

§ 580p. “Woodsy Owl” and “Smokey Bear” characters and names; definitions

As used in this Act—

(1) the term “Woodsy Owl” means the name and representation of a fanciful owl, who wears slacks (forest green when colored), a belt (brown when colored), and a Robin Hood style hat (forest green when colored) with a feather (red when colored), and who furthers the slogan, “Give a Hoot, Don’t Pollute”, originated by the Forest Service of the United States Department of Agriculture;

(2) the term “Smokey Bear” means the name and character “Smokey Bear” originated by the Forest Service of the United States Department of Agriculture in cooperation with the Association of State Foresters and the Advertising Council.¹

(3) the term “Secretary” means the Secretary of Agriculture.

(Pub. L. 93-318, § 1, June 22, 1974, 88 Stat. 244.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 93-318, June 22, 1974, 88 Stat. 244, which enacted sections 580p, 580p-1, 580p-3, and 580p-4 of this title and section 711a of Title 18, Crimes and Criminal Procedure, and amended section 580p-2 of this title and section 711 of Title 18. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 488b-3 of Title 31 prior to the general revision and enactment of Title 31, Money and Finance, by Pub. L. 97-258, § 1, Sept. 13, 1982, 96 Stat. 877.

§ 580p-1. Property of the United States

The following are hereby declared the property of the United States:

(1) The name and character “Smokey Bear”.

(2) The name and character “Woodsy Owl” and the associated slogan, “Give a Hoot, Don’t Pollute”.

(Pub. L. 93-318, § 2, June 22, 1974, 88 Stat. 245.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 488b-4 of Title 31 prior to the general revision and enactment of Title 31, Money and Finance, by Pub. L. 97-258, § 1, Sept. 13, 1982, 96 Stat. 877.

§ 580p-2. Deposit of fees collected under regulations relating to “Smokey Bear”; availability

The Secretary of Agriculture shall deposit into a special account to be available for furthering the nationwide forest-fire prevention campaign all fees collected under regulations promulgated by him relating to “Smokey Bear”.

(May 23, 1952, ch. 327, § 3, 66 Stat. 92; Pub. L. 93-318, § 7, June 22, 1974, 88 Stat. 245.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 488a of Title 31 prior to the general revision and enactment of

¹ So in original. The period probably should be a semicolon.

Title 31, Money and Finance, by Pub. L. 97-258, § 1, Sept. 13, 1982, 96 Stat. 877.

AMENDMENTS

1974—Pub. L. 93-318 struck out “under the provisions of section 711 of title 18” after “relating to ‘Smokey Bear’.”

§ 580p-3. Use of royalty fees; special account

(a) The Secretary may establish and collect use or royalty fees for the manufacture, reproduction, or use of the name or character “Woodsy Owl” and the associated slogan, “Give a Hoot, Don’t Pollute”, as a symbol for a public service campaign to promote wise use of the environment and programs which foster maintenance and improvement of environmental quality.

(b) The Secretary shall deposit into a special account all fees collected pursuant to this Act. Such fees are hereby made available for obligation and expenditure for the purpose of furthering the “Woodsy Owl” campaign.

(Pub. L. 93-318, § 3, June 22, 1974, 88 Stat. 245.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in subsec. (b), is Pub. L. 93-318, June 22, 1974, 88 Stat. 244, which enacted sections 580p, 580p-1, 580p-3, and 580p-4 of this title and section 711a of Title 18, Crimes and Criminal Procedure, and amended section 580p-2 of this title and section 711 of Title 18. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 488b-5 of Title 31 prior to the general revision and enactment of Title 31, Money and Finance, by Pub. L. 97-258, § 1, Sept. 13, 1982, 96 Stat. 877.

§ 580p-4. Injunction against unauthorized manufacture, use, or reproduction

(a) Whoever, except as provided by rules and regulations issued by the Secretary, manufactures, uses, or reproduces the character “Smokey Bear”, or the name “Smokey Bear”, or a facsimile or simulation of such character or name in such a manner as suggests “Smokey Bear” may be enjoined from such manufacture, use, or reproduction at the suit of the Attorney General upon complaint by the Secretary.

(b) Whoever, except as provided by rules and regulations issued by the Secretary, manufactures, uses, or reproduces the character “Woodsy Owl”, the name “Woodsy Owl”, or the slogan “Give a Hoot, Don’t Pollute”, or a facsimile or simulation of such character, name, or slogan in such a manner as suggests “Woodsy Owl” may be enjoined from such manufacture, use, or reproduction at the suit of the Attorney General upon complaint by the Secretary.

(Pub. L. 93-318, § 4, June 22, 1974, 88 Stat. 245.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 488b-6 of Title 31 prior to the general revision and enactment of Title 31, Money and Finance, by Pub. L. 97-258, § 1, Sept. 13, 1982, 96 Stat. 877.

§ 580q. National Tree Seed Laboratory; disposition of fees

Notwithstanding any other provision of law, fees received by the National Tree Seed Laboratory, administered by the Forest Service, United States Department of Agriculture, for the provision of a tree seed testing service, shall be retained and deposited as a reimbursement to current appropriations used to cover the costs of providing such service.

(Pub. L. 99-198, title XVII, § 1772, Dec. 23, 1985, 99 Stat. 1658.)

SUBCHAPTER II—INVESTIGATIONS, EXPERIMENTS, AND TESTS AFFECTING REFORESTATION AND FOREST PRODUCTS

§§ 581, 581a. Repealed. Pub. L. 95-307, § 8(a), June 30, 1978, 92 Stat. 356

Section 581, acts May 22, 1928, ch. 678, § 1, 45 Stat. 699; Apr. 24, 1950, ch. 97, § 17(a), 64 Stat. 87, authorized investigations, experiments, and tests affecting reforestation and forest products through cooperation with State and other agencies.

Section 581a, acts May 22, 1928, ch. 678, § 2, 45 Stat. 700; June 15, 1936, ch. 553, 49 Stat. 1515, set forth provisions establishing and authorizing appropriations for specific forest experiment stations.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1978, see section 9 of Pub. L. 95-307, set out as an Effective Date note under section 1641 of this title.

§ 581a-1. Repealed. Pub. L. 95-307, § 4(d), June 30, 1978, 92 Stat. 355

Section, act Aug. 31, 1951, ch. 374, title I, § 101, 65 Stat. 233, authorized receipt of funds on or after Aug. 31, 1951, from States, etc., for establishment or operation of forest research facilities.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1978, see section 9 of Pub. L. 95-307, set out as an Effective Date note under section 1641 of this title.

§ 581a-2. Omitted

Editorial Notes

CODIFICATION

Section, act June 13, 1956, ch. 380, title II, § 200, 70 Stat. 269, which authorized advance of funds to co-operators, was from the Department of the Interior and Related Agencies Appropriation Act, 1957, and was not repeated in subsequent appropriation acts. Similar provisions were contained in following prior appropriation acts:

June 16, 1955, ch. 147, title II, § 200, 69 Stat. 154.

June 29, 1954, ch. 409, title I, § 101, 68 Stat. 308.

July 28, 1953, ch. 251, title I, § 101, 67 Stat. 212.

Act July 5, 1952, ch. 574, title I, § 101, 66 Stat. 343.

§§ 581b to 581i. Repealed. Pub. L. 95-307, § 8(a), June 30, 1978, 92 Stat. 356

Section 581b, act May 22, 1928, ch. 678, § 3, 45 Stat. 701, authorized appropriations for investigations of diseases of forest trees and products.

Section 581c, act May 22, 1928, ch. 678, § 4, 45 Stat. 701, authorized appropriations for investigations of forest insects.

Section 581d, act May 22, 1928, ch. 678, § 5, 45 Stat. 701, authorized appropriations for experiments and investigations of life histories and habits of forest animals, birds, and wildlife.

Section 581e, act May 22, 1928, ch. 678, § 6, 45 Stat. 701, authorized appropriations for investigations of the relationship of weather conditions to forest fires.

Section 581f, act May 22, 1928, ch. 678, § 7, 45 Stat. 701, authorized appropriations for experiments and investigations for development of improved methods of management of forest ranges.

Section 581g, act May 22, 1928, ch. 678, § 8, 45 Stat. 701, authorized appropriations for experiments, investigations, and tests of the physical and chemical properties of forest products.

Section 581h, acts May 22, 1928, ch. 678, § 9, 45 Stat. 702; May 31, 1944, ch. 217, 58 Stat. 265; June 25, 1949, ch. 245, 63 Stat. 271; Aug. 8, 1953, ch. 378, 67 Stat. 489; Sept. 25, 1962, Pub. L. 87-685, 76 Stat. 579; Dec. 14, 1967, Pub. L. 90-193, 81 Stat. 579; Aug. 17, 1974, Pub. L. 93-378, § 3(b), formerly § 2(b), 88 Stat. 476, renumbered Oct. 22, 1976, Pub. L. 94-588, § 2, 90 Stat. 2949, set forth provisions relating to comprehensive survey and analysis of the present and prospective conditions of and requirements for renewable resources.

Section 581i, act May 22, 1928, ch. 678, § 10, 45 Stat. 702, authorized appropriations for economic investigations of forest lands and forest products.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1978, see section 9 of Pub. L. 95-307, set out as an Effective Date note under section 1641 of this title.

§ 581i-1. Advance of funds for cooperative research

For the purpose of fostering and stimulating participation with the Forest Service in forest, range, and watershed management research through investigations, experiments, tests, or such other means as he may deem advisable, and in order to aid in obtaining the fullest cooperation from States and other public and private agencies, organizations, institutions, and individuals, in effectuating such research the Secretary of Agriculture is authorized in accordance with such regulations as he may issue and when in his judgment such cooperative work will be stimulated or facilitated to make funds available to the co-operators without regard to the provisions of section 3324(a) and (b) of title 31, prohibiting advances of public moneys.

(Apr. 24, 1950, ch. 97, § 20, as added Apr. 6, 1956, ch. 176, 70 Stat. 100.)

Editorial Notes

CODIFICATION

“Section 3324(a) and (b) of title 31” substituted in text for “section 3648, Revised Statutes [31 U.S.C. 529]” on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

§ 581j. Congressional declaration of policy on reforestation and revegetation

It is the declared policy of the Congress to accelerate and provide a continuing basis for the needed reforestation and revegetation of national-forest lands and other lands under administration or control of the Forest Service of the Department of Agriculture in order to obtain the benefits hereinbefore enumerated.