

AMENDMENT OF SECTION

For termination of amendment by section 501(c) of Pub. L. 100-449, see Effective and Termination Dates of 1988 Amendment note below.

Editorial Notes

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-465, §441(2)(A), struck out “staining,” before “cleaning, labeling,” in two places.

Subsec. (e). Pub. L. 103-465, §441(2)(B), struck out subsec. (e) which read as follows: “The provisions of this subchapter requiring certain seeds to be stained shall not apply—

“(1) to alfalfa or clover seed originating in Canada or Mexico, or

“(2) when seeds otherwise required to be stained will not be sold within the United States and will be used for seed production only by or for the importer or consignee and the importer of record or consignee files a statement in accordance with the rules and regulations prescribed under section 1592 of this title certifying that such seeds will be used only for seed production by or for the importer or consignee.”

1993—Subsec. (e)(1). Pub. L. 103-182 inserted “or Mexico” after “Canada”.

1988—Pub. L. 100-449 temporarily amended subsec. (e) generally. Prior to amendment, subsec. (e) read as follows: “The provisions of this subchapter requiring certain seeds to be stained shall not apply when such seed will not be sold within the United States and will be used for seed production only by or for the importer or consignee: *Provided*, That the importer of record or consignee files a statement in accordance with the rules and regulations prescribed under section 1592 of this title certifying that such seed will be used only for seed production by or for the importer or consignee.” See Effective and Termination Dates of 1988 Amendment note below.

1983—Subsec. (a). Pub. L. 97-439, §5(b)(2), struck out provision that Secretary may apply statistical sampling and inspection techniques to samples and screenings to determine whether pure-live seed requirement of any kind of seed was being met, in event of which he was to advise importer of each lot of seed not examined for pure-live seed percentage.

Subsec. (d). Pub. L. 97-439, §5(b)(3)(A), struck out “that is adulterated or unfit for seeding purposes” after “importation of seed” in provisions preceding par. (1).

Subsec. (d)(3). Pub. L. 97-439, §5(b)(3)(B), struck out cl. (3) which described the situation when seed not meeting the pure-live seed requirements of section 1584 of this title would not be sold within the United States and would be used for seed production only by or for the importer or consignee, providing that the importer of record or consignee filed a statement in accordance with the rules and regulations prescribed under section 1592 of this title certifying that such seed would be used only for seed production by or for the importer or consignee.

1966—Subsec. (a). Pub. L. 89-686, §15, authorized Secretary of Agriculture to apply statistical sampling and inspection techniques to samples and screenings to determine whether the pure-live seed requirement of any kind of seed is being met and to advise importer of each lot of seed not examined for pure-live seed percentage.

Subsec. (d)(3). Pub. L. 89-686, §16, added par. (3).

Subsec. (e). Pub. L. 89-686, §17, added subsec. (e).

1958—Subsec. (a). Pub. L. 85-851, §13, inserted “owner or” before “consignee” wherever appearing, except in the two provisos, changed first proviso to bring its wording in line with practices generally followed with other commodities illegally placed into consumption, and provided in second proviso for reimbursement of all costs to the Federal Government incident to supervision required under this chapter.

Subsec. (d). Pub. L. 85-581, §14, added subsec. (d).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-465 effective on the date of entry into force of the WTO Agreement with respect to the United States (Jan. 1, 1995), except as otherwise provided, see section 451 of Pub. L. 103-465, set out as an Effective Date note under section 3601 of Title 19, Customs Duties.

EFFECTIVE AND TERMINATION DATES OF 1988 AMENDMENT

Amendment by Pub. L. 100-449 effective on the date the United States-Canada Free-Trade Agreement enters into force (Jan. 1, 1989), and to cease to have effect on the date the Agreement ceases to be in force, see section 501(a), (c), of Pub. L. 100-449, set out in a note under section 2112 of Title 19, Customs Duties.

EFFECTIVE DATE

See section 1610 of this title.

TRANSFER OF FUNCTIONS

For transfer of functions of the Secretary of Agriculture relating to agricultural import and entry inspection activities under this subchapter 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.

§§ 1583, 1584. Repealed. Pub. L. 97-439, §5(b)(4), Jan. 8, 1983, 96 Stat. 2288

Section 1583, act Aug. 9, 1939, ch. 615, title III, §303, 53 Stat. 1283, related to adulterated seed.

Section 1584, acts Aug. 9, 1939, ch. 615, title III, §304, 53 Stat. 1284; Oct. 15, 1966, Pub. L. 89-686, §18, 80 Stat. 979, related to seed unfit for seeding purposes.

§ 1585. Certain seeds not adapted for general agricultural use

Whenever the Secretary of Agriculture, after a public hearing, determines that seed of alfalfa or red clover from any foreign country is not adapted for general agricultural use in the United States, the Secretary shall publish the determination and the reasons for the determination.

(Aug. 9, 1939, ch. 615, title III, §303, as added Pub. L. 103-465, title IV, §441(3), Dec. 8, 1994, 108 Stat. 4973.)

Editorial Notes

PRIOR PROVISIONS

A prior section 1585, act Aug. 9, 1939, ch. 615, title III, §303, formerly §305, 53 Stat. 1284; renumbered §303, Jan. 8, 1983, Pub. L. 97-439, §5(b)(4), 96 Stat. 2288, related to requirement that certain seeds containing alfalfa and/or red clover be stained, prior to repeal by Pub. L. 103-465, title IV, §441(3), Dec. 8, 1994, 108 Stat. 4973.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective on the date of entry into force of the WTO Agreement with respect to the United States (Jan. 1, 1995), except as otherwise provided, see section 451 of Pub. L. 103-465, set out as a note under section 3601 of Title 19, Customs Duties.