

Public Law 95-439
95th Congress

An Act

To repeal certain requirements relating to notice of animal and plant quarantines, and for other purposes.

Oct. 10, 1978

[S. 286]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of May 29, 1884 (23 Stat. 32, as amended; 21 U.S.C. 117), is further amended to read as follows: "Any person or persons operating any railroad, or master or owner of any boat or vessel, or owner or custodian of, or person having control over, cattle or other livestock or live poultry who shall knowingly violate the provisions of section 6 of this Act shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment."

Animal and plant quarantines, certain requirements repealed. Penalty.

21 USC 115.

SEC. 2. Section 1 of the Act of March 3, 1905 (33 Stat. 1264, as amended; 21 U.S.C. 123), is further amended to read as follows: "The Secretary of Agriculture is authorized to quarantine by regulation any State or Territory or the District of Columbia, or any portion of any State or Territory or the District of Columbia, when he shall determine the fact that any animals or live poultry in such State or Territory or District of Columbia are affected with any contagious, infectious, or communicable disease of livestock or poultry or that the contagion of any such disease exists or that vectors which may disseminate any such disease exist in such State or Territory or the District of Columbia."

Rules and regulations.

SEC. 3. Section 3 of the Act of March 3, 1905 (33 Stat. 1265, as amended; 21 U.S.C. 125), is further amended to read as follows: "It shall be the duty of the Secretary of Agriculture, and he is authorized and directed, when the public safety will permit, to make and promulgate rules and regulations which shall permit and govern the inspection, disinfection, certification, treatment, handling, and method and manner of delivery and shipment of quarantined animals or live poultry from a quarantined State or Territory or the District of Columbia, and from the quarantined portion of any State or Territory or the District of Columbia, into any other State or Territory or the District of Columbia."

Sec. 4. Section 8 of the Act of August 20, 1912 (37 Stat. 318, as amended; 7 U.S.C. 161), is further amended by:

(a) deleting the following from the first sentence thereof: “; and the Secretary of Agriculture is directed to give notice of the establishment of such quarantine to common carriers doing business in or through such quarantined area, and shall publish in such newspapers in the quarantined area as he shall select notice of the establishment of quarantine”; and

(b) deleting the following from the fourth sentence thereof: “; and the Secretary of Agriculture shall give notice of such rules and regulations as hereinbefore provided in this section for the notice of the establishment of quarantine”.

Approved October 10, 1978.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 95-1606 (Comm. on Agriculture).

SENATE REPORT No. 95-804 (Comm. on Agriculture, Nutrition, and Forestry).

CONGRESSIONAL RECORD, Vol. 124 (1978):

May 18, considered and passed Senate.

Sept. 26, considered and passed House.