''(A) prevent needless suffering;

''(B) result in safer and better working conditions for persons engaged in slaughtering operations;

''(C) bring about improvement of products and economies in slaughtering operations; and

''(D) produce other benefits for producers, processors, and consumers that tend to expedite an orderly flow of livestock and livestock products in interstate and foreign commerce.

''(b) UNITED STATES POLICY.—It is the policy of the United States that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods, as provided by Public Law 85–765.''

COMMERCIAL TRANSPORTATION OF EQUINE FOR SLAUGHTER

Pub. L. 104–127, title IX, subtitle A, Apr. 4, 1996, 110 Stat. 1184, provided that:

''SEC. 901. FINDINGS.

''Because of the unique and special needs of equine being transported to slaughter, Congress finds that it is appropriate for the Secretary of Agriculture to issue guidelines for the regulation of the commercial transportation of equine for slaughter by persons regularly engaged in that activity within the United States.

''SEC. 902. DEFINITIONS.

''In this subtitle:

''(1) COMMERCIAL TRANSPORTATION.—The term 'commercial transportation' means the regular operation for profit of a transport business that uses trucks, tractors, trailers, or semitrailers, or any combination thereof, propelled or drawn by mechanical power on any highway or public road.

''(2) EQUINE FOR SLAUGHTER.—The term 'equine for slaughter' means any member of the Equidae family being transferred to a slaughter facility, including an assembly point, feedlot, or stockyard.

''(3) PERSON.—The term 'person'—

''(A) means any individual, partnership, corporation, or cooperative association that regularly engages in the commercial transportation of equine for slaughter; but

''(B) does not include any individual or other entity referred to in subparagraph (A) that occasionally transports equine for slaughter incidental to the principal activity of the individual or other entity in production agriculture.

''SEC. 903. REGULATION OF COMMERCIAL TRANSPORTATION OF EQUINE FOR SLAUGHTER.

''(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary of Agriculture may issue guidelines for the regulation of the commercial transportation of equine for slaughter by persons regularly engaged in that activity within the United States.

''(b) ISSUES FOR REVIEW.—In carrying out this section, the Secretary of Agriculture shall review the food, water, and rest provided to equine for slaughter in transit, the segregation of stallions from other equine during transit, and such other issues as the Secretary considers appropriate.

''(c) ADDITIONAL AUTHORITY.—In carrying out this section, the Secretary of Agriculture may—

''(1) require any person to maintain such records and reports as the Secretary considers necessary;

''(2) conduct such investigations and inspections as the Secretary considers necessary; and

''(3) establish and enforce appropriate and effective civil penalties.

''SEC. 904. LIMITATION OF AUTHORITY TO EQUINE FOR SLAUGHTER.

''Nothing in this subtitle authorizes the Secretary of Agriculture to regulate the routine or regular transportation, to slaughter or elsewhere, of—

''(1) livestock other than equine; or

''(2) poultry.

''SEC. 905. EFFECTIVE DATE.

''This subtitle shall become effective on the first day of the first month that begins 30 days or more after the date of enactment of this Act [Apr. 4, 1996].''

§ 1902. Humane methods

No method of slaughtering or handling in connection with slaughtering shall be deemed to comply with the public policy of the United States unless it is humane. Either of the following two methods of slaughtering and handling are hereby found to be humane:

(a) in the case of cattle, calves, horses, mules, sheep, swine, and other livestock, all animals are rendered insensible to pain by a single blow or gunshot or an electrical, chemical or other means that is rapid and effective, before being shackled, hoisted, thrown, cast, or cut; or

(b) by slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument and handling in connection with such slaughtering.

(Pub. L. 85–765, § 2, Aug. 27, 1958, 72 Stat. 862; Pub. L. 95–445, § 5(a), Oct. 10, 1978, 92 Stat. 1069.)

Editorial Notes

AMENDMENTS

1978—Par. (b). Pub. L. 95–445 inserted ''and handling in connection with such slaughtering'' at end.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95–445 effective one year after Oct. 10, 1978, and nonapplicability during not to exceed additional 18 months in hardship cases, see sec. 7 of Pub. L. 95–445 set out as a note under section 603 of Title 21, Food and Drugs.

§ 1903. Repealed. Pub. L. 95–445, § 5(b), Oct. 10, 1978, 92 Stat. 1069

Section, Pub. L. 85–765, § 3, Aug. 27, 1958, 72 Stat. 862, related to limitations on Government procurement and price support, modifications during national emergency, and statements of eligibility.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective one year after Oct. 10, 1978, and nonapplicability during not to exceed additional 18 months in hardship cases, see sec. 7 of Pub. L. 95–445 set out as an Effective Date of 1978 Amendment note under section 603 of Title 21, Food and Drugs.

CONTRACTS FOR OR PROCUREMENT OF LIVESTOCK PRODUCTS DURING THE PERIOD FROM JUNE 30, 1960, TO AUGUST 30, 1960

Pub. L. 86–547, June 29, 1960, 74 Stat. 255, permitted any agency or instrumentality of the United States, during the period from June 30, 1960, to August 30, 1960, to contract for or procure livestock products produced or processed by a slaughterer or processor which slaughters or handles for slaughter livestock by methods other than those designated and approved by the Secretary of Agriculture if such slaughterer or processor has contracted for the purchase of the equipment necessary to enable him to adopt such methods but such equipment has not been delivered to him.

§ 1904. Methods research; designation of methods

In furtherance of the policy expressed herein the Secretary is authorized and directed—

(a) to conduct, assist, and foster research, investigation, and experimentation to develop and determine methods of slaughter and the handling of livestock in connection with slaughter which are practicable with reference to the speed and scope of slaughtering operations and humane with reference to other existing methods and then current scientific knowledge; and

(b) on or before March 1, 1959, and at such times thereafter as he deems advisable, to designate methods of slaughter and of handling in connection with slaughter which, with respect to each species of livestock, conform to the policy stated in this chapter. If he deems it more effective, the Secretary may make any such designation by designating methods which are not in conformity with such policy. Designations by the Secretary subsequent to March 1, 1959, shall become effective 180 days after their publication in the Federal Register.

(Pub. L. 85–765, § 4, Aug. 27, 1958, 72 Stat. 863; Pub. L. 95–445, § 5(b)–(e), Oct. 10, 1978, 92 Stat. 1069.)

Editorial Notes

AMENDMENTS

1978—Par. (a). Pub. L. 95–445, § 5(d), inserted ''and'' after the semicolon at end.

Par. (b). Pub. L. 95–445, § 5(c), (e), struck out ''for purposes of section 1903 of this title'' before ''180 days'', and substituted a period for the semicolon at end.

Par. (c). Pub. L. 95–445, § 5(b), repealed par. (c).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95–445 effective one year after Oct. 10, 1978, and nonapplicability during not to exceed additional 18 months in hardship cases, see sec. 7 of Pub. L. 95–445 set out as a note under section 603 of Title 21, Food and Drugs.

§ 1905. Repealed. Pub. L. 95–445, § 5(b), Oct. 10, 1978, 92 Stat. 1069

Section, Pub. L. 85–765, § 5, Aug. 27, 1958, 72 Stat. 863, related to establishment, composition, functions, compensation, meetings, and reports of advisory committees.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective one year after Oct. 10, 1978, and nonapplicability during not to exceed additional 18 months in hardship cases, see sec. 7 of Pub. L. 95–445 set out as an Effective Date of 1978 Amendment note under section 603 of Title 21, Food and Drugs.

§ 1906. Exemption of ritual slaughter

Nothing in this chapter shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group. Notwithstanding any other provision of this chapter, in order to protect freedom of religion, ritual slaughter and the handling or other preparation of livestock for ritual slaughter are exempted from the terms of this chapter. For the purposes of this section the term ''ritual slaughter'' means slaughter in accordance with section 1902(b) of this title.

(Pub. L. 85–765, § 6, Aug. 27, 1958, 72 Stat. 864.)

§ 1907. Practices involving nonambulatory livestock

(a) Report

The Secretary of Agriculture shall investigate and submit to Congress a report on—

(1) the scope of nonambulatory livestock;

(2) the causes that render livestock nonambulatory;

(3) the humane treatment of nonambulatory livestock; and

(4) the extent to which nonambulatory livestock may present handling and disposition problems for stockyards, market agencies, and dealers.

(b) Authority

Based on the findings of the report, if the Secretary determines it necessary, the Secretary shall promulgate regulations to provide for the humane treatment, handling, and disposition of nonambulatory livestock by stockyards, market agencies, and dealers.

(c) Administration and enforcement

For the purpose of administering and enforcing any regulations promulgated under subsection (b), the authorities provided under sections 10414 [7 U.S.C. 8313] and 10415 [7 U.S.C. 8314] shall apply to the regulations in a similar manner as those sections apply to the Animal Health Protection Act [7 U.S.C. 8301 et seq.]. Any person that violates regulations promulgated under subsection (b) shall be subject to penalties provided in section 10414.

(Pub. L. 107–171, title X, § 10815, May 13, 2002, 116 Stat. 532.)

Editorial Notes

REFERENCES IN TEXT

The Animal Health Protection Act, referred to in subsec. (c), is subtitle E (§§ 10401–10418) of title X of Pub. L. 107–171, May 13, 2002, 116 Stat. 494, which is classified principally to chapter 109 (§ 8301 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 8301 of this title and Tables.

CODIFICATION

Section was enacted as part of the Farm Security and Rural Investment Act of 2002 and not as part of Pub. L. 85–765, which comprises this chapter.

CHAPTER 49—CONSULTATION ON AGRICULTURAL PROGRAMS

Sec.
1911. Consultation of Secretary of Agriculture with farmers, farm and commodity organizations and other persons and organizations; travel and per diem expenses.
1912. Submission of legislative proposals.
1913. Authority of Secretary of Agriculture under other provisions of law and to establish and consult with advisory committees.

§ 1911. Consultation of Secretary of Agriculture with farmers, farm and commodity organizations and other persons and organizations; travel and per diem expenses

(a) Notwithstanding any other provision of law, whenever the Secretary of Agriculture de-