

of the initiative) during the allocation of direct assistance under paragraph (1) or grant funding under paragraph (3).

**(B) Penalty**

The Secretary may suspend or terminate an initiative if the initiative (including a partner of the initiative) is found to be in violation of the guidelines and procedures established under subparagraph (A).

**(g) Distribution of funds**

**(1) In general**

Using the funds made available to carry out this section, the Secretary—

(A) shall provide not less than 3 awards to eligible entities described in subsection (d) for the purposes of carrying out the activities under subsection (f); and

(B) is encouraged to award funds under subparagraph (A) in multiyear funding allocations.

**(2) Use of funds**

Not less than 50 percent of the funds made available under subsection (i) shall be allocated to grants under subsection (f)(3).

**(3) Priority**

An entity hosting an initiative shall give priority to the provision of direct assistance under subsection (f)(1) and grants under subsection (f)(3) to—

(A) dairy farms and dairy businesses with limited access to other forms of assistance;

(B) employee-owned dairy businesses;

(C) cooperatives; and

(D) dairy businesses that seek to create dairy products that add substantial value in processing or marketing, such as specialty cheeses.

**(4) Requirement**

Assistance or a grant shall not be made available to a foreign person making direct investment (as those terms are defined in section 801.2 of title 15, Code of Federal Regulations (or successor regulations)) in the United States in the case of—

(A) direct assistance under subsection (f)(1) that is provided to a specific dairy business and is not publicly available, as determined by the Secretary; or

(B) a grant under subsection (f)(3).

**(5) Supplementation**

To the extent practicable, the Secretary shall ensure that funds provided to an initiative supplement, and do not duplicate or replace, existing dairy product research, development, and promotion activities.

**(h) Report**

Not later than January 31, 2022, the Secretary shall submit to Congress a report on the outcomes of the program under this section and any related activities and opportunities to further increase dairy innovation.

**(i) Authorization of appropriations**

There is authorized to be appropriated to carry out this section \$20,000,000 for each fiscal year.

(Pub. L. 115-334, title XII, §12513, Dec. 20, 2018, 132 Stat. 4996.)

**Editorial Notes**

**CODIFICATION**

Section was enacted as part of the Agriculture Improvement Act of 2018, and not as part of the Agricultural Marketing Act of 1946 which comprises this chapter.

**Statutory Notes and Related Subsidiaries**

**DEFINITION OF “SECRETARY”**

“Secretary” means the Secretary of Agriculture, see section 2 of Pub. L. 115-334, set out as a note under section 9001 of this title.

**§ 1632e. Cattle Contracts Library**

There is hereby appropriated \$1,000,000, to remain available until September 30, 2023, for a Cattle Contracts Library pilot program that the Agricultural Marketing Service shall develop and maintain within the Livestock, Poultry, and Grain Market News Division. This program shall be similar, as determined by the Secretary, to the swine contract library the U.S. Department of Agriculture currently maintains pursuant to section 198a of this title. The promulgation of the regulations and administration of this section shall be made without regard to: (1) the notice and comment provisions of section 553 of title 5; and (2) chapter 35 of title 44 (commonly known as the “Paperwork Reduction Act”).

(Pub. L. 117-103, div. A, title VII, §779, Mar. 15, 2022, 136 Stat. 100.)

**CODIFICATION**

Section was enacted as part of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2022, and also as part of the Consolidated Appropriations Act, 2022, and not as part of the Agricultural Marketing Act of 1946 which comprises this chapter.

**§ 1633. Cooperation with State agencies in administration and enforcement of laws relating to marketing of agricultural products and control or eradication of plant and animal diseases and pests; coordination of administration of Federal and State laws**

In order to avoid duplication of functions, facilities, and personnel, and to attain closer coordination and greater effectiveness and economy in administration of Federal and State laws and regulations relating to the marketing of agricultural products and to the control or eradication of plant and animal diseases and pests, the Secretary of Agriculture is authorized, in the administration and enforcement of such Federal laws within his area of responsibility, whenever he deems it feasible and in the public interest, to enter into cooperative arrangements with State departments of agriculture and other State agencies charged with the administration and enforcement of such State laws and regulations and to provide that any such State agency which has adequate facilities, personnel, and procedures, as determined by the Secretary, may assist the Secretary in the administration and enforcement of such Federal laws and regu-

lations to the extent and in the manner he deems appropriate in the public interest.

Further, the Secretary is authorized to coordinate the administration of such Federal laws and regulations with such State laws and regulations wherever feasible. However, nothing herein shall affect the jurisdiction of the Secretary of Agriculture under any Federal law, or any authority to cooperate with State agencies or other agencies or persons under existing provisions of law, or affect any restrictions of law upon such cooperation.

(Pub. L. 87-718, Sept. 28, 1962, 76 Stat. 663.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 450 of this title prior to editorial reclassification and renumbering as this section.

Section was enacted as Pub. L. 87-718, popularly known as the Talmadge-Aiken Act, and not as part of the Agricultural Marketing Act of 1946 which comprises this chapter.

### SUBCHAPTER II—LIVESTOCK MANDATORY REPORTING

#### PART A—PURPOSE; DEFINITIONS

#### § 1635. Purpose

The purpose of this subchapter is to establish a program of information regarding the marketing of cattle, swine, lambs, and products of such livestock that—

- (1) provides information that can be readily understood by producers, packers, and other market participants, including information with respect to the pricing, contracting for purchase, and supply and demand conditions for livestock, livestock production, and livestock products;
- (2) improves the price and supply reporting services of the Department of Agriculture; and
- (3) encourages competition in the marketplace for livestock and livestock products.

(Aug. 14, 1946, ch. 966, title II, §211, as added Pub. L. 106-78, title IX, §911(2), Oct. 22, 1999, 113 Stat. 1188.)

#### Statutory Notes and Related Subsidiaries

##### LIVESTOCK MANDATORY REPORTING

Pub. L. 106-78, title IX, Oct. 22, 1999, 113 Stat. 1188, as amended by Pub. L. 108-444, §1, Dec. 3, 2004, 118 Stat. 2635; Pub. L. 109-296, §1(b), Oct. 5, 2006, 120 Stat. 1464; Pub. L. 111-239, §2(a)(2), Sept. 27, 2010, 124 Stat. 2501; Pub. L. 114-54, title I, §101(b), Sept. 30, 2015, 129 Stat. 513; Pub. L. 117-103, div. O, title III, §301(b), Mar. 15, 2022, 136 Stat. 788; Pub. L. 117-328, div. A, title VII, §776(b), Dec. 29, 2022, 136 Stat. 4510, provided that:

##### “SEC. 901. SHORT TITLE.

“This title [enacting sections 198 to 198b and 1635 to 1636h of this title and this note, amending sections 192 and 5712 of this title, repealing section 229a of this title, and amending provisions set out as a note under section 1421 of this title] may be cited as the ‘Livestock Mandatory Reporting Act of 1999’.

“Subtitle A—Livestock Mandatory Reporting

##### “SEC. 911. LIVESTOCK MANDATORY REPORTING.

“[Enacted this subchapter.]

##### “SEC. 912. UNJUST DISQUALIFICATION.

“[Amended section 192 of this title.]

##### “SEC. 913. CONFORMING AMENDMENTS.

“(a) [Repealed section 229a of this title.]

“(b) [Amended section 101(a) [title XI, §1127] of Pub. L. 105-277, former 7 U.S.C. 1421 note.]

“Subtitle B—Related Beef Reporting Provisions

##### “SEC. 921. BEEF EXPORT REPORTING.

“[Amended section 5712 of this title.]

##### “SEC. 922. EXPORT CERTIFICATES FOR MEAT AND MEAT FOOD PRODUCTS.

“Not later than 1 year after the date of the enactment of this Act [Oct. 22, 1999], the Secretary of Agriculture shall fully implement a program, through the use of a streamlined electronic online system, to issue and report export certificates for all meat and meat products.

##### “SEC. 923. IMPORTS OF BEEF, BEEF VARIETY MEATS, AND CATTLE.

“(a) IN GENERAL.—The Secretary of Agriculture shall—

“(1) obtain information regarding the import of beef and beef variety meats (consistent with the information categories reported for beef exports under section 602(a) of the Agricultural Trade Act of 1978 (7 U.S.C. 5712(a))) and cattle using available information sources; and

“(2) publish the information in a timely manner weekly and in a form that maximizes the utility of the information to beef producers, packers, and other market participants.

“(b) CONTENT.—The published information shall include information reporting the year-to-date cumulative annual imports of beef, beef variety meats, and cattle for the current and prior marketing years.

##### “SEC. 924. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated such sums as are necessary to carry out sections 922 and 923.

“Subtitle C—Related Swine Reporting Provisions

##### “SEC. 931. IMPROVEMENT OF HOGS AND PIGS INVENTORY REPORT.

“(a) IN GENERAL.—Effective beginning not later than 90 days after the date of the enactment of this Act [Oct. 22, 1999], the Secretary of Agriculture shall publish on a monthly basis the Hogs and Pigs Inventory Report.

“(b) GESTATING SOWS.—The Secretary shall include in a separate category of the Report the number of bred female swine that are assumed, or have been confirmed, to be pregnant during the reporting period.

“(c) PHASE-OUT.—Effective for a period of eight quarters after the implementation of the monthly report required under subsection (a), the Secretary shall continue to maintain and publish on a quarterly basis the Hogs and Pigs Inventory Report published on or before the date of the enactment of this Act.

##### “SEC. 932. BARROW AND GILT SLAUGHTER.

“(a) IN GENERAL.—The Secretary of Agriculture shall promptly obtain and maintain, through an appropriate collection system or valid sampling system at packing plants, information on the total slaughter of swine that reflects differences in numbers between barrows and gilts, as determined by the Secretary.

“(b) AVAILABILITY.—The information shall be made available to swine producers, packers, and other market participants in a report published by the Secretary not less frequently than weekly.

“(c) ADMINISTRATION.—

“(1) IN GENERAL.—The Secretary shall administer the collection and compilation of information, and the publication of the report, required by this section.

“(2) NONDELEGATION.—The Secretary shall not delegate the collection, compilation, or administration of the information required by this section to any pack-