

717, related to control of incipient or emergency outbreaks of insect pests and plant diseases.

Section 148a, act Apr. 6, 1937, ch. 69, §2, as added May 9, 1938, ch. 192, 52 Stat. 344, related to availability of appropriated money for personnel, general administration, material and equipment, and other necessary expenses.

§ 148b. Repealed. Oct. 10, 1940, ch. 851, §4, 54 Stat. 1111

Section, act Apr. 6, 1937, ch. 69, §3, as added May 9, 1938, ch. 192, 52 Stat. 344, related to procurement of materials and equipment for the control of insect pests and plant diseases.

§ 148c to 148e. Repealed. Pub. L. 106-224, title IV, § 438(a)(6), June 20, 2000, 114 Stat. 454

Section 148c, act Apr. 6, 1937, ch. 69, §4, as added May 9, 1938, ch. 192, 52 Stat. 344, related to cooperation of States in control of insect pests and plant diseases.

Section 148d, act Apr. 6, 1937, ch. 69, §5, as added May 9, 1938, ch. 192, 52 Stat. 344, prohibited use of appropriations to pay cost or value of injured or destroyed animals, crops, or other property.

Section 148e, act Apr. 6, 1937, ch. 69, §6, as added May 9, 1938, ch. 192, 52 Stat. 344, authorized appropriations to carry out provisions of sections 148 to 148e of this title.

§ 148f. Repealed. Pub. L. 106-224, title IV, § 438(a)(9), June 20, 2000, 114 Stat. 454

Section, Pub. L. 99-198, title XVII, §1773, Dec. 23, 1985, 99 Stat. 1658, related to control of grasshoppers and Mormon Crickets on Federal lands. See section 7717 of this title.

§ 149. Repealed. Pub. L. 106-224, title IV, § 438(a)(5), June 20, 2000, 114 Stat. 454

Section, acts Jan. 31, 1942, ch. 31, 56 Stat. 40; Pub. L. 85-36, title I, §110, May 23, 1957, 71 Stat. 34; Pub. L. 97-461, §3, Jan. 12, 1983, 96 Stat. 2524; Pub. L. 103-465, title IV, §431(b), Dec. 8, 1994, 108 Stat. 4967, related to inspection, cleaning, and disinfection of vehicles and materials entering into the United States from Mexico.

CHAPTER 7A—GOLDEN NEMATODE

§§ 150 to 150g. Repealed. Pub. L. 106-224, title IV, § 438(a)(8), June 20, 2000, 114 Stat. 454

Section 150, act June 15, 1948, ch. 471, §1, 62 Stat. 442, set forth governmental policy for protection of potatoes and tomatoes from golden nematode.

Section 150a, act June 15, 1948, ch. 471, §2, 62 Stat. 443, authorized Secretary of Agriculture to carry out operations to eradicate, suppress, control, or prevent spread of golden nematode.

Section 150b, act June 15, 1948, ch. 471, §3, 62 Stat. 443, related to inspections, quarantines, restrictions on planting, crop destruction, and compensation of growers.

Section 150c, act June 15, 1948, ch. 471, §4, 62 Stat. 443, made expenditure of funds discretionary with Secretary.

Section 150d, act June 15, 1948, ch. 471, §5, 62 Stat. 443, made State legislative action prerequisite to restrictions on or destruction of crops.

Section 150e, act June 15, 1948, ch. 471, §6, 62 Stat. 443, related to determination of amount of compensation paid to growers.

Section 150f, act June 15, 1948, ch. 471, §7, 62 Stat. 443, authorized expenditures, including employment of personnel, printing and binding, and purchase of vehicles.

Section 150g, act June 15, 1948, ch. 471, §8, 62 Stat. 443, directed that chapter be construed to supplement existing legislation.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Act June 15, 1948, ch. 471, §9, 62 Stat. 443, provided that act June 15, 1948, enacting this chapter, could be cited as the “Golden Nematode Act”, prior to repeal by Pub. L. 106-224, title IV, §438(a)(8), June 20, 2000, 114 Stat. 454.

CHAPTER 7B—PLANT PESTS

§§ 150aa to 150jj. Repealed. Pub. L. 106-224, title IV, § 438(a)(2), June 20, 2000, 114 Stat. 454

Section 150aa, Pub. L. 85-36, title I, §102, May 23, 1957, 71 Stat. 31, defined terms as used in this chapter.

Section 150bb, Pub. L. 85-36, title I, §103, May 23, 1957, 71 Stat. 32; Pub. L. 97-461, §1(a), Jan. 12, 1983, 96 Stat. 2523; Pub. L. 100-449, title III, §301(f)(1), Sept. 28, 1988, 102 Stat. 1868; Pub. L. 103-465, title IV, §431(c)(1), Dec. 8, 1994, 108 Stat. 4967, prohibited movement of plant pests into or through the United States or interstate.

Section 150cc, Pub. L. 85-36, title I, §104, May 23, 1957, 71 Stat. 32; Pub. L. 100-449, title III, §301(f)(2), Sept. 28, 1988, 102 Stat. 1869; Pub. L. 103-465, title IV, §431(c)(2), Dec. 8, 1994, 108 Stat. 4967, prohibited mailing of plant pests.

Section 150dd, Pub. L. 85-36, title I, §105, May 23, 1957, 71 Stat. 32; Pub. L. 97-98, title XI, §1119(1), Dec. 22, 1981, 95 Stat. 1272, authorized emergency measures to prevent dissemination of plant pests.

Section 150ee, Pub. L. 85-36, title I, §106, May 23, 1957, 71 Stat. 33, authorized promulgation of regulations requiring inspection of products and articles.

Section 150ff, Pub. L. 85-36, title I, §107, May 23, 1957, 71 Stat. 34; Pub. L. 90-578, title IV, §402(b)(2), Oct. 17, 1968, 82 Stat. 1118; Pub. L. 97-98, title XI, §1119(2), Dec. 22, 1981, 95 Stat. 1273; Pub. L. 101-650, title III, §321, Dec. 1, 1990, 104 Stat. 5117, authorized warrantless stops and inspections and entries with warrants for inspections and seizures.

Section 150gg, Pub. L. 85-36, title I, §108, May 23, 1957, 71 Stat. 34; Pub. L. 97-461, §1(b), Jan. 12, 1983, 96 Stat. 2523, set forth criminal and civil penalties.

Section 150hh, Pub. L. 85-36, title I, §109, May 23, 1957, 71 Stat. 34, related to separability of provisions.

Section 150ii, Pub. L. 85-36, title I, §111, May 23, 1957, 71 Stat. 34, provided that authority conferred by this chapter was to be in addition to that conferred by other statutes.

Section 150jj, Pub. L. 85-36, title I, §111, May 23, 1957, 71 Stat. 35, provided that nothing in this chapter was to amend or repeal provisions of the Plant Quarantine Act.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 85-36, title I, §101, May 23, 1957, 71 Stat. 31, provided that title I of Pub. L. 85-36, which enacted this chapter and provisions set out as a note under section 147a of this title, amended section 149 of this title, and repealed sections 141 to 144 and 441 of this title, could be cited as the “Federal Plant Pest Act”, prior to repeal by Pub. L. 106-224, title IV, §438(a)(2), June 20, 2000, 114 Stat. 454.

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.

Statutory Notes and Related Subsidiaries

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

Editorial Notes

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

Editorial Notes

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.

Statutory Notes and Related Subsidiaries

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

Editorial Notes

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

Editorial Notes

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.

CHAPTER 8A—RUBBER AND OTHER CRITICAL AGRICULTURAL MATERIALS

SUBCHAPTER I—GENERAL PROVISIONS

- Sec.
171. Program for development of guayule and other rubber-bearing plants.
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173. Authorization of appropriations.
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SUBCHAPTER I—GENERAL PROVISIONS

§ 171. Program for development of guayule and other rubber-bearing plants

The Secretary of Agriculture (hereinafter called the "Secretary") is authorized—

(1) To acquire by purchase, license, or other agreement, the right to operate under processes or patents relating to the growing and harvesting of guayule or the extraction of rubber therefrom, and such properties, processes, records, and data as are necessary to such operation, including but not limited to any such rights owned or controlled by the Intercontinental Rubber Company, or any of its subsidiaries, and all equipment, materials, structures, factories, real property, seed, seedlings, growing shrub, and other facilities, patents and processes of the Intercontinental Rubber Company, or any of its subsidiaries, located in California, and for such rights, properties, and facilities of the Intercontinental Rubber Company or any of its subsidiaries, the Secretary is authorized to pay not to exceed \$2,000,000;

(2) To plant, or contract for the planting of, not in excess of five hundred thousand acres of guayule in areas in the Western Hemisphere where the best growth and yields may be expected in order to maintain a nucleus planting of guayule to serve as a domestic source of

crude rubber as well as of planting material for use in further expanding guayule planting to meet emergency needs of the United States for crude rubber; to establish and maintain nurseries to provide seedlings for field plants; and to purchase necessary equipment, facilities, land for nurseries and administrative sites and water rights;

(3) To acquire by lease, or other agreement, for not exceeding ten years, rights to land for the purpose of making plantings of guayule; to acquire water rights; to erect necessary buildings on leased land where suitable land cannot be purchased; to make surveys, directly or through appropriate Government agencies, of areas in the Western Hemisphere where guayule might be grown; and to establish and maintain records indicating areas to which guayule cultivation could be extended for emergency production;

(4) To construct or operate, or to contract for the operation of, factories for the extraction of rubber from guayule, and from *Chrysothamnus*, commonly known as rabbit brush; to purchase guayule shrub; and to purchase, operate, and maintain equipment for the harvesting, storing, transporting, and complete processing of guayule, and *Chrysothamnus*, commonly known as rabbit brush, and to purchase land as sites for processing plants;

(5) To conduct studies, in which he may cooperate with any other public or private agency, designed to increase the yield of guayule by breeding or by selection, and to improve planting methods; to make surveys of areas suitable for cultivating guayule; to make experimental plantings; and to conduct agronomic tests;

(6) To conduct tests, in which he may cooperate with any other public or private agency, to determine the qualities of rubber obtained from guayule and to determine the most favorable methods of compounding and using guayule in rubber manufacturing processes;

(7) To improve methods of processing guayule shrubs and rubber and to obtain and hold patents on such new processes;

(8) To sell guayule or rubber processed from guayule and to use funds so obtained in replanting and maintaining an area not in excess of five hundred thousand acres of guayule inside the Western Hemisphere; and

(9) To exercise with respect to rubber-bearing plants other than guayule the same powers as are granted in the foregoing provisions of this section with respect to guayule.

(Mar. 5, 1942, ch. 140, §1, 56 Stat. 126; Oct. 20, 1942, ch. 617, §§1-4, 56 Stat. 796, 797.)

Editorial Notes

AMENDMENTS

1942—Par. (2). Act Oct. 20, 1942, §1, increased acreage from 75,000 to 500,000 and inserted reference to land for administrative sites and water rights.

Par. (3). Act Oct. 20, 1942, §2, inserted "to acquire water rights; to erect necessary buildings on leased land where suitable land cannot be purchased;"

Par. (4). Act Oct. 20, 1942, §3, inserted "to purchase guayule shrub;"