in all irrigation, drainage, or flood-control contracts entered into with respect to Federal irrigation, drainage, or flood-control projects hereafter authorized, such provisions as they may deem necessary to provide for the enforcement of the provisions of this section. For a period of three years from May 28, 1956, surplus crops grown on lands reclaimed by flood-control projects hereafter authorized and the lands so reclaimed shall be ineligible for any benefits under the soil-bank provisions of this Act and under price support legislation.

(c) Determination and proclamation of surplus agricultural commodities

On or before October 1 of each year, the Secretary of Agriculture shall determine and proclaim the agricultural commodities the supplies of which are in excess of estimated requirements for domestic consumption and export plus adequate reserves for emergencies. The commodities so proclaimed shall be considered to be in surplus supply for the purposes of this section during the succeeding crop year.

(d) "Federal irrigation or drainage project" defined

For the purposes of this section the term "Federal irrigation or drainage project" means any irrigation or drainage project subject to the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereto) in effect at the date of the adoption of this amendment and any irrigation or drainage project subject to the laws relating to irrigation and drainage administered by the Department of Agriculture or the Secretary of Agriculture.

(May 28, 1956, ch. 327, title II, § 211, 70 Stat. 202.)

REFERENCES IN TEXT

The soil-bank provisions of this Act, referred to in subsec. (c), probably means those provisions of act May 28, 1956, ch. 327, known as the Agricultural Act of 1956, which enacted the Soil Bank Act, and which were classified to subchapters I to III (§§ 1801 et seq.) of chapter 28, 1956, ch. 327, known as the Agricultural Act of 1956, which was May 28, 1956.

§ 1901. Findings and declaration of policy

The Congress finds that the use of humane methods in the slaughter of livestock prevents needless suffering; results in safer and better working conditions for persons engaged in the slaughtering industry; brings about improvement of products and economies in slaughtering operations; and produces other benefits for producers, processors, and consumers which tend to expedite an orderly flow of livestock and livestock products in interstate and foreign commerce. It is therefore declared to be the policy of the United States that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods.

(Pub. L. 85–765, § 1, Aug. 27, 1958, 72 Stat. 862.)

SHORT TITLE OF 1978 AMENDMENT


ENFORCEMENT OF HUMANE METHODS OF SLAUGHTER ACT OF 1958


"(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Agriculture should—"

"(1) continue tracking the number of violations of Public Law 85–765 (7 U.S.C. 1901 et seq.; commonly known as the ‘Humane Methods of Slaughter Act of 1958’) and report the results and relevant trends annually to Congress; and"

"(2) fully enforce Public Law 85–765 by ensuring that humane methods in the slaughtering of livestock—"

"(A) prevent needless suffering;"

"(B) result in safer and better working conditions for persons engaged in slaughtering operations;"

"(C) bring about improvement of products and economies in slaughtering operations; and"

"(D) produce other benefits for producers, processors, and consumers that tend to expedite an orderly flow of livestock and livestock products in interstate and foreign commerce."
§ 1902. Humane methods

No method of slaughtering or handling in connection with slaughtering shall be deemed to comply with the public policy of the United States unless it is humane. Either of the following two methods of slaughtering and handling are hereby found to be humane:

(a) in the case of cattle, calves, horses, mules, sheep, swine, and other livestock, all animals are rendered insensible to pain by a single blow or gunshot or an electrical, chemical or other means that is rapid and effective, before being shackled, hoisted, thrown, cast, or cut; or

(b) by slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument and handling in connection with such slaughtering.


Amendments

1978—Pub. L. 95–445 inserted “and handling in connection with such slaughtering” at end.

Effective Date of 1978 Amendment

Amendment by Pub. L. 95–445 effective one year after Oct. 10, 1978, and nonapplicability during not to exceed additional 18 months in hardship cases, see sec. 7 of Pub. L. 95–445 set out as a note under section 603 of Title 21, Food and Drugs.


Section, Pub. L. 85–765, §3, Aug. 27, 1958, 72 Stat. 862, related to limitations on Government procurement and price support, modifications during national emergency, and statements of eligibility.

Effective Date of Repeal

Repeal effective one year after Oct. 10, 1978, and non-applicability during not to exceed additional 18 months in hardship cases, see sec. 7 of Pub. L. 95–445 set out as an Effective Date of 1978 Amendment note under section 603 of Title 21, Food and Drugs.

Contracts For or Procurement of Livestock Products During the Period From June 30, 1960, to August 30, 1960

Pub. L. 86–547, June 29, 1960, 74 Stat. 255, permitted any agency or instrumentality of the United States, during the period from June 30, 1960, to August 30, 1960, to contract for or procure livestock products produced or processed by a slaughtering or processor which slaughters or handles for slaughter livestock by methods other than those designated and approved by the Secretary of Agriculture if such slaughtering or processor has contracted for the purchase of the equipment necessary to enable him to adopt such methods but such equipment has not been delivered to him.

§ 1904. Methods research; designation of methods

In furtherance of the policy expressed herein the Secretary is authorized and directed—

(a) to conduct, assist, and foster research, investigation, and experimentation to develop and determine methods of slaughtering and the handling of livestock in connection with slaughter which are practicable with reference to the speed and scope of slaughtering operations and humane with reference to other existing methods and then current scientific knowledge; and


Effective Date of Repeal

Repeal effective one year after Oct. 10, 1978, and nonapplicability during not to exceed additional 18 months in hardship cases, see sec. 7 of Pub. L. 95–445 set out as a note under section 603 of Title 21, Food and Drugs.

§ 1906. Exemption of ritual slaughter

Nothing in this chapter shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group. Notwithstanding any other provision of this chapter, in order to protect freedom of religion, ritual slaughter and the handling or other preparation of livestock for ritual slaughter are exempted from the terms of this chapter. For the purposes of this section the term "ritual slaughter" means slaughter in accordance with section 1902(b) of this title.

(Pub. L. 85–765, § 6, Aug. 27, 1958, 72 Stat. 864.)

§ 1907. Practices involving nonambulatory livestock

(a) Report

The Secretary of Agriculture shall investigate and submit to Congress a report on—
(1) the scope of nonambulatory livestock;
(2) the causes that render livestock nonambulatory;
(3) the humane treatment of nonambulatory livestock; and
(4) the extent to which nonambulatory livestock may present handling and disposition problems for stockyards, market agencies, and dealers.

(b) Authority

Based on the findings of the report, if the Secretary determines it necessary, the Secretary shall promulgate regulations to provide for the humane treatment, handling, and disposition of nonambulatory livestock by stockyards, market agencies, and dealers.

(c) Administration and enforcement

For the purpose of administering and enforcing any regulations promulgated under subsection (b), the authorities provided under sections 10414 [7 U.S.C. 8313] and 10415 [7 U.S.C. 8314] shall apply to the regulations in a similar manner as those sections apply to the Animal Health Protection Act [7 U.S.C. 8301 et seq.]. Any person that violates regulations promulgated under subsection (b) shall be subject to penalties provided in section 10414.


References in Text


Codification

Section was enacted as part of the Farm Security and Rural Investment Act of 2002 and not as part of Pub. L. 85–765, which comprises this chapter.

CHAPTER 49—CONSULTATION ON AGRICULTURAL PROGRAMS

Sec.

1911. Consultation of Secretary of Agriculture with farmers, farm and commodity organizations and other persons and organizations; travel and per diem expenses

(a) Notwithstanding any other provision of law, whenever the Secretary of Agriculture determines that additional legislative authority is necessary to develop new agricultural programs involving supply adjustments or marketing regulations through marketing orders, marketing quotas, or price support programs with respect to any agricultural commodity, or to make substantial revisions in any existing agricultural legislation or programs, he may consult and advise with farmers, farm organizations, and appropriate commodity organizations, if any, for the commodity involved, to review the problems involved, the need for new legislation, and the provisions which should be included in any such proposed legislation.

(b) In addition, whenever and to the extent he deems such action necessary or desirable, the