Laws and Regulations

Last Modified:

APHIS receives its authority to protect the health and value of America's agricultural and natural resources from several U.S. laws. Read on to learn more about many of the authorities under which we operate.

Animal Health

Our Veterinary Services program receives its authority from the laws listed below. These laws provide a framework for protecting animal health domestically and internationally.

- Animal Health Protection Act (7 U.S.C. 8301-8317)–The Animal Health Protection Act restricts the importation, entry, and movement of animals (including livestock) and allows for the destruction or removal of animals to stop the spread of a livestock pest or disease.
- 28-Hour Law (49 U.S.C. 80502)–Under this law, animals may not be confined in a vehicle or vessel for more than 28 consecutive hours without unloading them for feeding, water, and rest.
- Section 203 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622)–Section 203 of the Agricultural Marketing Act describes the duties of the Secretary of Agriculture related to agricultural products, including inspection and certification.

- Section 205 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1624)–Section 205 of the Agricultural Marketing Act authorizes the Secretary of Agriculture to cooperate with other branches of Government, State agencies, private organizations, and others involved in producing, transporting, storing, processing, marketing, and distributing agricultural products.
- Section 101(d) of the Organic Act of l944 (7 U.S.C. 398)–Section 101(d) of the Organic Act authorizes the Secretary of Agriculture to purchase and test tuberculin, serums, antitoxins, or analogous products of foreign or domestic manufacture that are sold in the United States for the detection, prevention, treatment, or cure of domestic animal diseases.
- Swine Health Protection Act (7 U.S.C. 3801-3813)–The Swine Health Protection Act prohibits feeding garbage to pigs, unless the garbage is properly treated, to prevent the introduction and spread of animal diseases such as foot-and-mouth disease, African swine fever, hog cholera, and swine vesicular diseases.
- Anti-Hog Cholera Serum and Hog Cholera Virus (7 U.S.C. 851-855)–This law ensures the United States maintains an adequate supply of anti-hog cholera serum and hog cholera virus by regulating the marketing of such serum and virus in interstate and foreign commerce.
- Transportation of Equines to Slaughter (7 U.S.C. 1901 note)–The Commercial Transportation of Equines to Slaughter Act sets standards to ensure the humane movement of equines for slaughter via commercial transportation.
- Virus-Serum-Toxin Act (21 U.S.C. 151-159)–The Virus-Serum-Toxin Act regulates veterinary biologics to ensure they are pure, safe, potent, and effective.
- Authority To Establish Research Facilities for Foot-and-Mouth and Other Diseases (21 U.S.C. 113a)–This law authorizes the Secretary of Agriculture to establish laboratories in the United States or elsewhere for research and study of foot-and-mouth disease and other animal diseases that constitute a threat to the U.S. livestock industry.
- Section 18 of the Federal Meat Inspection Act (21 U.S.C. 618)–Among other things, Section 18 of the Federal Meat Inspection Act authorizes inspectors to issue official certificates that attest to the condition of live animals that will be exported to other countries.
- Title II, Subtitles B and C of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (7 U.S.C. 8401 and 8411)–This Act requires APHIS to establish and regulate a list of biological agents, known as "select agents," that have the potential to pose a severe threat to animal health and safety or to the safety of animal products.

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Plant Health

Our Plant Protection and Quarantine program receives its authority from the laws listed below. These laws provide a framework for protecting plant health domestically and internationally. APHIS' Biotechnology and Regulatory Services program derives its authority to regulate genetically engineered plants and plant pests that may pose a risk to plant health from the Plant Protection Act.

- Plant Protection Act (7 U.S.C. 7701-7772 and 7781-7786)–The Plant Protection Act prohibits or restricts the importation, exportation, and interstate movement of plants, plant products, certain biological control organisms, noxious weeds, and plant pests.
- Title III, Federal Seed Act (7 U.S.C. 1581-1610)–The Federal Seed Act regulates the importation of seeds for planting into the United States.
- Federal Noxious Weed Act (7 U.S.C. 2801 note; 2814)–The Federal Noxious Weed Act prohibits the movement of noxious weeds in interstate or foreign commerce. It also authorizes the Secretary of Agriculture to put in place measures to control, eradicate, or prevent the spread of noxious weeds.
- Honeybee Act (7 U.S.C. 281-286)–The Honeybee Act regulates the importation of honeybees into the United States to prevent the spread of bee diseases and parasites.
- Terminal Inspection Act (7 U.S.C. 7760)–The Terminal Inspection Act makes it unlawful for anyone to mail a package that contains a plant or plant product to an address in the United States or a U.S. Territory if the outside of the package is not marked with a statement that fully and conspicuously identifies the contents.
- Endangered Species Act (16 U.S.C. 1531-1544)–The Endangered Species Act establishes a framework to protect and conserve endangered and threatened species and their habitats, including implementing the provisions of the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES). APHIS is responsible for enforcing regulations specific to the import and export of plants regulated by the Endangered Species Act and CITES.
- Lacey Act (16 U.S.C. 3371-3378)–The Lacey Act combats illegal trafficking of wildlife, fish, and plants by making it unlawful to import these commodities into

the United States if they are illegally harvested. APHIS is responsible for enforcing regulations specific to the import and export of plants under this Act.
- Title II, Subtitle B of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (7 U.S.C. 8401)–This Act requires APHIS to establish and regulate a list of biological agents, known as "select agents," that have the potential to pose a severe threat to plant health and safety or to the safety of plant products.
- Alien Species Prevention and Enforcement Act of 1992 (39 U.S.C. 3015)–This Act requires the Secretary of Agriculture to work with the U.S. Department of the Interior, the U.S. Postal Service, and the State of Hawaii to operate a program to protect Hawaii from the introduction of prohibited plants, plant pests, and injurious animals that may be contained in the mail.

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Wildlife Damage Management

Our Wildlife Services program receives its authority to control animals that are detrimental to agriculture, natural resources, property, and public safety from the following statute.

- Control of Predatory and Other Wild Animals (7 U.S.C. 8351-8354)–This law authorizes APHIS to control predatory animals and animals carrying zoonotic diseases.

Animal Welfare

The following laws authorize our Animal Care program to regulate certain activities to ensure the humane care and treatment of certain animals and horses.

- Animal Welfare Act (7 U.S.C. 2131-2159)–The Animal Welfare Act sets standards for the humane care and treatment of certain animals.
- Horse Protection Act (15 U.S.C. 1821-1831)–The Horse Protection Act prohibits sore horses from participating in shows, exhibitions, sales, or auctions.

General

APHIS carries out several cross-cutting activities, including cooperating with other government entities, collecting user fees, and providing technical assistance and training, among other things, under the authority of the following laws.

- Talmadge-Aiken Act (7 U.S.C. 1633)–The Talmadge-Aiken Act authorizes the Secretary of Agriculture to enter into cooperative agreements with State agencies that administer and enforce States laws and regulations related to controlling or eradicating plant and animal pests and diseases. This is to avoid duplicating functions, facilities, and personnel and to attain closer coordination and greater effectiveness and economy in administering Federal and State laws.
- User Fees for Inspecting and Certifying Plant and Plant Product Exports (7 U.S.C. 7759)–The law authorizes the Secretary of Agriculture to prescribe and collect fees to recover the costs of inspecting and certifying the health of plants and plant products offered for export per the phytosanitary requirements of the country to which they may be exported.
- User Fees for Agricultural Quarantine and Inspection Services (21 U.S.C. 136-136a)–Under this provision, the Secretary of Agriculture is authorized to prescribe and collect fees sufficient to cover the cost of providing agricultural quarantine and inspection services at ports in the customs territory of the United States or preclearance services at sites outside the customs territory of the United States of international passengers, commercial vessels, commercial aircraft, commercial trucks, or railroad cars.
- User Fees (31 U.S.C. 9701)–This law authorizes agency heads to set and collect fees for Government services that are fair and based on the costs to the Government; the value of the service to the recipient, public policy, or interest served; and other relevant facts.
- Authority To Provide Technical Assistance and Training (7 U.S.C. 3291a)–Under this law, the Secretary of Agriculture is authorized to exchange or conduct research with international and domestic entities to support the development of a viable and sustainable global agricultural system.
- Marketing Services; Cooperative Agreements (7 U.S.C. 2279g)–This law authorizes several USDA agencies, including APHIS, to enter into cooperative agreements with State officials and cooperators to carry out agricultural marketing programs, programs to protect the Nation's animal and plant

resources, or educational programs or special studies to improve the safety of the Nation's food supply.

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Farm Bill

The Farm Bill has outlined U.S. agricultural and food policies for nearly 100 years. It has enabled APHIS to start, maintain, and expand programs and distribute funds to help protect our Nation's agricultural resources.

Learn More About the Farm Bill

Code of Federal Regulations

The Code of Federal Regulations (CFR) is the codification of rules published in the Federal Register by the Federal Government.

View APHIS Posts in the Federal Register

Rulemaking at APHIS

APHIS is a regulatory agency. This means Congress has authorized us to write regulations that help carry out the laws we enforce. The process for issuing, changing, or removing Federal regulations is called "rulemaking."

Learn More About Rulemaking at APHIS

National Environmental Policy Act

The National Environmental Policy Act (NEPA) is a law that requires all Federal agencies to assess the possible environmental effects of our proposed actions before making decisions.

Learn How APHIS Complies With NEPA
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