

intermediate handler or carrier for transportation in commerce except to registered research facilities if they are less than such age as the Secretary may by regulation prescribe. The Secretary shall designate additional kinds and classes of animals and may prescribe different ages for particular kinds or classes of dogs, cats, or designated animals, for the purposes of this section, when he determines that such action is necessary or adequate to assure their humane treatment in connection with their transportation in commerce.

**(h) Prohibition of C.O.D. arrangements for transportation of animals in commerce; exceptions**

No intermediate handler or carrier involved in the transportation of any animal in commerce shall participate in any arrangement or engage in any practice under which the cost of such animal or the cost of the transportation of such animal is to be paid and collected upon delivery of the animal to the consignee, unless the consignor guarantees in writing the payment of transportation charges for any animal not claimed within a period of 48 hours after notice to the consignee of arrival of the animal, including, where necessary, both the return transportation charges and an amount sufficient to reimburse the carrier for all out-of-pocket expenses incurred for the care, feeding, and storage of such animals.

(Pub. L. 89-544, §13, Aug. 24, 1966, 80 Stat. 352; Pub. L. 91-579, §14, Dec. 24, 1970, 84 Stat. 1562; Pub. L. 94-279, §§9, 10, Apr. 22, 1976, 90 Stat. 418, 419; Pub. L. 99-198, title XVII, §1752, Dec. 23, 1985, 99 Stat. 1645.)

AMENDMENTS

1985—Subsec. (a)(1) to (3). Pub. L. 99-198, §1752(a)(2), substituted pars. (1) to (3) for first two sentences of subsec. (a) which read as follows: "The Secretary shall promulgate standards to govern the humane handling, care, treatment, and transportation of animals by dealers, research facilities, and exhibitors. Such standards shall include minimum requirements with respect to handling, housing, feeding, watering, sanitation, ventilation, shelter from extremes of weather and temperatures, adequate veterinary care, including the appropriate use of anesthetic, analgesic or tranquilizing drugs, when such use would be proper in the opinion of the attending veterinarian of such research facilities, and separation by species when the Secretary finds such separation necessary for the humane handling, care, or treatment of animals."

Subsec. (a)(4) to (8). Pub. L. 99-198, §1752(b), designated third and fourth sentences of subsec. (a) as par. (4), designated fifth sentence of subsec. (a) as par. (5), and substituted pars. (6) to (8) for last sentence of subsec. (a) which read as follows: "Nothing in this chapter shall be construed as authorizing the Secretary to promulgate rules, regulations, or orders with regard to design, outlines, guidelines, or performance of actual research or experimentation by a research facility as determined by such research facility: *Provided*, That the Secretary shall require, at least annually, every research facility to show that professionally acceptable standards governing the care, treatment, and use of animals, including appropriate use of anesthetic, analgesic, and tranquilizing drugs, during experimentation are being followed by the research facility during actual research or experimentation."

Subsecs. (b) to (h). Pub. L. 99-198, §1752(a)(1), (c), added subsecs. (b) to (f) and redesignated existing subsecs. (b) to (d) as (f) to (h), respectively.

1976—Subsec. (a). Pub. L. 94-279, §9, designated existing provisions as subsec. (a) and inserted provisions authorizing Secretary to promulgate standards, rules and regulations relating to the transportation in commerce, handling, care, and treatment of animals covered under this chapter.

Subsecs. (b) to (d). Pub. L. 94-279, §10, added subsecs. (b) to (d).

1970—Pub. L. 91-579 added exhibitors to the enumeration of persons to be governed by promulgated standards, added handling to the enumeration of activities covered, expanded existing standard for adequate veterinary care to include the appropriate use of anesthetic, analgesic, or tranquilizing drugs by research facilities when the use of such drugs is considered proper in the opinion of the attending veterinarian at such research facility, directed the Secretary to consult outside consultants and experts in promulgating standards, and inserted requirement of an annual report.

EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-198 effective one year after Dec. 23, 1985, see section 1759 of Pub. L. 99-198, set out as a note under section 2131 of this title.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-579 effective one year after Dec. 24, 1970, see section 23 of Pub. L. 91-579, set out as a note under section 2131 of this title.

**§2144. Humane standards for animals by United States Government facilities**

Any department, agency, or instrumentality of the United States having laboratory animal facilities shall comply with the standards and other requirements promulgated by the Secretary for a research facility under sections<sup>1</sup> 2143(a), (f), (g), and (h) of this title. Any department, agency, or instrumentality of the United States exhibiting animals shall comply with the standards promulgated by the Secretary under sections<sup>1</sup> 2143(a), (f), (g), and (h) of this title.

(Pub. L. 89-544, §14, Aug. 24, 1966, 80 Stat. 352; Pub. L. 91-579, §15, Dec. 24, 1970, 84 Stat. 1563; Pub. L. 94-279, §19, Apr. 22, 1976, 90 Stat. 423; Pub. L. 99-198, title XVII, §1758, Dec. 23, 1985, 99 Stat. 1650.)

AMENDMENTS

1985—Pub. L. 99-198 substituted "sections 2143(a), (f), (g), and (h) of this title" for "section 2143 of this title" in two places.

1976—Pub. L. 94-279 inserted "and other requirements" after "standards" in first sentence.

1970—Pub. L. 91-579 inserted provisions requiring facilities of the United States exhibiting animals to comply with standards promulgated by Secretary under section 2143 of this title.

EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-198 effective one year after Dec. 23, 1985, see section 1759 of Pub. L. 99-198, set out as a note under section 2131 of this title.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-579 effective one year after Dec. 24, 1970, see section 23 of Pub. L. 91-579, set out as a note under section 2131 of this title.

**§2145. Consultation and cooperation with Federal, State, and local governmental bodies by Secretary of Agriculture**

(a) The Secretary shall consult and cooperate with other Federal departments, agencies, or in-

<sup>1</sup> So in original. Probably should be "section".