meaning Pub. L. 97–325, Oct. 15, 1982, 96 Stat. 1603, known as the International Carriage of Perishable Foodstuffs Act, which enacted this chapter and section 2212c of this title, amended sections 5315 and 5316 of Title 5, Government Organization and Employees, repealed section 3 of Reorg. Plan No. 2 of 1953, and enacted provisions set out as a note under section 2212c of this title. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

Short Title

Section 1 of Pub. L. 97–325 provided: “That this Act [enacting this chapter and section 2212c of this title, amending sections 5315 and 5316 of Title 5, Government Organization and Employees, repealing section 3 of Reorg. Plan No. 2 of 1953, and enacting provisions set out as a note under section 2212c of this title] may be cited as the ‘International Carriage of Perishable Foodstuffs Act’.”

§ 4402. Definitions

As used in this chapter—


(2) The term “contracting party” means any country that is eligible under article 9 of the agreement and that has complied with the terms of such article.

(3) The term “equipment” means the special transport equipment that complies with the definitions and standards set forth in annex 1 to the agreement, including, but not limited to, railway cars, trucks,
trailers, semitrailers, and intermodal freight containers that are insulated only, or insulated and equipped with a refrigerating, mechanically refrigerating, or heating appliance.

(4) The term “perishable foodstuffs” means quick deep-frozen and frozen food products listed in annex 2 and food products listed in annex 3 to the agreement.

(5) The term “international carriage” means transportation of perishable foodstuffs if such foodstuffs are loaded in equipment or the equipment containing them is loaded onto a rail or road vehicle, in the territory of any country and such foodstuffs are, or the equipment containing them is, unloaded in the territory of another country that is a contracting party, where such transportation is by—

(A) rail,

(B) road,

(C) any combination of rail and road, or

(D) any sea crossing of less than one hundred and fifty kilometers, if preceded or followed by one or more land journeys as referred to in clauses (A), (B), and (C) of this paragraph, and the perishable foodstuffs are shipped in the same equipment used for such land journeys without transloading of such foodstuffs.

In the case of any transportation that involves one or more sea crossings other than as specified in clause (D) of this paragraph, each land journey shall be considered separately.

(6) The term “United States” means the fifty States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands of the United States, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.


§ 4403. Duties of Secretary of Agriculture

The Secretary of Agriculture of the United States shall be the competent authority to implement the agreement. To ensure compliance with the standards specified in the agreement, the Secretary of Agriculture may—

(1) designate appropriate organizations to inspect or test equipment, or both;

(2) issue certificates of compliance in accordance with annex 1, appendix 1, paragraph 4 of the agreement;

(3) prescribe such regulations as may be necessary to implement the agreement and administer this chapter, including, but not limited to, provision for suspending or denying the designation of any organization to inspect or test equipment and for denying the issuance of certificates of compliance as may be necessary to ensure compliance with the provisions of this chapter and the regulations issued thereunder;

(4) make periodic onsite inspections of facilities and procedures used by those seeking certificates of compliance and by organizations designated to test or inspect equipment under this chapter;

(5) require submission of reports by those seeking certificates of compliance and by organizations designated to test or inspect equipment under this chapter;

(6) require maintenance of records by those seeking certificates of compliance and by organizations designated to test or inspect equipment under this chapter, such records to be made available to the Secretary upon request;

(7) inform contracting parties, through the Secretary of State of the United States, of all general measures taken in connection with the implementation of the agreement; and

(8) take such other action as may be considered appropriate to implement the agreement and administer this chapter.
§ 4404. Duties of Secretary of State

The Secretary of State, with the concurrence of the Secretary of Agriculture, may take such action as may be considered appropriate to assert and protect the rights of the United States under the agreement.


§ 4405. Fees and charges

(a) Testing or inspection

Any organization designated by the Secretary of Agriculture to test or inspect equipment may establish reasonable fees to cover the costs of such testing or inspection. Such fees shall be payable directly to the organization by those seeking inspection or testing.

(b) Issuance of certificates of compliance

The Secretary of Agriculture may, effective October 1, 1982, fix and cause to be collected reasonable fees to cover, as nearly as practicable, the costs to the Department of Agriculture incurred in connection with the issuance of certificates of compliance as provided under section 4403 (2) of this title. All fees collected shall be credited to the current appropriation account that incurs the cost and shall be available without fiscal year limitation to pay the expenses of the Secretary of Agriculture incident to the issuance of certificates of compliance under this chapter.


§ 4406. Authorization of appropriations

There are authorized to be appropriated to the Secretary of Agriculture for the fiscal year beginning October 1, 1982, and for each fiscal year thereafter, such sums as are necessary to carry out the provisions of this chapter, but not to exceed $100,000 in any fiscal year.


References in Text

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 97–325 which enacted this chapter and section 2212c of this title, amended sections 5315 and 5316 of Title 5, Government Organization and Employees, repealed section 3 of Reorg. Plan No. 2 of 1953, and enacted provisions set out as a note under section 2212c of this title.