

eral, may be conducted, at both trial and upon appeal to district court, by attorneys of the United States Department of Agriculture.

(Pub. L. 89-544, §19, Aug. 24, 1966, 80 Stat. 352; Pub. L. 91-579, §20, Dec. 24, 1970, 84 Stat. 1564; Pub. L. 94-279, §13, Apr. 22, 1976, 90 Stat. 420; Pub. L. 99-198, title XVII, §1755, Dec. 23, 1985, 99 Stat. 1650; Pub. L. 101-650, title III, §321, Dec. 1, 1990, 104 Stat. 5117; Pub. L. 110-234, title XIV, §14214, May 22, 2008, 122 Stat. 1466; Pub. L. 110-246, §4(a), title XIV, §14214, June 18, 2008, 122 Stat. 1664, 2228.)

Editorial Notes

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

AMENDMENTS

Subsec. (b). Pub. L. 110-246, §14214, substituted “\$10,000” for “\$2,500”.

1985—Subsec. (b). Pub. L. 99-198, §1755(a), substituted “\$2,500 for each such violation” for “\$1,000 for each such violation” in first sentence and directed the substitution of “\$1,500 for each offense” for “\$500 for each offense” in sixth sentence, which was executed to the seventh sentence as the probable intent of Congress.

Subsec. (d). Pub. L. 99-198, §1755(b), substituted “\$2,500” for “\$1,000”.

1976—Subsec. (a). Pub. L. 94-279 substituted provisions covering violations by licensees, temporary license suspension, notice and hearing, and license revocation for provisions relating to violations by dealers, exhibitors, operators of auction sales, cease and desist orders, license suspension, and civil penalties.

Subsec. (b). Pub. L. 94-279 substituted provisions covering civil penalties, notice and hearing, appeal, considerations in assessing penalties, compromising penalties, civil action by Attorney General for failure to pay penalty, district court jurisdiction, and failure to obey cease and desist orders for provisions relating to judicial review of final orders by the Secretary.

Subsec. (c). Pub. L. 94-279 substituted provisions covering appeal of final orders by aggrieved persons, limitations, and exclusive jurisdiction of the United States Courts of Appeals for provisions relating to criminal penalties.

Subsec. (d). Pub. L. 94-279 added subsec. (d).

1970—Pub. L. 91-579 added exhibitors and operators of auction sales to the enumeration of covered persons, added civil penalties for failure to obey a cease and desist order of the Secretary, and changed the procedure for judicial review.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

“United States magistrate judges” substituted for “United States magistrates” in subsec. (d) pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-198 effective one year after Dec. 23, 1985, see section 1759 of Pub. L. 99-198, set out as a note under section 2131 of this title.

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.

§ 2150. Repealed. Pub. L. 94-279, §14, Apr. 22, 1976, 90 Stat. 421

Section, Pub. L. 89-544, §20, Aug. 24, 1966, 80 Stat. 353; Pub. L. 91-579, §21, Dec. 24, 1970, 84 Stat. 1565, provided for issuance of cease and desist orders if Secretary had reason to believe that any research facility had violated any provision of this chapter, provided for a civil penalty, and provided appeal mechanism by which aggrieved person may have judicial review of such final order by Secretary. See section 2149 of this title.

§ 2151. Rules and regulations

The Secretary is authorized to promulgate such rules, regulations, and orders as he may deem necessary in order to effectuate the purposes of this chapter.

(Pub. L. 89-544, §21, Aug. 24, 1966, 80 Stat. 353.)

§ 2152. Separability

If any provision of this chapter or the application of any such provision to any person or circumstances shall be held invalid, the remainder of this chapter and the application of any such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

(Pub. L. 89-544, §22, Aug. 24, 1966, 80 Stat. 353.)

§ 2153. Fees and authorization of appropriations

The Secretary shall charge, assess, and cause to be collected reasonable fees for licenses issued. Such fees shall be adjusted on an equitable basis taking into consideration the type and nature of the operations to be licensed and shall be deposited and covered into the Treasury as miscellaneous receipts. There are hereby authorized to be appropriated such funds as Congress may from time to time provide: *Provided*, That there is authorized to be appropriated to the Secretary of Agriculture for enforcement by the Department of Agriculture of the provisions of section 2156 of this title an amount not to exceed \$100,000 for the transition quarter ending September 30, 1976, and not to exceed \$400,000 for each fiscal year thereafter.

(Pub. L. 89-544, §23, Aug. 24, 1966, 80 Stat. 353; Pub. L. 94-279, §18, Apr. 22, 1976, 90 Stat. 423.)

Editorial Notes

AMENDMENTS

1976—Pub. L. 94-279 authorized appropriations for the enforcement of section 2156 of this title.

§ 2154. Effective dates

The regulations referred to in sections 2140 and 2143 of this title shall be prescribed by the Secretary as soon as reasonable but not later than six months from August 24, 1966. Additions and amendments thereto may be prescribed from time to time as may be necessary or advisable. Compliance by dealers with the provisions of this chapter and such regulations shall commence ninety days after the promulgation of