buildings of historic or architectural significance.

(Pub. L. 103–272, § 1(d), July 5, 1994, 108 Stat. 854.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
5567	49 App.:1653(i)(7).	Oct. 15, 1966, Pub. L. 89–670, 80 Stat. 931, § 4(i)(7); added Oct. 28, 1974, Pub. L. 93–496, §§ 6, 15, 88 Stat. 1530, 1533; Feb. 5, 1976, Pub. L. 94–210, § 707(3), 90 Stat. 125; May 30, 1980, Pub. L. 96–254, § 206(a), 94 Stat. 412.

The word ''Amtrak'' is substituted for ''The National Railroad Passenger Corporation'' for consistency in the revised title. The words ''rail passenger terminal'' are substituted for ''station'' for consistency in this chapter. The word ''or'' is substituted for ''and'' for consistency with the source provisions being restated in section 5562(a)(3) of the revised title.

§ 5568. Authorization of appropriations

(a) GENERAL.—The following amounts may be appropriated to the Secretary of Transportation:

(1) not more than $15,000,000 to carry out section 5562(a)(1) and (3) of this title.

(2) not more than $2,500,000 to carry out section 5562(a)(2) of this title.

(3) not more than $2,500,000 to carry out section 5562(a)(4) of this title.

(b) AVAILABILITY OF AMOUNTS.—Amounts appropriated to carry out this chapter remain available until expended.

(Pub. L. 103–272, § 1(d), July 5, 1994, 108 Stat. 854.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
5568	49 App.:1653(i)(9).	Oct. 15, 1966, Pub. L. 89–670, 80 Stat. 931, § 4(i)(9); added Oct. 28, 1974, Pub. L. 93–496, §§ 6, 15, 88 Stat. 1530, 1533; restated Feb. 5, 1976, Pub. L. 94–210, § 707(3), (5), 90 Stat. 125; Oct. 19, 1976, Pub. L. 94–555, § 219(a), 90 Stat. 2629; May 30, 1980, Pub. L. 96–254, § 206(a), 94 Stat. 412.

In subsection (a), before clause (1), the words ''to the Secretary of Transportation'' are added for clarity and consistency in this chapter.

In subsection (b), the words ''to carry out'' are substituted for ''for the purpose set forth . . . in'' for consistency in the revised title and with other titles of the United States Code.

CHAPTER 57—SANITARY FOOD TRANSPORTATION

Sec.
5701. Food transportation safety inspections.

Editorial Notes

AMENDMENTS

2008—Pub. L. 110–244, title III, § 302(g), June 6, 2008, 122 Stat. 1618, substituted ''transportation'' for ''Transportation'' in item 5701.

2005—Pub. L. 109–59, title VII, § 7203, Aug. 10, 2005, 119 Stat. 1913, reenacted chapter heading without change and amended table of sections generally, substituting item 5701 for former items 5701 ''Findings'', 5702 ''Definitions'', 5703 ''General regulation'', 5704 ''Tank trucks, rail tank cars, and cargo tanks'', 5705 ''Motor and rail transportation of nonfood products'', 5706 ''Dedicated vehicles'', 5707 ''Waiver authority'', 5708 ''Food transportation inspections'', 5709 ''Consultation'', 5710 ''Administrative'', 5711 ''Enforcement and penalties'', 5712 ''Relationship to other laws'', 5713 ''Application of sections 5711 and 5712'', and 5714 ''Coordination procedures''.

§ 5701. Food transportation safety inspections

(a) INSPECTION PROCEDURES.—

(1) IN GENERAL.—The Secretary of Transportation, in consultation with the Secretary of Health and Human Services and the Secretary of Agriculture, shall establish procedures for transportation safety inspections for the purpose of identifying suspected incidents of contamination or adulteration of—

(A) food in violation of regulations promulgated under section 416 of the Federal Food, Drug, and Cosmetic Act;

(B) a carcass, part of a carcass, meat, meat food product, or animal subject to detention under section 402 of the Federal Meat Inspection Act (21 U.S.C. 672); and

(C) poultry products or poultry subject to detention under section 19 of the Poultry Products Inspection Act (21 U.S.C. 467a).

(2) TRAINING.—

(A) IN GENERAL.—The Secretary of Transportation shall develop and carry out a training program to conduct enforcement of this chapter and regulations prescribed under this chapter or compatible State laws and regulations.

(B) CONDUCT.—In carrying out this paragraph, the Secretary of Transportation shall train inspectors, including Department of Transportation personnel, State employees described under subsection (c), or personnel paid with funds authorized under sections 31102 and 31104, in the recognition of adulteration problems associated with the transportation of cosmetics, devices, drugs, food, and food additives and in the procedures for obtaining assistance of the appropriate departments, agencies, and instrumentalities of the Government and State authorities to support the enforcement.

(3) APPLICABILITY.—The procedures established under paragraph (1) shall apply, at a minimum, to Department of Transportation personnel that perform commercial motor vehicle or railroad safety inspections.

(b) NOTIFICATION OF SECRETARY OF HEALTH AND HUMAN SERVICES OR SECRETARY OF AGRICULTURE.—The Secretary of Transportation shall promptly notify the Secretary of Health and Human Services or the Secretary of Agriculture, as applicable, of any instances of potential food contamination or adulteration of a food identified during transportation safety inspections.

(c) USE OF STATE EMPLOYEES.—The means by which the Secretary of Transportation carries out subsection (b) may include inspections conducted by State employees using funds authorized to be appropriated under sections 31102 through 31104.

(Added Pub. L. 109–59, title VII, § 7203, Aug. 10, 2005, 119 Stat. 1913.)

Editorial Notes

REFERENCES IN TEXT

Section 416 of the Federal Food, Drug, and Cosmetic Act, referred to in subsec. (a)(1)(A), is classified to section 350e of Title 21, Food and Drugs.

PRIOR PROVISIONS

Prior sections 5701 to 5714 were omitted in the general amendment of this chapter by Pub. L. 109–59, § 7203.

Section 5701, Pub. L. 103–272, § 1(d), July 5, 1994, 108 Stat. 854, related to findings.

Section 5702, Pub. L. 103–272, § 1(d), July 5, 1994, 108 Stat. 854, defined terms.

Section 5703, Pub. L. 103–272, § 1(d), July 5, 1994, 108 Stat. 855, directed Secretary to prescribe regulations.

Section 5704, Pub. L. 103–272, § 1(d), July 5, 1994, 108 Stat. 856, related to prohibited use of tank trucks, rail tank cars, and cargo tanks.

Section 5705, Pub. L. 103–272, § 1(d), July 5, 1994, 108 Stat. 857, related to prohibited motor and rail transportation of nonfood products.

Section 5706, Pub. L. 103–272, § 1(d), July 5, 1994, 108 Stat. 857, related to dedication of vehicles to transport asbestos, extremely dangerous products, or refuse.

Section 5707, Pub. L. 103–272, § 1(d), July 5, 1994, 108 Stat. 857, related to waiver of provisions.

Section 5708, Pub. L. 103–272, § 1(d), July 5, 1994, 108 Stat. 858, related to food transportation inspections. See section 5701 of this title.

Section 5709, Pub. L. 103–272, § 1(d), July 5, 1994, 108 Stat. 858, related to consultation with Secretaries of Agriculture and Health and Human Services and Administrator of the Environmental Protection Agency.

Section 5710, Pub. L. 103–272, § 1(d), July 5, 1994, 108 Stat. 858, related to duties and powers of Secretary.

Section 5711, Pub. L. 103–272, § 1(d), July 5, 1994, 108 Stat. 858, related to enforcement and penalties.

Section 5712, Pub. L. 103–272, § 1(d), July 5, 1994, 108 Stat. 859, related to relationship to other laws.

Section 5713, Pub. L. 103–272, § 1(d), July 5, 1994, 108 Stat. 859, related to application of sections 5711 and 5712.

Section 5714, Pub. L. 103–272, § 1(d), July 5, 1994, 108 Stat. 859, related to coordination between departments, agencies, and instrumentalities.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 2005, see section 7204 of Pub. L. 109–59, set out as an Effective Date of 2005 Amendment note under section 331 of Title 21, Food and Drugs.

CHAPTER 59—INTERMODAL SAFE CONTAINER TRANSPORTATION

Sec.
5901. Definitions.
5902. Notifications and certifications.
5903. Prohibitions.
5904. State enforcement.
5905. Liens.
5906. Perishable agricultural commodities.
5907. Effective date.
5908. Relationship to other laws.

Editorial Notes

AMENDMENTS

1996—Pub. L. 104–291, title II, §§ 208(b), 209(b), Oct. 11, 1996, 110 Stat. 3457, 3458, substituted ''Effective date'' for ''Regulations and effective date'' in item 5907 and added item 5908.

§ 5901. Definitions

In this chapter—

(1) except as otherwise provided in this chapter, the definitions in sections 10102 and 13102 of this title apply.

(2) ''beneficial owner'' means a person not having title to property but having ownership rights in the property, including a trustee of property in transit from an overseas place of origin that is domiciled or doing business in the United States, except that a carrier, agent of a carrier, broker, customs broker, freight forwarder, warehouser, or terminal operator is not a beneficial owner only because of providing or arranging for any part of the intermodal transportation of property.

(3) ''carrier'' means—

(A) a motor carrier, water carrier, and rail carrier providing transportation of property in commerce; and

(B) an ocean common carrier (as defined in section 40102 of title 46) providing transportation of property in commerce.

(4) ''container'' has the meaning given the term ''freight container'' by the International Standards Organization in Series 1, Freight Containers, 3d Edition (reference number ISO668–1979(E)), including successive revisions, and similar containers that are used in providing transportation in interstate commerce.

(5) ''first carrier'' means the first carrier transporting a loaded container or trailer in intermodal transportation.

(6) ''gross cargo weight'' means the weight of the cargo, packaging materials (including ice), pallets, and dunnage.

(7) ''intermodal transportation'' means the successive transportation of a loaded container or trailer from its place of origin to its place of destination by more than one mode of transportation in interstate or foreign commerce, whether under a single bill of lading or under separate bills of lading.

(8) ''trailer'' means a nonpower, property-carrying, trailing unit that is designed for use in combination with a truck tractor.

(Pub. L. 103–272, § 1(d), July 5, 1994, 108 Stat. 859; Pub. L. 104–291, title II, § 203, Oct. 11, 1996, 110 Stat. 3453; Pub. L. 109–304, § 17(h)(2), Oct. 6, 2006, 120 Stat. 1709.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
5901(1)	49:501(a)(1).	
5901(2)	49:501(a)(4).	
5901(3)	49:501(a)(5).	
5901(4)	49:501(a)(6).	
5901(5)	49:501(a)(7).	
5901(6)	49:501(a)(8).	
5901(7)	49:501(a)(9).	

This chapter restates 49:508 and the relevant definitions in 49:501 because the subject matter more appropriately belongs in subtitle III of title 49. The text of 49:501(a)(1) is restated to incorporate the definitions in 49:10102. The terms defined in 49:501(a)(2) and (3) are not used in this chapter.

In clause (2), the word ''including'' is substituted for ''For purposes of this paragraph . . . shall be treated as a beneficial owner of such property'' for consistency and to eliminate unnecessary words. The words ''is not a beneficial owner only because of providing or arrang-