

(2) all final Animal Welfare Act and Horse Protection Act enforcement records for the current year and the preceding three years;

(3) all reports or other materials documenting any violations and non-compliances observed by USDA officials for the current year and the preceding three years; and

(4) within six months of receipt by the agency, all final Animal Welfare Act research facility annual reports, including their attachments with appropriate redactions made for confidential business information that USDA could withhold under FOIA Exemption 4.

(Pub. L. 116–94, div. B, title VII, §788, Dec. 20, 2019, 133 Stat. 2657; Pub. L. 117–103, div. A, title VII, §765, Mar. 15, 2022, 136 Stat. 98.)

Editorial Notes

REFERENCES IN TEXT

The Animal Welfare Act, referred to in subsec. (b)(1), (2), (4), is Pub. L. 89–544, Aug. 24, 1966, 80 Stat. 350, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 2131 of this title and Tables.

The Horse Protection Act, referred to in subsec. (b)(2), is Pub. L. 91–540, Dec. 9, 1970, 84 Stat. 1404, which is classified generally to chapter 44 (§1821 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 1821 of Title 15 and Tables.

CODIFICATION

Section was enacted as part of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2020, and also as part of the Further Consolidated Appropriations Act, 2020, and not as part of the Animal Welfare Act which comprises this chapter.

AMENDMENTS

2022—Subsec. (b). Pub. L. 117–103 amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “hereafter, make publicly available via searchable database, in their entirety without redactions except signatures, the following records after enactment of this Act for a subsequent period of three years:

“(1) all final Animal Welfare Act inspection reports, including all reports documenting all Animal Welfare Act non-compliances observed by USDA officials and all animal inventories;

“(2) all final Animal Welfare Act and Horse Protection Act enforcement records;

“(3) all reports or other materials documenting any non-compliances observed by USDA officials; and

“(4) within six months of receipt by the agency, all final Animal Welfare Act research facility annual reports, including their attachments with appropriate redactions made for confidential business information that USDA could withhold under FOIA Exemption 4.”

§ 2147. Inspection by legally constituted law enforcement agencies

The Secretary shall promulgate rules and regulations requiring dealers, exhibitors, research facilities, and operators of auction sales subject to section 2142 of this title to permit inspection of their animals and records at reasonable hours upon request by legally constituted law enforcement agencies in search of lost animals.

(Pub. L. 89–544, §17, Aug. 24, 1966, 80 Stat. 352; Pub. L. 91–579, §18, Dec. 24, 1970, 84 Stat. 1564.)

Editorial Notes

AMENDMENTS

1970—Pub. L. 91–579 substituted “promulgate rules and regulations requiring dealers, exhibitors, research facilities, and operators of auction sales subject to section 2142 of this title” for “issue rules and regulations requiring licensed dealers and research facilities”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91–579 effective 30 days after Dec. 24, 1970, see section 23 of Pub. L. 91–579, set out as a note under section 2131 of this title.

§ 2148. Importation of live dogs

(a) Definitions

In this section:

(1) Importer

The term “importer” means any person who, for purposes of resale, transports into the United States puppies from a foreign country.

(2) Resale

The term “resale” includes any transfer of ownership or control of an imported dog of less than 6 months of age to another person, for more than de minimis consideration.

(b) Requirements

(1) In general

Except as provided in paragraph (2), no person shall import a dog into the United States for purposes of resale unless, as determined by the Secretary, the dog—

(A) is in good health;

(B) has received all necessary vaccinations; and

(C) is at least 6 months of age, if imported for resale.

(2) Exception

(A) In general

The Secretary, by regulation, shall provide an exception to any requirement under paragraph (1) in any case in which a dog is imported for—

(i) research purposes; or

(ii) veterinary treatment.

(B) Lawful importation into Hawaii

Paragraph (1)(C) shall not apply to the lawful importation of a dog into the State of Hawaii from the British Isles, Australia, Guam, or New Zealand in compliance with the applicable regulations of the State of Hawaii and the other requirements of this section, if the dog is not transported out of the State of Hawaii for purposes of resale at less than 6 months of age.

(c) Implementation and regulations

The Secretary, the Secretary of Health and Human Services, the Secretary of Commerce, and the Secretary of Homeland Security shall promulgate such regulations as the Secretaries determine to be necessary to implement and enforce this section.

(d) Enforcement

An importer that fails to comply with this section shall—