

## **Woodsy Owl - Smokey Bear Act**

\* Act of June 22, 1974

**(P.L 93-318, 88 Stat. 244; 16 U.S.C. 580p, 580p-1 thru p-4; 18 U.S.C 711, 711a)**

### Definitions

#### **Sec. 1**

as used in this Act

(1) the term “Woodsy Owl” means the name and representation of a fanciful owl, who wears slacks (forest green when colored), and a Robin Hood style hat (forest green when colored) with a feather (red when colored), and who furthers the slogan, “Give a Hoot, Don’t Pollute”, originated by the Forest Service of the United state Department of Agriculture;

(3) the term “Secretary” means the Secretary of Agriculture. (16 U.S.C 580p)

### Property of the United State

#### **Sec. 2.**

The following are hereby declared the property of the United States-

(2) The name and character “Woodsy Owl” and the associated slogan, “Give a Hoot, Don’t pollute”. (16 U.S.C. 580p-1)

#### **Sec. 3.**

(a) The Secretary may establish and collect use or royalty fees for the manufacture, reproduction, or use of the name or character “Woodsy Owl” and the associated Slogan “Give a Hoot, Don’t Pollute”, as a symbol for a public service campaign to promote wise use of the environment and programs which foster maintenance and improvement of environmental quality,

*Note-See Smokey Bear act of 1952*

### Unauthorized Use

#### **Sec. 4.**

(a) whoever, except as provided by rules and regulations issued by the Secretary, manufactures,

uses, or reproduces the character “Smokey Bear” or the name “Smokey Bear”, or a facsimile or simulation of such character or name in such a manner as suggests “Smokey Bear” may be enjoined from such manufacture, use, or reproduction at the suit of the Attorney General upon complaint by the Secretary.

(b) Whoever, except as provided by rules and regulations issued by the Secretary, manufactures, uses, or reproduces the character “Woodsy Owl”, the name “Woodsy Owl, or the slogan “Give a Hoot, Don’t pollute”, or a facsimile or simulation of such a manner as suggests “Woodsy Owl” may be enjoined from such manufacture, use, or reproduction at the suit of the Attorney General upon complaint by the Secretary. (16 U.S.C. 580p-4)

**Sec. 5.**

Section 711 of title 18 of the United States code is amended-

and

**Sec. 6.**

Chapter 33 of title 18 of the United States code is amended by adding after section 711 a new section as follows:

“Sec 711a. ‘Woodsy Owl’ character, name, or slogan”. Whoever, except as authorized under rules and regulation issued by the Secretary, knowingly and for profit manufactures, reproduces,

or

Uses the character ‘ Woodsy Owl’ the name ‘ Woodsy Owl’, or the as-sociated slogan, ‘Give a Hoot, Don’t Pollute’ shall be fined not more than \$250 or imprisoned not more than six months, or both.” (18 U.S.C. 711a)

**Sec. 7.**

Section 3 of the Act entitled “An Act prohibiting the manufacture or use of the character persons” (31 .S.C.488a) is amended by striking out 711 of title18'.(16 U.S.C 580p-2)

**Sec. 8.**

The table of sections of chapter 33 of title 18, United States Code, is amended by inserting immediately after the item relating to section 711 the following:

Sec. 711a. ‘ Woodsy Owl’ character, name, or slogan