

scientific information that have been approved by the Director of the White House Office of Science and Technology Policy. (Section 12307)

The Senate amendment contains no comparable provision.

The Conference substitute adopts the Senate provision.

(16) *Evaluation required for purposes of prohibition on closure or relocation of county office for the FSA*

The House bill requires a workload assessment before any Farm Service Agency county office closures take place. (Section 12308)

The Senate amendment contains no comparable provision.

The Conference substitute adopts the Senate provision.

(17) *Acer Access and Development Program*

The House bill authorizes grants to state and tribal governments and research institutions for the purpose of promoting the domestic maple syrup industry. It authorizes \$20 million in appropriated funds for each of fiscal years 2014 through 2018. (Section 12309)

The Senate amendment does not specify that the grants are run on a competitive basis and does not include research institutions as eligible for receiving grants. It authorizes appropriations for fiscal years 2014 and 2015. (Section 12208)

The Conference substitute adopts the House provision. (Section 12306)

(18) *Regulatory review by the Secretary of Agriculture*

The House bill requires the Secretary of Agriculture to review publications that provide notice of Environmental Protection Agency guidance, policy, memorandums, regulations or statements, for significant impacts on agricultural entities and then take certain, specified action. (Section 12310)

The Senate amendment contains no comparable provision.

The Conference substitute adopts the House provision with an amendment. The amendment authorizes a standing agriculture-related committee to provide scientific and technical advice to the science advisory committee and a report to Congress regarding the activities of the committee. (Section 12307)

The Managers expect the Administrator to consider requests received from the House Committee on Agriculture or the Senate Committee on Agriculture, Nutrition and Forestry in regard to issues or questions that the Committees believe merit action by the agriculture-related standing committee.

(19) *Animal fighting venture*

The House bill amends Section 26(a)(1) of the Animal Welfare Act to prohibit knowingly attending an animal fighting venture or causing a minor to attend an animal fighting venture. Penalties are covered by existing authorities in 18 U.S.C. 49. (Section 12311)

The Senate amendment is the same as the House. It confirms that penalties for violations are prescribed and enforced. The amendment sets the penalty for each violation for attending an animal fighting venture. It also sets the penalty for causing a minor to attend an animal fighting venture. (Section 12209)

The Conference substitute adopts the Senate provision with an amendment. The amendment changes the age of a minor from a person under the age of 18 years old to a person under the age of 16 years old. (Section 12308)

The Conference substitute amends the Animal Welfare Act by providing “that a dealer or exhibitor shall not be required to obtain a license as a dealer or exhibitor under this Act if the size of business is determined by the Secretary to be de minimus.” By limiting the scope of dealers and exhibitors who are required to obtain a license, the conference substitute allows the Secretary of Agriculture to focus the U.S. Department of Agriculture Animal and Plant Health Inspection Service’s limited budget and inspection and enforcement staff on entities that pose the greatest risks to animal welfare and public safety. USDA has found that no license is required for small-scale breeders of certain animals (i.e., those that maintain four or fewer breeding cats and dogs and who sell only the offspring of those animals which were born and raised on the premises for pets or exhibition) and the Conference substitute codifies this exemption, allowing USDA to determine that animal breeders who raise animals on their own premises need not obtain a license if the number of animals they breed or sell, or the gross annual dollar amounts earned from such activities, are so minor as to merit disregard. The Managers continue to recognize the importance of ensuring that all animals bred, transported, and sold in (or substantially affecting) interstate commerce are humanely treated. The Conference substitute also allows USDA to determine that certain exhibition businesses are de minimus. An exhibitor’s business must not be considered de minimus merely because the facility operates as a non-profit corporation, nor is the exhibition of a small number of dangerous animals (including, but not limited to, big cats, bears, wolves, nonhuman primates, or elephants) de minimus.

The Managers expect APHIS to complete this rulemaking expeditiously and would suggest a timeframe not to exceed one year from the date of enactment in order that the agency begin receiving the benefit the policy provides related to resource allocation. Furthermore, by freeing up resources and more effectively focusing its regulatory program, the Managers observe that this policy eliminates a direct obstacle to lifting the stay on the agency’s contingency rule and issuance of the proposed rule to regulate bird dealers and exhibitors, and expect action to be taken on these rules without delay.

The Animal Welfare Act (AWA or the Act, 7 U.S.C. 2131 et seq.) seeks to ensure the humane handling, care, treatment, and transportation of certain animals that are sold at wholesale and retail for use in research facilities, for exhibition purposes, or for use as pets by means of federal licensing and inspection. A revised definition of retail pet store included in the Final Rule published by USDA on September 10, 2013, and effective November 18, 2013, restored and amended the exemption in § 2.1(a)(3)(vii) so that any person including, but not limited to, purebred dog or cat fanciers, who maintains a total of four or fewer breeding female dogs, cats, and/or small exotic or wild mammals, and who sells, at retail, only the offspring of these dogs, cats, and/or small exotic or wild mammals, which were born and raised on his or her premises, for pets or exhibition, and is not otherwise required to obtain a license, is also considered a retail pet store for regulatory purposes.

The Managers are aware of confusion among the regulated industry and request clarification of two principles pertaining to the sale of pets: (1) Current regulatory language uses the term “breeding female” which does not appear in statute and thus lacks statutory direction. The Managers urge APHIS to clarify that only those female animals capable of reproduction and actively being used in a breeding program qualify as breeding females. (2) The Managers also recommend clarifying that USDA oversight of such sales pertains to those transactions in

interstate commerce as provided for under the Commerce Clause (U.S. Const. amend. I, § 8.)] [and as referenced in §2132 (c) of the Animal Welfare Act and regulated under authority of the United States department of Agriculture].

(20) *Prohibition against interference by state and local governments with production or manufacture of items in other states*

The House bill prohibits any state or local government from setting standards or conditions on the production or manufacture of agricultural products and preventing interstate sales of such agricultural products. The term “agricultural product” is as defined in the Agricultural Marketing Act of 1946. (Section 12312)

The Senate amendment contains no comparable provision.

The Conference substitute adopts the Senate provision.

(21) *Increased protection for agricultural interests in the Missouri River basin*

The House bill directs the Secretary to take action to promote immediate increased flood protection to agricultural interests in the Missouri River basin. (Section 12313)

The Senate amendment contains no comparable provision.

The Conference substitute adopts the Senate provision.

(22) *Increased protection for agricultural interests in the Black Dirt region*

The House bill directs the Secretary to take action to promote immediate increased flood protection for agricultural interest around the Wallkill River and the Black Dirt region. (Section 12314)

The Senate amendment contains no comparable provision.

The Conference substitute adopts the Senate provision.

(23) *Protection of honey bees and other pollinators*

The House bill requires the Secretary to carry out activities to protect and ensure the long-term viability of populations of honey bees, wild bees, and other beneficial insects of agricultural crops, horticultural plants, wild plants, and other plants. The bill directs the Secretary to establish a task force to coordinate Federal efforts addressing the decline in bee health and assess Federal efforts to mitigate pollinator loss. It requires the Secretary to report to Congress within 180 days from the date of enactment. The Secretary may conduct feasibility studies to consider relocating and modernizing pollinator research labs. (Section 12315)

The Senate amendment contains no comparable provision.

The Conference substitute adopts the Senate provision.

(24) *Produce represented as grown in the US when it is not in fact grown in the US*

The House bill requires the Secretary to provide technical assistance to U.S. Customs and Border Protection for identifying produce that is falsely represented as grown in the United States. Requires the Secretary to submit to the Agriculture Committees a report on produce represented as grown in the US. (Section 12316)

The Senate amendment contains no comparable provision.

The Conference substitute adopts the House provision. (Section 12309)