damaging weather or related condition, exceeds 15 percent (adjusted for normal mortality).


§ 8203. Assistance

Subject to section 8204 of this title, the assistance provided by the Secretary to eligible orchardists for losses described in section 8202 of this title shall consist of—

(1) reimbursement of 75 percent of the cost of replanting trees lost due to a natural disaster, as determined by the Secretary, in excess of 15 percent mortality (adjusted for normal mortality); or

(2) at the option of the Secretary, sufficient seedlings to reestablish a stand.


§ 8204. Limitations on assistance

(a) Amount

The total amount of payments that a person shall be entitled to receive under this chapter may not exceed $75,000, or an equivalent value in tree seedlings.

(b) Acres

The total quantity of acres planted to trees or tree seedlings for which a person shall be entitled to receive payments under this chapter may not exceed 500 acres.

(c) Regulations

The Secretary shall promulgate regulations—

(1) defining the term “person” for the purpose of this chapter, which shall conform, to the maximum extent practicable, to the regulations defining the term “person” promulgated under section 1308 of this title (before the amendment made by section 1603(a) of the Food, Conservation, and Energy Act of 2008); and

(2) promulgating such regulations as the Secretary determines necessary to ensure a fair and reasonable application of the limitation established under this section.


Editorial Notes

References in Text

Section 1308 of this title (before the amendment made by section 1603(a) of the Food, Conservation, and Energy Act of 2008), referred to in subsec. (c)(1), means section 1308 of this title before the amendment by section 1603(a) of Pub. L. 110–224, which amended the definition of “covered commodity” in section 1308(a)(1). Section 1603(b) of Pub. L. 110–246 amended section 1308 by, among other things, adding subsec. (a)(4) which defined “person” and striking out subsec. (e) which related to issuance of regulations defining “person”. The amendments by section 1603 of Pub. L. 110–246 to section 1308 were effective May 22, 2008.

1 See References in Text note below.

Codification


Amendments


Statutory Notes and Related Subsidiaries

Effective Date of 2014 Amendment

Amendment by Pub. L. 113–79 effective as if included in Pub. L. 110–246, see section 1609(b)(2) of Pub. L. 113–79, set out as a note under section 1671g of this title.

Effective Date of 2008 Amendment


§ 8205. Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this chapter.


CHAPTER 109—ANIMAL HEALTH PROTECTION

Condification


Amendments


Statutory Notes and Related Subsidiaries

Effective Date of 2014 Amendment

Amendment by Pub. L. 113–79 effective as if included in Pub. L. 110–246, see section 1609(b)(2) of Pub. L. 113–79, set out as a note under section 1671g of this title.

Effective Date of 2008 Amendment


§ 8205. Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this chapter.


CHAPTER 109—ANIMAL HEALTH PROTECTION

Sec. 8301. Findings.
8302. Definitions.
8303. Restriction on importation or entry.
8304. Exportation.
8305. Interstate movement.
8306. Seizure, quarantine, and disposal.
8307. Inspections, seizures, and warrants.
8308. Detection, control, and eradication of diseases and pests.
8308a. Animal disease prevention and management.
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8311. Reimbursable agreements.
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8316. Authorization of appropriations.
8317. Effect on regulations.
8318. Veterinary training.
8319. Surveillance of zoonotic diseases.
8320. Expansion of Animal and Plant Health Inspection Service activities.
8321. Pest and Disease Response Fund.
8322. National aquatic animal health plan.

1 See References in Text note below.
§ 8302

TERMS

(D) the environment of the United States; and
(E) interstate commerce and foreign commerce of the United States in animals and other articles;

(2) animal diseases and pests are primarily transmitted by animals and articles regulated under this chapter;

(3) the health of animals is affected by the methods by which animals and articles are transported in interstate commerce and foreign commerce;

(4) the Secretary must continue to conduct research on animal diseases and pests that constitute a threat to the livestock of the United States; and

(5)(A) all animals and articles regulated under this chapter are in or affect interstate commerce or foreign commerce; and

(B) regulation by the Secretary and cooperation by the Secretary with foreign countries, States or other jurisdictions, or persons are necessary—

(i) to prevent and eliminate burdens on interstate commerce and foreign commerce;

(ii) to regulate effectively interstate commerce and foreign commerce; and

(iii) to protect the agriculture, environment, economy, and health and welfare of the people of the United States.


Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in pars. (2) and (5)(A), was in the original “this subtitle”, meaning subtitle E (§§10401–10418) of title X of Pub. L. 107–171, May 13, 2002, 116 Stat. 494, which is classified principally to this chapter. For complete classification of subtitle E to the Code, see Short Title note set out below and Tables.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 107–171, title X, §10401, May 13, 2002, 116 Stat. 491, provided that: “This subtitle (subtitle E (§§10401–10418) of title X of Pub. L. 107–171, enacting this chapter, amending sections 7714 and 7733 of this title, section 1540 of Title 16, Conservation, and sections 136a and 618 of Title 21, Food and Drugs, and repealing sections 429, 2260, 2260a of this title, section 1306 of Title 19, Customs Duties, and sections 102 to 105, 111, 112, 113, 114 to 114–1, 114 to 114h, 115 to 131, 134 to 135b, 612 to 614 of Title 21, sections 3901 and 3902 of Title 46, Shipping, and provisions set out as a note under section 129a of Title 21] may be cited as the ‘Animal Health Protection Act’.”

TRANSFER OF FUNCTIONS

For transfer of functions of the Secretary of Agriculture relating to agricultural import and entry inspection activities under this chapter to the Secretary of Homeland Security, and for treatment of related references, see sections 231, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 8302. Definitions

In this chapter:

(1) Animal

The term “animal” means any member of the animal kingdom (except a human).