

SEC. 3. Whenever a vacancy shall occur in any one of the two positions of Assistant Secretary heretofore established in the Department of Commerce, such vacancy shall not be filled and there shall thereafter be only one position of Assistant Secretary in such Department.

Vacancy occurring in either position of Assistant Secretary.

Approved, June 5, 1939.

[CHAPTER 181]

JOINT RESOLUTION

To define the status of the Under Secretary of Agriculture, and for other purposes.

June 5, 1939  
[H. J. Res. 189]  
[Pub. Res., No. 18]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Under Secretary of Agriculture is authorized to exercise the functions and perform the duties of the first assistant of the Secretary of Agriculture within the meaning of section 177 of the Revised Statutes of the United States (U. S. C., title 5, sec. 4) and shall perform such other duties as may be required by law or prescribed by the Secretary of Agriculture.

Department of Agriculture.  
Under Secretary; functions and duties.  
R. S. § 177.  
5 U. S. C. § 4.

Approved, June 5, 1939.

[CHAPTER 184]

AN ACT

To prohibit the unauthorized use of the name or insignia of the 4-H clubs, and for other purposes.

June 5, 1939  
[H. R. 913]  
[Public, No. 114]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be unlawful for any person falsely and with intent to defraud to hold himself out as or represent or pretend himself to be a member of, associated with, or an agent or representative for the 4-H clubs, an organization established by the Extension Service of the United States Department of Agriculture and the land grant colleges, for any purpose whatsoever; or for any person with intent to defraud to wear or display the sign or emblem of said 4-H clubs or any insignia in colorable imitation thereof for the purpose of inducing the belief that he is a member of, associated with, or an agent or representative for said 4-H clubs. It shall be unlawful for any person other than said 4-H clubs and those duly authorized by them, the representatives of the United States Department of Agriculture, the land grant colleges, and persons authorized by the Secretary of Agriculture, to use within the territory of the United States of America and its exterior possessions, for the purpose of trade or as an advertisement to induce the sale of any article whatsoever or for any business or charitable purpose, the recognized emblem of said 4-H clubs, consisting of a green four-leaf clover with stem and the letter H in white or gold on each leaflet, or any sign, insignia, or symbol in colorable imitation thereof, or the words "4-H Club" or "4-H Clubs" or any combination of these or other words or characters in colorable imitation thereof. If any person violates any provision of this Act, he shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$300 or imprisoned not more than six months, or both, for each and every offense.

4-H clubs.  
Unauthorized use of name or insignia prohibited.

Penalty for violation.

SEC. 2. The term "person" includes individuals, partnerships, corporations, and associations.

"Person" defined.

Approved, June 5, 1939.