

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Parts 92, 93, 94, 95, 96, 97, 98, and 130

[Docket No. 94-106-9]

RIN 0579-AA71

Importation of Animals and Animal Products

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: We are establishing procedures for recognizing regions, rather than only countries, for the purpose of the importation of animals and animal products into the United States. We are also establishing procedures by which regions may request permission to export animals and animal products to the United States under specified conditions, based on the regions' disease status. These changes to the regulations are in accordance with international trade agreements entered into by the United States. We are also allowing, under certain conditions, the unloading and reloading at the port of arrival of meat and other animal products otherwise prohibited entry into the United States. This change is warranted because it removes unnecessary restrictions on the transiting of meat and other animal products through the United States, without increasing the likelihood that the meat or other products will introduce diseases of livestock or poultry. Additionally, we are removing the requirement that cattle from Canada be tested for brucellosis before being imported into the United States. This change is warranted because the risk that cattle imported from Canada will be infected with brucellosis is slight. We are also making other minor changes in our requirements for importing animals and animal products that will relieve some import restrictions while continuing to protect U.S. livestock and poultry from foreign animal diseases.

EFFECTIVE DATE: November 28, 1997.

FOR FURTHER INFORMATION CONTACT: Dr. Gary Colgrove, Chief Staff Veterinarian, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 38, Riverdale, MD 20737-1231, (301) 734-8590.

SUPPLEMENTARY INFORMATION:

Background

The Animal and Plant Health Inspection Service (APHIS), United

States Department of Agriculture (USDA), has promulgated regulations regarding the importation of animals and animal products in order to guard against the introduction into the United States of animal diseases not currently present or prevalent in this country. These regulations are set forth in the Code of Federal Regulations (CFR), title 9, chapter 1.

On April 18, 1996, we published in the **Federal Register** (61 FR 16978-17105, Docket No. 94-106-1) a proposed rule to revise the regulations in six different parts of 9 CFR, chapter I, to establish importation criteria for ruminants and swine, and their products, based on the level of disease risk in specified geographical regions.

We solicited comments concerning our proposal for 90 days ending July 17, 1996. During the comment period, several commenters requested that we extend the period during which we would accept comments. In response to these requests, on July 11, 1996, we published in the **Federal Register** a notice that we would consider comments on the proposed rule for an additional 60 days ending September 16, 1996 (61 FR 36520, Docket No. 94-106-4). During the comment period, we conducted four public hearings at which we accepted oral and written comments from the public. These public hearings were held in Riverdale, MD; Atlanta, GA; Kansas City, MO; and Denver, CO.

We received 113 comments on the proposed rule on or before September 16, 1996. These comments came from representatives of State and foreign governments, international economic and political organizations, veterinary associations, State departments of agriculture, livestock industry associations and other agricultural organizations, importing and exporting associations, members of academia and the research community, brokerage firms, exhibitors, animal welfare organizations, and other members of the public.

Based on our evaluation of the information submitted by commenters, we are making changes to the proposed rule in this final rule. We discuss below the issues raised by commenters and the changes we are making to the rule as proposed.

What We Proposed

Broadly speaking, in the proposed rule, we set forth the following items regarding the importation of ruminants and swine, and their products:

- A list of restricted disease agents, including restricted disease vectors;
- Criteria for identifying regions;

- Criteria for classifying regions as to level of risk for specific disease agents;
- Procedures for applying for risk classification;
- Risk classifications for individual countries and other regions;
- Import conditions applicable to particular commodities from particular regions, based on the risk posed by specific diseases; and
- Changes in terminology throughout the ruminant and swine and ruminant and swine product import regulations to refer to "regions" rather than to countries.

We proposed to classify all countries of the world into one of six categories for each restricted disease agent. The six risk categories ranged from Risk Class RN (negligible risk), to Risk Class R1 (slight risk), Risk Class R2 (low risk), Risk Class R3 (moderate risk), Risk Class R4 (high risk), and Risk Class RU (unknown risk). We used what we termed "qualitative criteria" to assign risk categories—i.e., we examined certain pre-assigned criteria to determine what level of risk the importation of ruminants, swine, or their products from a particular region would present for a particular disease if no restrictions were placed on the importations. We also proposed, as an alternative to qualitative risk assessment, to allow potential exporting regions to demonstrate by means of a "quantitative" risk assessment that they should be assigned to a particular risk category because of a demonstrated quantitative risk of disease introduction due to unrestricted importation from that region.

Once we proposed to classify all countries of the world for each restricted disease agent (although the proposal allowed for regional status, in all cases but one we classified only countries, pending future requests for specific regions), we set forth the conditions each region assigned to a particular risk category would have to meet in order to import ruminants, swine, or their products into the United States. Under our proposal, all regions assigned to the same risk category for a particular disease and commodity would have been subject to the same import conditions.

Public Involvement in the Rulemaking Process

A number of commenters requested that we extend the comment period during which comments would be accepted on the proposed rule. As noted above, we extended the initial 90-day comment period by 60 days to accommodate commenter requests. In addition, we accepted public comment

at four public hearings held in different areas of the United States. Therefore, we believe the public was given adequate time to comment on the proposed rule.

Some commenters recommended that the proposed rule be withdrawn, and a revised proposal be published following review and revision in consultation with groups outside the Animal and Plant Health Inspection Service (APHIS). Other commenters requested that APHIS hold meetings to explain the science that went into the proposal's development. Several commenters recommended that the regulations provide for an open public hearing process to allow U.S. producers the opportunity to evaluate how APHIS will determine risk levels and the status of foreign animal health programs. One commenter recommended that APHIS take into account evaluations conducted by other countries, the International Office of Epizootics (OIE), and the European Union (EU). We believe that each of these requests for more public involvement in the process of regionalization and risk assessment is addressed by the changes we are making to the final rule, and by the policy we intend to follow regarding requests for regionalization. We discuss these rule changes and policy in this

SUPPLEMENTARY INFORMATION below, under the heading "APHIS Response to General Concerns." General Concerns with APHIS' Proposed Approach to Regionalization and Risk Assessment.

Although the proposal generated significant support from the public for the concepts of regionalization and levels of risk, a number of commenters expressed concern with the approach we proposed to take to implement those concepts.

The commenters who objected to our proposed approach focused on two broad areas: (1) The criteria, procedures, and risk classifications we proposed in assigning regions to one of the six risk categories; and (2) the conditions regions would have to meet, based on their risk classification, in order to export specific commodities. We discuss below first the broad objections to our proposed method of classifying regions, then the broad objections to the system of conditions that we proposed to apply to importations.

Concerns Regarding Risk Classification Approach

A number of commenters stated that the proposed rule would not be "transparent" to U.S. producers and to our trading partners, and that its complexity would cause it to be ineffective. These commenters expressed concern that the proposed six

categories of risk would be too many to administer effectively. Some commenters recommended that APHIS simply amend the current import requirements to allow for recognition of regions, without incorporating provisions for classification by risk level.

A number of commenters stated that the use of scientific criteria is not evident in the proposed risk classifications of various countries/regions. Some commenters stated that the proposed regulations lacked transparency as to how evaluations of regions based on the qualitative risk criteria would be done. Other commenters stated that the risk categories did not take into account factors such as mode of transmission, economic consequences, zoonosis, and clustering of infected populations.

Some commenters questioned the validity of using arbitrarily selected prevalence thresholds for assigning risk categories. Some commenters questioned how what they termed "information uncertainty" would be dealt with.

A number of commenters stated that application for recognition of risk classification would demand an exhaustive process. Other commenters expressed concern that outbreaks of disease in restricted areas may not be readily regionalized.

Concerns Regarding Proposed Import Conditions Based on Risk Classifications

Some commenters objected to the specificity of the proposed import conditions, stating that the World Trade Organization Agreement on the Application of Sanitary and Phytosanitary Measures (WTO-SPS) states that a country must accept the sanitary measures imposed by other members as equivalent measures, even when they differ from those in the importing country, if the exporting member objectively demonstrates to the importing member that its actions provide the health protection required by the importing country. The commenters stated that the proposed import conditions did not adhere to this requirement.

Some commenters expressed concern that what they viewed as the "rigidity" of the proposed provisions would result in unnecessary difficulties in access to the U.S. market for commodities from acceptable exporting regions.

APHIS Response to General Concerns

When we drafted the proposed rule, our overriding goal was to create a mechanism for regionalized, risk-based

import requirements, consistent with the obligations of the WTO-SPS Agreement, that would continue to protect livestock in the United States with the level of security provided by the current regulations. The principles of the WTO-SPS Agreement do require that SPS measures be equitably applied, scientifically sound, guided by international standards, transparent, taken in recognition that equal levels of risk mitigation can be achieved by applying differing sanitary measures, risk-assessment based, and applicable on a regional basis. If the principles of the WTO-SPS Agreement are fulfilled without discrimination and unjustified differences, nations may impose those sanitary requirements necessary to protect their livestock, poultry, wildlife, and human populations from disease.

We developed the proposed rule with the multiple aims of providing for regionalization, recognizing gradations of risk, and making it clear that we would impose identical import restrictions on regions with identical risk situations. In order to give potential importers advance notice of the type of import conditions they would face if they intended to import ruminants or swine, or their products, we included in the proposal a tentative risk classification for each country of the world for each restricted disease agent. Where current regulations existed regarding a particular country, commodity, and disease, our general approach was to apply the same import conditions applicable under the current regulations. Where the current regulations were silent on a restricted disease agent, we either assigned a Risk Class RU (unknown risk) classification to the country, or we tentatively assigned the country a risk classification based on the literature and other information available to us. The public was invited to comment on the proposed risk classifications.

There are many possible ways to categorize the varying levels of risk posed by different areas of the world for different diseases. Levels of risk can be described by a minimal number of categories, as under the current regulations (which recognize, generally, countries as "free," "free with restrictions (modified free)," and "not free"), or by an expansive spectrum of levels that recognizes extremely slight differences in risk among areas.

In developing the proposal, we arrived at the proposed number of risk classifications after a review of the continuum of possible risks, from negligible risk to unknown risk. One of the options we considered was proposing fewer than six risk

classifications. The six classifications we did propose represented a series of increasing risk situations, from what we considered to be a negligible risk, to slight risk, low risk, moderate risk, high risk, and unknown risk. It would have been possible to broadly divide the risk categories into "low risk" (to include the proposed classifications of negligible risk, slight risk, and low risk), "high risk" (to include the proposed classifications of moderate risk and high risk), and "unknown risk." However, we rejected a three-category option, for the following reasons. First, under such an option, the "high risk" classification would not differentiate between a region affected with a high prevalence of a disease and a region that is affected with the disease but that has a strong control program and a low prevalence of infection. Grouping the classifications of moderate and high risk together would not have allowed for importations from regions that are at a low-prevalence level and are likely to remain so.

The three proposed risk classifications that could have been broadly grouped under "low risk" are also distinguishable. Of the countries considered "free" of certain diseases under the current regulations, some are subject to additional restrictions because they either supplement their national meat supply with fresh (chilled or frozen) meat from countries affected diseases of concern, share a common border with such countries, or have trading practices less restrictive than what we consider acceptable to prevent the introduction of such animal diseases.

Under the current regulations, APHIS does not recognize a country as free of certain diseases if that country carries out vaccination for those diseases. However, the OIE International Animal Health Code (Code) recognizes a category of "free with vaccination." To achieve equivalency with the OIE Code, we proposed a "free with vaccination" (low risk) classification.

Therefore, we considered it appropriate to propose classifications of regions "free" of specific diseases that ranged, in ascending order of risk, from (1) those where the disease is deemed never to have existed or is deemed to have been eradicated, to (2) those that have had a sufficient period of absence of the disease, but present some risk due to trade or adjacency with affected regions, to (3) those that are recently free of a disease, with some risk of residual infection.

We considered the number of risk categories we proposed to be small enough to be manageable, but broad

enough to recognize differences in risk discernible on a practical level.

We continue to believe that the number of risk categories we proposed represent a functional approach to characterizing risk. However, after evaluating the practical implications of the proposed regulations based on information submitted by commenters, we have reassessed the benefits of applying the exact same pre-assigned import conditions to all regions grouped in the same risk classification. We have determined that what is gained by making it clear to a region from the outset what it must do to export a particular commodity to the United States is outweighed by a loss of flexibility in customizing import conditions to the particular situation of each region. Further, based on commenter responses to our tentative proposed classification of regions, we believe our characterization of the risk level of a region and the assigned import conditions can be most appropriately determined after the region itself has submitted sufficient data to APHIS to allow us to conduct an assessment of the risk presented by potential imports from the region.

Therefore, in this document we are not making final the system we proposed that would have applied the same import restrictions to each region assigned to one of six risk categories. Instead, as proposed and in accordance with the trade agreements entered into by the United States, we are amending the current regulations to provide for recognition of regions, rather than only countries, for the purpose of importation of animals and animal products. In § 92.1 of this rule, we provide that a region may consist of any of the following:

- A national entity (country);
- Part of a national entity (zone, county, department, municipality, parish, Province, State, etc.);
- Parts of several national entities combined into an area; or
- A group of national entities (countries) combined into a single area.

In a companion document we are publishing in this issue of the **Federal Register** (APHIS Docket No. 94-106-8, "APHIS Policy Regarding Importation of Animals and Animal Products"), we give notice of the policy we will follow in recognizing regions, assessing the risk presented by potential imports from a region, and determining appropriate import conditions. Our policy will be to determine on a case-by-case basis what import conditions will reduce the risk associated with importations from a particular region to a negligible level. Because levels of risk exist upon a

continuum, instead of pre-assigning import conditions based on risk classifications, we will, as a policy, use risk categories as benchmarks to assist regions in evaluating where they can expect to fall on a spectrum of risk levels and what general import conditions may apply.

Reformatting of Current Regulations

In this final rule, we are setting forth the procedures for requesting recognition of a region and for requesting that APHIS assess the risk presented by a particular commodity from a recognized region and establish appropriate import conditions. In order to accommodate these procedures in 9 CFR, chapter I, we are moving the provisions of current part 92, "Importation of Certain Animals, Birds, and Poultry, and Certain Animal, Bird, and Poultry Products; Requirements for Means of Conveyance and Shipping Containers," to part 93, and are setting forth the procedures for requesting regionalization and risk assessment in the vacated part 92. The provisions in current part 93 regarding the importation of elephants, hippopotami, rhinoceroses, and tapirs, are redesignated as §§ 93.800 through 93.807.

Procedures for Requesting Recognition of Regions and Risk Assessment

As set forth in § 92.2 of this final rule, we will, in general, process applications for regionalization and risk assessment according to the following procedures.

The official of the national government of any country who has the authority in that country to request such a change may submit a request to the Administrator that all or part of the country be recognized as a region, be included within an adjacent previously recognized region, or be made part of a region larger than the country.

Each request for approval to export a particular type of animal or animal product commodity to the United States from a foreign region must be made to the Administrator, and must include, in English, the following information about the region:

1. The authority, organization, and infrastructure of the veterinary services organization in the region.
2. Disease status—i.e., is the restricted disease agent known to exist in the region? If "yes," at what prevalence? If "no," when was the most recent diagnosis?
3. The status of adjacent regions with respect to the agent.
4. The extent of an active disease control program, if any, if the agent is known to exist in the region.

5. The vaccination status of the region. When was the last vaccination? What is the extent of vaccination if it is currently used, and what vaccine is being used?

6. The degree to which the region is separated from regions of higher risk through physical or other barriers.

7. The extent to which movement of animals and animal products is controlled from regions of higher risk, and the level of biosecurity regarding such movements.

8. Livestock demographics and marketing practices in the region.

9. The type and extent of disease surveillance in the region—e.g., is it passive and/or active; what is the quantity and quality of sampling and testing?

10. Diagnostic laboratory capabilities.

11. Policies and infrastructure for animal disease control in the region—i.e., emergency response capacity.

The above information will be made available to the public prior to our initiating any rulemaking action on the request.

Once we have received from a potential exporting region the information necessary to conduct a risk assessment, and have evaluated the risk, we will determine under what conditions an importation can be safely allowed. If we believe the importation can be safely allowed, we will propose in the **Federal Register** to allow such importations, and the conditions under which the importations would be allowed, along with a discussion of the basis for our proposal. We will then provide a period of time during which the public may comment on our proposal. During the comment period, the public will have access, both in hard copy and electronically, to the information upon which we based our risk analysis, as well as to our methodology in conducting the analysis. Once we have reviewed all comments received, we will make a final decision about whether and under what conditions the requested importation may be allowed. If our decision is to allow the importation, we will publish the conditions for importation in a final rule in the **Federal Register**.

Recent rulemakings have provided examples of how the regulations may be amended under the provisions of this final rule. On May 9, 1997, we published in the **Federal Register** a final rule (62 FR 25439–25443, Docket No. 94–106–6) to allow, under certain conditions, the importation of fresh (chilled or frozen) pork from the State of Sonora, Mexico. On June 26, 1997, we published in the **Federal Register** a final rule (62 FR 34385–34394, Docket No.

94–106–5), amended for clarification on August 11, 1997 (62 FR 42899–42900, Docket No. 94–106–7), allowing, under specified conditions, the importation of fresh (chilled or frozen) beef from Argentina, where vaccination for foot-and-mouth disease is still carried out. Although that final rule applied to an entire country, it exemplified the opportunity for a foreign region to request of APHIS an assessment of whether specific import conditions can bring the risk of importation of animals or animal products from that region to a negligible level. As noted above, our policy for assessing risk is outlined in a policy statement we are publishing elsewhere in this issue of the **Federal Register**. Additionally, on June 12, 1997, we published in the **Federal Register** a proposal (62 FR 32051–32053, Docket No. 97–002–1) to regionalize Italy by considering all of Italy except the island of Sardinia free of African swine fever.

As stated above, this final rule allows for the recognition of regions with regard to the importation of animals and animal products. As defined in this final rule, a region need not be an entire, single national entity (country), though it can be. Until we receive requests for regionalization on a case-by-case basis under the provisions of this final rule, we will continue to apply the current regulations to the importation of animals and animal products from foreign countries.

Scope of This Final Rule

In response to our proposed rule, several commenters objected to the fact that the proposed provisions applied only to ruminants and swine, and their products. The commenters recommended that the concept of regionalization also be applied to other animals governed by the regulations, including poultry and equine species.

In the Supplementary Information section of our proposed rule, we stated that it was our intent to extend, in the future, the regionalized, risk class approach to the importation of all animals and animal products that are subject to the import regulations in 9 CFR, chapter I. We limited the scope of the proposal to ruminants and swine in the interests of timeliness—i.e., the fact that our proposed approach involved rewriting large parts of 9 CFR part 92 made it advisable to finalize the regionalization changes in several stages. However, the approach we are taking in this final rule involves significantly less rewriting of the current regulations than did the approach set forth in our proposed rule. Because the principles and procedures

regarding regionalization and risk assessment that are applicable to the importation of ruminants and swine, and their products, are equally applicable to the importation of other animal species governed by the regulations, we consider it appropriate to extend the principles of regionalization in this final rule to all animals and animal products subject to the import regulations in 9 CFR, chapter I, including poultry, birds, and equines.

Concerns that Regionalization Will Increase the Risk of Disease Introduction

Some commenters expressed general concern that the provisions we proposed for regionalization and levels of risk would increase the risk of animal diseases being introduced into the United States. Other commenters expressed particular concern about the possibility of the introduction into the United States of emerging diseases, such as bovine spongiform encephalopathy (BSE). We are acutely aware of the concern of the U.S. public that livestock in this country continue to be protected from disease introduction. As noted above, until APHIS receives a request for regionalization, the imports into the United States will continue to be governed by the current regulations. When requests for regionalization are received, APHIS will evaluate them on a case-by-case basis, and determine what, if any, import conditions can bring the disease risk presented by the imports to a negligible level. Throughout the process of analyzing any request for regionalization, APHIS will provide the public the opportunity to evaluate the information the region has submitted to APHIS in requesting regionalization. The public will then be given a formal opportunity to comment on the proposed action. No request for regionalization will be made final until APHIS has taken into consideration all comments submitted by the public during the comment period.

Several commenters stated that attention needs to be paid to identifying diseases that do not exist in the United States, but that may put the livestock population at risk. The commenters stated that as major diseases such as foot-and-mouth disease (FMD) or classical swine fever (hog cholera) are confined to limited areas of countries, or are eradicated, it will no longer be possible to rely on import restrictions due to the presence of these diseases to guard against the importation of other diseases of concern. Consequently, said the commenters, it will become increasingly important for APHIS to have the appropriate resources,

diagnostic capabilities, and expertise to determine what other diseases are potential risks. The commenters cited examples of diseases of potential concern. We agree with the commenters and concur that changing disease and trade conditions require a broad view regarding what diseases require regulation. We address this broadened concern in our notice of policy regarding regionalization and risk assessment, set forth elsewhere in this issue of the **Federal Register**.

Several commenters stated that the list of diseases of concern should include all disease subject to a control or eradication program in the United States. We share the commenters' view that import restrictions should be in place to guard against the movement into this country of diseases that currently exist in the United States but that are subject to a domestic control or eradication program. These diseases of concern are addressed by the current regulations and by the policy statement we are publishing elsewhere in this issue of the **Federal Register**.

Some commenters stated that a comprehensive emergency plan should be in place prior to implementation of the revised regulations. Currently, the Secretary of Agriculture has the authority to implement necessary measures to control and eradicate animal disease in this country. APHIS has had in place for a number of years resources and procedures for responding to disease outbreaks on an emergency basis.

One commenter recommended that the regulations specifically state that APHIS has the option to restrict imports because of new or emerging diseases. We do not consider it necessary to include such a statement in the regulations. For years, APHIS has enforced import restrictions on new or emerging diseases, and we will continue to do so.

Some commenters stated that the regulations should contain provisions for relaxing emergency measures when they are no longer warranted. Just as it does under the current regulations when a disease risk has been eliminated, APHIS will take action through rulemaking, subject to public comment, to relieve restrictions that no longer appear warranted.

A number of commenters expressed concern that implementation of the proposed regulations would represent a huge and costly workload for APHIS, and that administrative problems in implementing the proposal would create barriers to trade. The commenters stated that APHIS lacks the budget and infrastructure to administer the proposal

in a timely manner consistent with sound animal health intervention and exclusion strategies. Other commenters stated that the provisions of the proposed rule were ill-equipped to deal with developing situations, that it will be difficult for APHIS to maintain current information on countries' importing practices, and that the information regarding risk classification will always be months or years out of date. As an alternative to the "notice-and-comment" procedures currently followed by APHIS under the Administrative Procedure Act (APA) (5 U.S.C. 551 *et seq.*), some commenters suggested that all regional disease classifications and decisions be made available electronically, with the CFR merely establishing authority to classify and methods to classify and make changes. According to the commenters, requests for a change in status could be updated by a press release available electronically and comments could be solicited in like manner. Several commenters recommended that the regulations allow the United States to accept on a provisional basis new risk classifications established by other countries, pending U.S. verification.

We believe that a number of the concerns raised by the commenters are addressed by the changes we are making to the proposal in this final rule. As noted above, we will continue to apply the current regulations until we receive requests for regionalization. We are not making final our proposed system of assigning each foreign region to one of six risk classifications. Under this final rule, we will not attempt to assess the risk of importations from a region until the region itself has provided all of the information necessary for conducting such an assessment, although we will take into account any information available to us from other sources.

Because this final rule provides options not available under the current regulations, APHIS recognizes that, especially initially, it will face an increased workload when this rule is made effective. A major impetus to the publication of this final regulation is the U.S. commitment under the North American Free Trade Agreement and the WTO-SPS Agreement. As a signatory of these agreements, the United States has agreed to accept the principle of regionalization and to allow the importation of animals and animal products from regions of low disease prevalence, subject to whatever mitigating measures are necessary to safeguard livestock in the United States.

We are committed to implementing, where appropriate, regionalization in individual cases as quickly as possible

once we have received and reviewed sufficient valid data from and about the requesting region, and have conducted a risk assessment of the importation requested. However, because of the potentially broad interest regarding importations of animals and animal products, we consider it necessary to ensure that all members of the public are made aware of potential changes through rulemaking.

Under the APA, APHIS must, in most cases, provide public notice of proposed changes to the regulations through publication of a proposed rule in the **Federal Register**, and provide interested persons an opportunity to participate in the rulemaking through submission of written data, views, or arguments. Within these requirements, APHIS is examining ways to streamline the review process, including the development of a data-handling mechanism to receive and store information related to animal health and veterinary infrastructure. Additionally, APHIS plans to increase its resources in the area of risk assessment. With regard to electronic notification of proposed rulemaking, APHIS currently notifies the public electronically of various actions taken by the Agency. However, Administrative Procedure Act requirements for notice and comment rulemaking are not fulfilled until the action is published in the **Federal Register**.

Recognition of Equivalency and Foreign Regionalization

One commenter recommended that the regulations allow the Administrator of APHIS to enter into an agreement with a foreign country to recognize the equivalency of that country's rules. We consider the concept of equivalency to be provided for in this rule. It allows the United States, based on information made available to it by its trading partners and other sources, to identify, along with those trading partners, specified risks from a region on a disease-by-disease and commodity-by-commodity basis, and identify mutually agreeable risk management measures to reduce risk to a negligible level. Equivalency exists when countries agree that each others' risk management measures are appropriate and when they identify commodities for which import measures that may not be identical for the same commodity are needed to address the differences in prevalence of restricted agents, geographic or demographic factors, or animal health infrastructure.

It is the responsibility of the exporting region to demonstrate to the importing country that the region meets standards

equivalent to the importing country's standards or other acceptable standards. Certainly, in those cases where the United States and some other country have historically developed animal health standards for common diseases, there is no reason to expect that such interaction will not continue.

Among the comments received was the recommendation that the United States should recognize regions that are created and maintained up-to-date by other bodies, such as the European Community (EC). The comment stated that the EC has been divided into many regions for various diseases and, because the areas are constantly achieving results in disease eradication, the areas recognized by the EC as free are constantly expanding. Because of this, the commenters expressed concern that U.S. regulations would quickly become out of date. The commenters recommended that a region be defined as the area recognized by the EC as being free from a particular disease in accordance with accepted criteria, pending U.S. examination of the matter.

As discussed above, our overriding goals in implementing regionalization are to facilitate trade in accordance with international agreements while maintaining the level of biosecurity afforded by the current regulations. We believe the provisions of this final rule, and our policy toward regionalization and risk assessment published in this issue of the **Federal Register**, meet these dual goals. As discussed above, however, APHIS rulemaking must be carried out in accordance with the APA, with an opportunity provided for public comment on changes to the regulations. At present, APHIS is developing a proposal to recognize regions established by the EC with regard to disease status, based on information submitted in a request by the EC.

Some commenters recommended that, to make the regulations more transparent, procedures should be set forth for situations where there are no specific requirements stated. As noted above, the companion policy statement we are publishing in this issue of the **Federal Register** outlines the procedures we intend to take in evaluating requests for regionalization and importation of animals and animal products. As we discussed, we will conduct such evaluations in a transparent manner open to public review and comment.

Several commenters recommended that APHIS review what the commenters referred to as internationally accepted guidelines for regionalization, risk analysis, and risk assessment. The commenters

specifically referred to the following documents: (1) Cane, B.G., "The Concept of Regionalization in Establishing Disease-Free Areas," OIE comprehensive reports on technical items presented to the international committee or to regional commissions, 1994; (2) Kellar, J.A., "The Application of Risk Analysis to International Trade in Animals and Animal Products," OIE comprehensive reports on technical items presented to the international committee or to regional commissions, 1992; (3) Morley, R.S., Acree, J., Williams, S., "Animal Import Risk Analysis (AIRA): Harmonizing our Approach," OIE comprehensive reports on technical items presented to the international committee or to regional commissions, 1990-1991; and (4) "OIE International Health Code," Section 1.4, chapters 1.4.1-1.4.5, 1994 updates. In the process of developing the proposed rule, APHIS reviewed all of the sources cited. Wherever possible, concepts from these references were incorporated into the proposal. We have also incorporated concepts from these references into the policy on regionalization and risk assessment we are giving notice of in this issue of the **Federal Register**.

Comments on Information Considered in Assessing Risk

Among the requirements set forth in the proposal for applying for recognition of risk classification for a region was the requirement that the Chief Veterinary Officer of the region submit to APHIS a completed questionnaire relating to the specific disease in question. Several commenters requested that this questionnaire be published in the regulations. Several commenters asked for clarification of how the United States would expect regions to demonstrate freedom from restricted disease agents. One commenter requested that APHIS publish the procedures it will use to communicate with nations so that countries will have the opportunity to document their animal disease situation in order to gain the appropriate classification. As stated above, we are not making final our proposed system of risk classification, but we are setting forth in § 92.1 of the regulations procedures for applying for regionalization, for assessment of the risk presented by imports from a region, and for determination of appropriate import conditions.

Some commenters stated that the proposed rule placed undue emphasis on the influence that neighboring regions have on each other's disease status. According to the commenters, although border controls are often necessary, they are not as important in

cases where the epidemiology of disease agents, combined with differing husbandry factors, effectively prevents establishment of a disease in a neighboring region. Although we consider proximity between regions generally of importance with regard to contagious diseases, we agree that in some cases the proximity of one region to another is irrelevant because of varying climatic or other ecological factors. This is true in the United States with a disease such as bluetongue, which has never become established in the northeastern part of the country due to ecological factors, despite a lack of interstate movement controls. Given equivalent factors, however, vector-borne diseases might readily move across regional boundaries in spite of border controls. For this reason, proximity to affected regions must be considered a factor in determining disease risk, and is included in the information we are requesting under this rule in applications for regionalization. Under the approach we have adopted in this final rule and our policy toward regionalization, proximity will be considered as a factor in assessing the risk of disease introduction, but will not be given a predetermined weight in the assessment process.

In related comments, some commenters stated that, because many diseases listed on the OIE "List B" can easily be contained within a herd or flock, the status of a contiguous region is not relevant for many List B diseases in determining the risk class of the region under consideration, particularly when effective border control barriers are in place. As we stated above with regard to the issue of proximity, the status of a contiguous region will be considered as a factor in assessing the risk of disease introduction, but will not be given a predetermined weight in the assessment process. As implied by the commenters, the concern about contiguous regions is not necessarily about the ability of the disease agent itself to be transmitted across the border, but more so about the possibility of undeclared illegal movements of infected animals or products, or the straying of loose animals or carrier wildlife across the border. While effective border controls are a crucial consideration in assessing the risk posed by importations from a region, we do not consider them alone to be a guarantee that the movement of disease from a contiguous region will be eliminated.

One commenter expressed concern about what the commenter considered a lack of specific criteria for how we

would evaluate the veterinary infrastructure in the exporting region. We believe this issue relates to the information, discussed above, that will be required regarding the authority, organization, and infrastructure of the veterinary services in a region. We consider the evaluation of infrastructure in any region to necessarily be somewhat subjective. Until the OIE or some other organization develops an objective measure of infrastructure, we believe the best way to evaluate infrastructure is on a case-by-case basis, by means that, in some cases, will include on-site visits.

Concerns Regarding the Effect of Regionalization on Wildlife

One commenter expressed concern about the potential effect of the proposed risk classification system on wildlife. The commenter was concerned that some countries might contain or eliminate wild animals in order to ensure that there are no pockets of disease that might prevent the countries from attaining a particular risk classification. We consider the commenter's concerns to be addressed in large measure by our decision not to make final the system of establishing a risk classification system based on pre-defined criteria. However, each country must make its own decisions concerning such matters. APHIS will prepare an environmental assessment specific to the region in question prior to promulgating a final rule to create a region.

Comments Addressing Specific Conditions for the Importation of Animals

Some commenters stated that, under the proposed regulations, cases would arise where animals would be required to undergo quarantine simply to eliminate the presence of a bacterial disease. According to the commenters, in these cases, the full quarantine regimen should not be necessary, and the regulations should allow for equivalent alternative mitigating measures. The commenters suggested as possibilities the conduct of additional tests in the country of origin, followed by isolation and testing in the United States. It is not clear to us from the comments whether the commenters are recommending elimination of certain of the quarantine requirements in place under the current regulations. Historically, we have found the post-importation period of quarantine in the United States necessary as a period for observing the imported animals for disease, and we do not consider it

advisable to eliminate these requirements at this time.

Several commenters stated that the proposed 15-day importation quarantine period was insufficient to allow for incubation of diseases of concern. It is not clear to us from the comments exactly which proposed importation requirements the commenters are referring to in each case. Under the current regulations, except for cattle from Central America and the West Indies, which may be quarantined for 7 days under certain conditions, and except for cattle and certain other ruminants from Canada and Mexico, all ruminants imported into the United States must be quarantined for not less than 30 days from the date of arrival at the port of entry. Under the current regulations, swine must be quarantined for not less than 15 days from the date of arrival at the port of entry. Based on our experience enforcing the regulations, we consider these quarantine requirements adequate and are retaining them in this final rule.

Several commenters expressed concern that transshipments of animals and animal products through high risk areas could cause contamination of the products or animals. Some commenters stated that developing countries have insufficient resources to monitor many of the most serious foreign animal diseases of concern. The commenters expressed concern that, in many countries, the illegal movement of livestock from higher-risk to lower-risk regions would be hard to detect, control, and prevent. Each of these concerns focuses on two of the key factors on which we will request information under the procedures for applying for regionalization—border controls and the infrastructure necessary to monitor and enforce the movement of animals and products from, into, or through the region. We will be obliged to characterize a requesting region a high risk or an unknown risk if the country in question lacks the infrastructure, or does not have access to the resources necessary, to enforce sanitary provisions that would support regionalization or to monitor for animal diseases of concern to the United States.

A number of commenters expressed concern that imported animals may serve as a source for emerging diseases or those of long incubation. To facilitate tracking of animals, commenters recommended that a permanent identification be placed on imported animals. We do not consider the risk of disease introduction to be any greater under this final rule than under the existing regulations. Under the current regulations, in most cases we do not

require either permanent identification of imported animals or a permanent record of their final destination. The feasibility of heightening identification and tracking of imported animals is under review by APHIS. In the meantime, we support the efforts of the livestock industry to develop a system of identification that meets its needs.

Commenters argued both for and against including destination factors in determining import conditions. Some commenters stated that considering destination risk is required by the WTO-SPS agreement, and that failure to consider destination risk makes it illogical for the United States to impose post-importation conditions on animals and animal products if those conditions do not also apply to native U.S. animals. Commenters cited the need to assess the risk of animal importations in which vector-borne disease agents represent hazards, and, in particular, the duration of viraemia and competence of vectors. The commenters also stated that factors to be considered should include the exposure of domestic animals to infected products, modes of transmission, and the amount of infectious agent present that is sufficient to cause infection. Conversely, some commenters supported the premise that any importation of a restricted agent is undesirable. The general policy we have followed under the current regulations is to require import conditions to reduce any risk of introduction of a disease of concern at importation to a negligible level. We are retaining this policy under this final rule.

Some commenters recommended that diagnostic tests approved by the OIE automatically be approved, under the regulations, for use on animals being imported. The commenters also stated that, to ensure openness and consistency, any other tests that would be accepted be published in the rule. Tests approved by the OIE would generally meet the scientific validity requirements for an equivalent approved test. However, we consider it necessary for the APHIS Administrator to have the flexibility to not use any test if evidence shows that it is not valid, even though it might currently be included in the OIE list of approved tests. Also, the Administrator must have the flexibility to use new tests when deemed appropriate, even if they have not been added to the approved list for OIE. Therefore, we have decided not to publish in the regulations a list of tests approved for use on animals imported or to be imported into the United States.

Several commenters recommended that the maximum time allowed for imported animals to be moved to

slaughter be reduced from 2 weeks to as little as 48 hours. The policy of allowing up to 2 weeks for movement to slaughter is not new to the proposed rule. It exists in and has been followed under the existing regulations. Although we are making no changes based on these comments at this time, we will further examine the commenters' recommendation and take whatever action we deem appropriate.

Several commenters questioned the need for import permits as a requirement for importation. The commenters stated that such permits serve no purpose. Some commenters stated that if import permits can be withdrawn without notice or explanation, such practice would be contrary to SPS Article 7. As we explained in the Supplementary Information section of our proposed rule, the primary purpose of import permits is to assure that there is space at a quarantine center for imported animals that must be transported by air or sea to the United States. Such import permits are necessary to avoid problems, both economically and with regard to the humane treatment of animals, in refusing entry to a shipload of animals that have arrived at a port without prior notice and without a reservation for space.

One commenter asked for clarification of the term "restricted use and movement," as used in the Supplementary Information section of the proposed rule when discussing risk mitigation measures. In general, restricted use and movement is used primarily to reduce potential losses should a disease agent be introduced. By restricting the distribution of potentially infected animals, the number and distribution of native animals that could be exposed is limited. An example of how we have used, and continue to use, this mitigation measure is in the importation of animals from a country where a particular disease exists, solely for residence at approved zoos where their movement is restricted.

One commenter stated that opportunities for electronic certification should be considered. We are not certain what the commenter meant by "electronic certification." We assume the commenter was referring to electronic transmission of health certificates. Although to date we have not received a request to accept electronic health certification for imports into the United States, we are receptive to suggestions we might receive from the public regarding the use of such certification.

One commenter stated that the capacity and costs of quarantine centers, particularly the Harry S Truman Animal Import Center (HSTAIC), should not become a trade barrier. Importation through HSTAIC is a method of allowing the importation of animals from certain high-risk situations that would otherwise require total prohibition of the importation. APHIS recommends that importers consider importing breeding material through embryos or semen whenever possible, to avoid the extra costs and potential delays that use of HSTAIC entails.

Some commenters stated that, depending on the commodity under consideration, only the viremic state of a disease might be of concern, with the incubatory and convalescent states representing negligible risk. We agree that the situation described by the commenters is true for some diseases, depending on the mode(s) of transmission. However, we do not agree that an animal in the incubatory stage represents a negligible risk. Because diagnosis at the incubatory stage is often difficult, making a distinction among the stages when determining disease risk will have little practical effect on establishing import conditions.

In our proposed regulations we used the term herd. In the "Definitions" section to the regulations regarding ruminants and swine, we included no period of time that animals would need to remain together to be considered a herd. Some commenters stated that the definition of "herd" should indicate that, to constitute a herd, the animals must have been together for a specified minimum period of time. We do not consider it advisable to make such a change. In certain situations, how long the animals have been together is less important than the origin of the animals in the group. For instance, if all animals in the group have been assembled from herds certified free of a disease under a disease eradication program, the length of time the animals have been together is not significant.

Some commenters addressed the requirement in proposed §§ 93.415(d)(3) and (4) that ruminants from regions proposed to be classified as Risk Class R3 or R4 for FMD undergo pre-embarkation quarantine under APHIS supervision in a facility approved by the Administrator. The commenters stated that this requirement shows an unwarranted disregard for the scientific, ethical, and certifying ability of the veterinary authorities in exporting countries. Although this final rule does not categorize regions as Risk Class R3 or R4, and does not require APHIS supervision of pre-embarkation

quarantine, it retains the requirement of the current regulations that ruminants and swine imported from countries not considered free of FMD be quarantined in a pre-embarkation quarantine facility approved by the Administrator. Although we agree that, in many cases, reliance on the veterinary authorities in an exporting country would provide adequate approval and inspection of a facility, we consider it necessary for the Administrator to have authority to ensure that in all cases the facilities in question meet adequate standards.

Several commenters stated that APHIS should consider implementing recommendations from the "Border States Consensus Document." The document referred to represents a consensus by U.S. States that share a border with Mexico regarding recognition of efforts within Mexico to eradicate *Mycobacterium bovis* (tuberculosis). The recommendations of the consensus document, including recognition of certain States in Mexico as being free of tuberculosis, can be accommodated by the procedures for requesting recognition of regions set forth in this rule.

A number of commenters addressed the issue of how camelids should be addressed in the regulations. Some commenters recommended that they be removed from the definition of "ruminants." The commenters stated that camelids are not true ruminants, that marked anatomic and physiologic differences between camelids and ruminants exist in many organ systems, and that llamas and alpacas appear to be resistant to and unlikely to spread several important livestock diseases, including FMD, *M. bovis*, and *Brucella abortus*. Other commenters expressed concern regarding the potential disease risk posed by camelids.

"Webster's New International Dictionary" defines *Ruminantia* as follows: "A division of even-toed hoofed animals including those that chew the cud, as the oxen, sheep, goats, antelopes, deer, chevrotains, and camels. They are divided into three groups; the *Pectora* or true ruminants * * * the *Tylopada*, or camels and llama * * * and the *Chevrotains*." We have many of the same disease concerns with camelids as with other ruminants. However, we agree with the commenters that there may be some practical disease risk differences between camelids and cattle. Although we are making no changes to this final rule in response to these comments, we are reviewing this issue and are considering addressing it in future rulemaking.

Comments Addressing Regulations Governing the Importation of Meat and Meat Products

A small number of commenters expressed concern that the import conditions for meat products from certain of the proposed risk class regions required that the backbone be removed from the carcass of the animal, even though the meat grading standards of the Department's Agricultural Marketing Service (AMS) require foreign beef to have a country-of-origin mark on the carcass 4 inches from the backbone. Because we are not making final the import conditions based on risk classifications, in a number of cases the provisions the commenters are referring to are not set forth as general requirements. However, we consider the requirement that a carcass be deboned an important one in reducing the risk of FMD-transmission from meat, and expect to apply it to future importations as appropriate. For example, in our June 26, 1997, final rule regarding the importation of fresh, chilled or frozen, beef from Argentina, one of the requirements for importation of the meat was that it be deboned. The AMS standards in 7 CFR 54.4 *et seq.* state that grading is done only on carcasses and is voluntary. We consider concerns regarding disease risk to take precedence over grading standards for meat, which could be done on the carcass before the meat is deboned.

One commenter stated that, in § 94.15 of the proposal, regarding cancellation of compliance agreements, the regulations indicated that certain actions by APHIS will be taken "as promptly as circumstances allow." The commenter requested that the time allowed for action by APHIS be specified. The provisions referred to by the commenter are set forth in the current regulations. Based on our experience enforcing the regulations, we consider the actions taken by APHIS to have been taken in a timely manner and do not consider it necessary to revise the provisions in question at this time.

In §§ 94.1 (e) and (g) of the proposed regulations, we set forth proposed requirements for the importation of fresh (chilled or frozen) meat from ruminants and swine from regions classified as Risk Class R2 or R3 for FMD. Among the proposed import conditions was the requirement that the meat reach a pH of 6.0 or less in the loin muscle. In the Supplementary Information section of our proposed rule, we stated that acidic or alkaline conditions readily kill the FMD virus. One commenter took issue with this statement, stating that research has

shown that although a pH below 6.0 or above 11.5 will inactivate the FMD virus, the virus resident in the micro-environment of animal tissue—such as lymphatic tissue, bone marrow, or coagulated blood—is resistant to inactivation over a practical pH range.

The proposed requirements referenced by the commenter are not included in this final rule because they were import conditions particular to two risk categories that we are not including in this rule. However, maturation of meat to an appropriate pH level is a proven method of killing the FMD virus, and is one of the conditions we set forth in our June 26, 1997, final rule for the importation of fresh (chilled or frozen) meat from Argentina. In the Supplementary Information section of that final rule, we stated that although we agreed with the commenter, the regulations as proposed already addressed the concerns raised. We stated that we assumed that by "micro-environment" the commenter was referring to those areas of the meat in the carcass that are in the immediate area of the bones, lymphatic tissue, or coagulated blood, and noted that one of the proposed conditions for importing fresh (chilled or frozen) meat from Argentina was that all bone, blood clots, and lymphoid tissue be removed from the meat. However, in that final rule, based on the comment and the literature available to us, we amended the regulations as proposed to require that a pH level of 5.8 or less be reached before the meat may be imported.

The proposed importation requirements for cured or cooked meat from regions classified as Risk Class R3, R4, or RU for certain diseases included the requirement that the meat be deboned. This requirement for deboning is also included in the current regulations. Some commenters, addressing the proposal, stated that deboning should not be required for cured or cooked meat because such treatment already reduces the disease risk from the meat to an acceptable level. We do not agree with the commenters that removal of bones is not necessary in meat that is otherwise cured or cooked in accordance with the regulations. The presence of the bone in the meat makes it difficult to determine whether the bone has been treated throughout to the extent necessary to destroy the restricted disease agent. For example, in the case of FMD, unless some way is developed to determine the temperature level within the bone, there is no way of determining whether the entire piece of meat, including the bone, has been heated to the temperature necessary to kill the FMD virus.

Comments Regarding Bovine Spongiform Encephalopathy

Some commenters took issue with our statement in the Supplementary Information section of our proposal that bovine spongiform encephalopathy (BSE) "is thought to have been introduced into cattle from scrapie-infected sheep brains that were included in rendered protein meal added to cattle feed." The commenters stated that the original source of BSE is unknown, and that it would be more accurate to say that the BSE epidemic seems to be the result of a single source infection resulting from BSE-infected meat and bone meal. The statement we included in our proposed rule was based on the information available to us at the time the proposal was developed. At this time, we agree with the commenters as to the limits of what can be concluded regarding the origins of BSE.

One commenter questioned the rationale for allowing the importation of embryos from BSE-affected regions, while, according to the commenter, the OIE takes a cautious approach. The commenter apparently misread the proposed regulations. Embryos from countries affected with BSE are currently not permitted importation into the United States, and the proposed regulations did not include provisions allowing the importation of such embryos.

Several commenters stated that because transmissible encephalopathy occurs in cervidae in the United States, a ban on the feeding of ruminant protein should be in force in the United States. Other commenters stated that such a ban would eliminate the possibility that an infected animal, even if imported, could transmit the disease to another. Although APHIS does not have the authority to ban the feeding of ruminant protein, it should be noted that in a final rule published on June 5, 1997 (62 FR 30936–30978, Docket No. 96N–0135), the United States Department of Health and Human Service, Food and Drug Administration, established regulations controlling the use of animal protein derived from mammalian tissue in ruminant feed.

Proposed Provisions Not Being Made Final

A large number of the issues raised by commenters regarding our proposed rule addressed provisions of the proposed rule that are not included in either the current regulations or in this final rule. Therefore, pending future requests for regionalization, many of the concerns raised regarding the proposed

rule are no longer relevant. These include concerns raised by commenters regarding the following: Differences between the current regulations and the proposed rule regarding import requirements for animals and animal products, including the concern that the proposed regulations would, in some cases, be more restrictive than the current regulations; the relationship between the "qualitative" and "quantitative" options for assessing risk under the proposed rule; criteria for assigning regions to particular risk classifications; whether the quantitative risk assessment option could be scientifically supported; differences between the proposed import requirements and the standards of the OIE Code; differences between the proposed import requirements and requirements governing U.S. interstate movement; classification as "restricted disease agents" of agents not included on the OIE "A" or "B" list of diseases; concerns that the proposed import requirements would not allow consideration of "equivalency" with an importing region's mitigation measures; that criteria for border controls of regions were too rigid; importation requirements relating to specific disease agents, including ectoparasites; whether the proposed import requirements would preempt State requirements; that certain terms used in the proposed rule were unclear and required definitions; that the proposed restricted disease agents did not seem to be treated differently based on potential impact; and the risk classification of certain countries.

Similarly, commenters made several requests that are no longer relevant. These include: That the regulations clarify which animals would be considered in determining the risk classification of a region; that embryos from "high-risk" areas be considered "low-risk" if treated in accordance with internationally recognized treatment standards; that the practice of vaccination not necessarily affect a region's risk classification; that the United States evaluate its own status and programs with regard to the requirements of the proposal; and that APHIS publish risk analysis documentation to support the prohibition of meat, embryos, and semen from certain risk class categories.

Other Proposed Changes to the Regulations Being Made Final

We proposed to make a number of changes to the regulations that were not directly related to the concepts of regionalization or risk assessment. In all cases but one, we received no comments

regarding these proposed changes. We discuss below the amendments we proposed, any comments we received, and actions we are taking on the proposed changes in this final rule.

We proposed to consider the entire country of Canada as presenting a slight risk for the introduction of *Brucella abortus* and as a negligible risk for *B. melitensis*. Under the proposed import conditions for such a risk classification, no testing for these diseases would be required for cattle from Canada from provinces free of brucellosis. We continue to consider it warranted to allow cattle from Canada from brucellosis certified-free provinces or herds to enter the United States without brucellosis testing, and are amending § 92.418 of the current regulations to provide that such testing is not necessary.

We are adding to § 94.0, "Definitions," the definitions we proposed for *Cervid*, *Contact*, *Pink juice test*, *Region*, *Ruminants*, and *Veterinarian in charge*.

Current § 94.7 includes provisions for the disposal of animals, meats, and other articles ineligible for importation under the regulations regarding rinderpest and FMD in current § 94.1. We proposed to expand the disposal regulations so that they refer to African swine fever, hog cholera, swine vesicular disease, and BSE, as well as to rinderpest and FMD. In this rule, we are making final those expanded provisions.

We are making final at § 94.12(b)(1)(iii)(B) of the regulations the provision we proposed that pork or pork products consigned from the port of arrival to an approved establishment must be moved under Customs or USDA seal, and must be otherwise handled as the Administrator may direct in order to guard against the introduction and dissemination of swine vesicular disease. The required seals may not be broken except by persons authorized by the Administrator to do so.

We proposed under § 94.9 to allow the limited transiting of meat and other animal products not otherwise eligible for entry into the United States, to allow for offloading from one means of conveyance at the port of arrival onto a second means of conveyance scheduled for immediate departure from the United States. One of the conditions for such limited movement was that the meat or other animal product not be stored for more than 24 hours at the maritime or airport port of arrival.

Commenters requested that the allowable time for holding or storage be extended to 48 hours, to allow for cargo movement logistical problems. We agree with the commenters that a longer

period of time at the port is sometimes necessary to make connections between ships. As long as the meat and other animal products are securely contained aboard the carrier or while being offloaded, and as long as their overland movement in the United States is confined to that port of arrival, we believe it is warranted to allow the meat or other animal products to be held at the port up to 72 hours. We are adding provisions for such limited transit at § 94.15(d) of this final rule.

We are making final the change we proposed to § 94.16(b)(2) of the current regulations to remove the requirement that certain dry milk and dry milk products intended for importation be processed for human food. The provisions that require that dry milk or dry milk products intended for importation from countries in which rinderpest or FMD exists be processed for human food also require that the dry milk or dry milk products be processed in a manner approved by the Administrator as adequate to prevent the introduction or dissemination of livestock diseases into the United States. Dry milk or dry milk products that are processed in a manner adequate to prevent disease can be safely processed for uses other than human food.

We are making final at § 96.10 our proposed removal of references to specific cities in which casings that arrive in the United States without certification may be disinfected, and are providing that such casings may be forwarded to a USDA-approved facility for disinfection. We are making this change because the facilities in the cities specified are no longer in operation. Currently, all casings entering the United States under 9 CFR part 96 are entering in accordance with § 96.4, which allows the casings to be entered if the casings are accompanied by certification that they were derived from healthy animals that were inspected ante- and post-mortem. In the event of an intended importation of casings that would need to be disinfected in the United States, such disinfection could be done at any facility approved by APHIS.

As proposed, we are removing current §§ 96.15 and 96.16, because they specify administrative procedures that have been discontinued for a number of years.

Clarification of Final Rule Regarding the Importation of Pork from Sonora

As noted above, on May 9, 1997, we published in the **Federal Register** a final rule to allow the importation of fresh (chilled or frozen) pork from the State

of Sonora, Mexico. The provisions allowing this importation were added at a new § 94.20. At § 94.20(a), we specified that the pork must be meat from swine that have been raised and slaughtered in Sonora. It was also our intent that the swine from which the meat comes have been born in Sonora. In this final rule, we are amending § 94.20(a) to clarify this intent.

Clarification of Terminology

In current part 94, we refer in a number of cases to meat that is "fresh, chilled, or frozen." The intent of this phrase is to refer to fresh meat that is either chilled or frozen. We are making nonsubstantive punctuation changes in part 94 to clarify this intent by using the wording: "fresh (chilled or frozen)."

Regulatory Reform

This action is part of the President's Regulatory Reform Initiative, which, among other things, directs agencies to remove obsolete and unnecessary regulations and to find less burdensome ways to achieve regulatory goals.

Executive Order 12866 and Regulatory Flexibility Act

This rule has been reviewed under Executive Order 12866. The rule has been determined to be significant for purposes of Executive Order 12866 and, therefore, has been reviewed by the Office of Management and Budget.

In this rule, we are establishing procedures for recognizing regions, rather than only countries, for the purpose of the importation of animals and animal products into the United States. We are also establishing procedures by which regions may request permission to export animals and animal products to the United States under specified conditions, based on the regions' disease status. These changes to the regulations are in accordance with international trade agreements entered into by the United States. We are also allowing, under certain conditions, the unloading and reloading at the port of arrival of meat and other animal products otherwise prohibited entry into the United States. Additionally, we are removing the requirement that cattle from brucellosis certified-free herds, provinces, and territories in Canada be tested for brucellosis before being imported into the United States, and are making several minor changes in our requirements for importing animals and animal products that will relieve or clarify some import restrictions while continuing to protect U.S. livestock and poultry from foreign animal diseases.

Regionalization

The fundamental purpose of the changes we are making to the regulations with respect to regionalization—primarily changing the word "country" to "region" and setting out the procedures that a region must follow to be recognized as a region—is to establish a framework for a regional approach to the importation of animals and animal products and, thereby, fulfill U.S. commitments under international trade agreements. In developing this rule and the policy statement published elsewhere in this same issue of the **Federal Register**, we have explicitly recognized that there are identifiable and measurable gradations of risk presented by animals and animal products and that these gradations are often tied more to factors such as geography, ecosystems, epidemiological surveillance, and the effectiveness of disease control programs than to national political boundaries. Accordingly, we have adopted an approach that assesses risk along a continuum and responds to the risks presented from an importation on a case-by-case basis.

Because this framework will not be fully implemented until we receive a new request to allow the importation of animals or animal products into the United States, and because we do not know the number or sources of requests we will receive in the future, we cannot estimate the economic impact of this rule as stipulated in E.O. 12866. We are therefore committed to performing a risk assessment and cost-benefit analysis on a case-by-case basis for each request we receive in the near future.

Removal of Requirement for Brucellosis Testing of Cattle From Canada

We are making final a provision to allow cattle from certified brucellosis-free herds, provinces, or territories in Canada to enter the United States without brucellosis testing.

All domestic herds in Canada are free of brucellosis, and therefore no brucellosis testing would be required for any cattle imported to the United States. Expected cost savings can be estimated using the number of breeding cattle imported from Canada in Fiscal Year 1996: 29,340 head. Assuming a laboratory cost of \$3 to \$4 per test (based on USDA National Veterinary Services Laboratories user fees), Canadian operations exporting breeding cattle to the United States may save a total of between \$88,020 and \$117,360. (Other costs associated with assembling of the cattle at the time of testing will

remain, since physical inspections will still take place.)

The cost savings are very small compared to the average value of the cattle. In 1996, the average price per animal of cattle imported from Canada that weighed 200–320 kg was \$332. (Based on the way the price data is made available, this price includes the value of both slaughter and non-slaughter animals. Under the current regulations, cattle intended for immediate slaughter are not required to be tested.) The average price of non-slaughter cattle (not including purebreds) weighing more than 320 kg was \$1,152. Thus, the savings represent no more than 1 cent of every dollar of the smaller animals' average cost, and about 3 cents of every 10 dollars of the larger animals' average cost. The average price of purebred cattle imported from Canada in 1996 was \$810, of which the cost savings represents less than 5 cents of every 10 dollars. The fraction of this savings, if any, that may be realized by U.S. livestock buyers, would be smaller still. The economic impact for U.S. entities will be negligible.

Transiting of Certain Animal Products

This rule allows the unloading and reloading at the port of arrival of meat and other animal products otherwise prohibited entry into the United States. Under certain conditions, such products may be unloaded from a means of conveyance and be held at a port for up to 72 hours before reshipment from the same port by a second means of conveyance.

U.S. imports would not be affected by this rule change. Consequently, the only U.S. entities for which there could be impacts would be ones taking part in the marine or air transshipments, by providing shipping or temporary storage of the transhipped products.

As an example, under this rule, meat from Europe prohibited by the United States but eligible for entry to particular Caribbean or South American countries, could be transhipped at U.S. ports. This could result in cost savings for shipping companies, depending on shipping logistics, as well as additional business for the ports providing transshipment services.

According to available information, in 1994 there were 129 U.S. firms in the SIC category "Deep Sea Foreign Transportation of Freight." Nearly 90 percent (115 firms) were small entities by the Small Business Administration's definition of fewer than 500 employees. There were also 577 U.S. firms in 1994 in the category, "Marine Cargo Handling." For this industry, designation as a small entity is

determined by annual receipts of less than \$18.5 million. An estimated 80 to 90 percent of U.S. firms handling marine cargo are small entities.

With respect to firms that could be involved in air transshipments, in 1994 there were 520 U.S. firms classified under "Scheduled Air Transportation" and 1,475 U.S. firms classified under "Nonscheduled Air Transportation". Of these firms, 86 percent and 95 percent, respectively, had less than 500 employees. For both SIC categories, the Small Business Administration's definition of a small entity is one with fewer than 1,500 employees. There were also 2,864 U.S. firms in 1994 comprising the category, "Airports, Flying Fields, and Airport Terminal Services." An estimated 85 percent of these firms are small entities, as determined by annual receipts of less than \$5 million.

If U.S. shipping and cargo handling firms were to be affected by this regulation, it is likely that at least some of them would be small entities. However, because the transshipment that would be allowed by this rule change currently does not take place, there is no record upon which to base an estimation of impacts. Commodities and volumes that would be transshipped are not known, let alone the number of U.S. firms (as opposed to foreign firms) that would be affected or the amount by which they might benefit through lower shipping costs or additional temporary storage consignments.

Total estimated receipts of U.S. firms in these industries in 1994 were as follows: "Deep Sea Foreign Transportation of Freight," \$8.7 billion; "Marine Cargo Handling," \$6.2 billion; "Scheduled and Nonscheduled Air Transportation," \$121.5 billion; and "Airports, Flying Fields, and Airport Terminal Services," \$7.6 billion." Possible benefits from transshipments at U.S. ports as allowed by this rule change would likely be very slight compared to industry incomes.

Disposal of Animals

We are expanding the regulations regarding the disposal of animals, meats, and other articles ineligible for importation to refer to such products affected by African swine fever, swine vesicular disease, hog cholera, and BSE, as well as those products affected by rinderpest and FMD.

This change is expected to have no economic impact. In practice, disposal provisions for animals and meat having African swine fever, hog cholera, swine vesicular disease, or BSE are already the same as for rinderpest or FMD.

Specification of these diseases will simply clarify existing provisions.

Movement of Pork and Pork Products

We are revising the current import regulations regarding the movement of certain pork and pork products from a port of arrival to an approved U.S. establishment for treatment because of swine vesicular disease, to require that such movement be done under Customs or USDA seal. This change is a clarification to make the regulations in question consistent with similar import requirements with regard to treatment for other diseases. We expect no economic impact from this change, because, currently, there are no such approved establishments in the United States.

Dry Milk Products

We are removing the requirement that certain dry milk products intended for importation be processed for human food. The provisions in current § 94.16(b)(2) that require that dry milk products intended for importation from countries in which rinderpest or FMD exists be processed for human food, also require that the dry milk products be processed in a manner approved by the Administrator as adequate to prevent the introduction or dissemination of livestock diseases into the United States. Dry milk products that are processed in a manner adequate to prevent disease can be safely processed for uses other than human food. We expect no increase or decrease in the amount of imported dry milk or dry milk products due to this change, and expect no change in the manner in which such products are processed.

Casings

We are removing the requirement that casings imported without certification under § 96.4 be moved to specific cities for disinfection. We expect no economic impact from this change. At present, there are no facilities in any U.S. cities where disinfection of casings is performed, and all casings entering the United States under 9 CFR part 96 are entering in accordance with the certification requirements of § 96.4, which allows the casings to be entered if the casings are accompanied by certification that they were derived from healthy animals that were inspected ante- and post-mortem. In the event of an intended importation of casings that would need to be disinfected in the United States, such disinfection could be done at any facility approved by APHIS.

Executive Order 12988

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule: (1) Preempts all State and local laws that are inconsistent with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

National Environmental Policy Act

An environmental assessment and finding of no significant impact have been prepared for this rule. The assessment provides a basis for the conclusion that the actions required or authorized by this rule will not present a significant risk of introducing or disseminating animal disease agents into the United States and will not have a significant impact on the quality of the human environment. Based on the finding of no significant impact, the Administrator of the Animal and Plant Health Inspection Service has determined that an environmental impact statement need not be prepared.

The environmental assessment and finding of no significant impact were prepared in accordance with: (1) The National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 *et seq.*), (2) Regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500-1508), (3) USDA regulations implementing NEPA (7 CFR part 1b), and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372).

Copies of the environmental assessment and finding of no significant impact are available for public inspection at USDA, room 1141, South Building, 14th Street and Independence Avenue SW, Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect copies are requested to call ahead on (202) 690-2817 to facilitate entry into the reading room. In addition, copies may be obtained by writing to the individual listed under **FOR FURTHER INFORMATION CONTACT.**

Paperwork Reduction Act

The information collection burden expected to be imposed by 9 CFR parts 92, 93, and 98 of this rule is 1,809 burden hours for animal importations, which is 176,875 burden hours less than the proposed rule. Although this final rule provides a mechanism for regionalization, it does not assign individual regions to specific risk categories, as did the proposed rule. Because the provisions of the current regulations will continue to be followed

until we receive requests for regionalization, the burden expected is much less than what was expected under the proposed rule. In accordance with section 3507(d) of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the information collection requirements of this final rule have been submitted for approval to the Office of Management and Budget (OMB). When OMB notifies us of its decision, we will publish a document in the **Federal Register** providing notice of the assigned OMB control number for parts 92, 93, and 98, or, if approval is denied, providing notice of what action we plan to take.

In accordance with the Paperwork Reduction Act, the information collection or recordkeeping requirements included in this rule under 9 CFR parts 94, 95, and 96 have been approved by the Office of Management and Budget (OMB). The assigned OMB control number is 0579-0015.

This rule contains no new information collection or recordkeeping requirements under 9 CFR parts 97 and 130.

Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Public Law 104-4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, tribal governments, and the private sector. Under section 202 of the UMRA, APHIS generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rule with "Federal mandates" that may result in expenditures by State, local, or tribal governments, in the aggregate, or to the private sector, of \$100 million or more in any one year. When such a statement is needed for a rule, section 205 of the UMRA generally requires APHIS to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, more cost-effective, or least burdensome alternative that achieves the objectives of the rule.

This rule contains no Federal mandates (under the regulatory provisions of Title II of the UMRA) that may result in expenditures by State, local, and tribal governments, in the aggregate, or to the private sector, or \$100 million or more in any one year. Thus, this rule is not subject to the requirements of sections 202 and 205 of the UMRA.

List of Subjects

9 CFR Part 92

Animal diseases, Imports, Livestock, Poultry and poultry products, Quarantine, Reporting and recordkeeping requirements.

9 CFR Part 93

Animal diseases, Imports, Reporting and recordkeeping requirements.

9 CFR Part 94

Animal diseases, Imports, Livestock, Meat and meat products, Milk, Poultry and poultry products, Reporting and recordkeeping requirements.

9 CFR Part 95

Animal feeds, Hay, Imports, Livestock, Reporting and recordkeeping requirements, Straw, Transportation.

9 CFR Part 96

Imports, Livestock, Reporting and recordkeeping requirements.

9 CFR Part 97

Exports, Government employees, Imports, Livestock, Poultry and poultry products, Travel and transportation expenses.

9 CFR Part 98

Animal diseases, Imports.

9 CFR Part 130

Animals, Birds, Diagnostic reagents, Exports, Imports, Poultry, Quarantine, Reporting and recordkeeping requirements, Tests.

Accordingly, under the authority provided in 5 U.S.C. 5542; 7 U.S.C. 147a, 150ee, 161, 162, 450, 1622, 2260; 19 U.S.C. 1306; 21 U.S.C. 102-105, 111, 114, 114a, 134a, 134b, 134c, 134d, 134f, 135, 136, 136a; 31 U.S.C. 9701; 42 U.S.C. 4331, 4332; 49 U.S.C. 1741; 7 CFR 2.22, 2.80, and 371.2(d), we are amending 9 CFR, chapter I, subchapter D, as follows:

PART 93—[AMENDED]

§§ 93.1-93.8 [Redesignated as §§ 93.800-93.807]

1. Part 93 is amended by redesignating §§ 93.1 through 93.8 as §§ 93.800 through 93.807, and designating these sections as Subpart H—Elephants, Hippopotami, Rhinoceroses, and Tapirs.

PART 92—[REDESIGNATED AS PART 93]

2. In Part 92, subparts A through G (§§ 92.100 through 92.707) are redesignated as part 93, subparts A through G, and part 92 is vacated.

3. A new part 92 is added to read as follows:

PART 92—IMPORTATION OF ANIMALS AND ANIMAL PRODUCTS: PROCEDURES FOR REQUESTING RECOGNITION OF REGIONS

Sec.

92.1 Definitions.

92.2 Application for recognition of the animal health status of a region.

Authority: 7 U.S.C. 1622; 19 U.S.C. 1306; 21 U.S.C. 102-105, 111, 114a, 134a, 134b, 134c, 134d, 134f, 135, 136, and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.2(d).

§ 92.1 Definitions.

Active surveillance. Sample collection using a systematic or statistically designed survey methodology to actively seek out and find cases of animals with a restricted disease agent, or to determine the prevalence of the restricted disease agent in the population.

Adjacent region. Any geographic land area, whether or not identifiable by geological, political or surveyed boundaries, that shares common boundaries with any region.

Administrator. The Administrator of the Animal and Plant Health Inspection Service or any other employee of the Animal and Plant Health Inspection Service, United States Department of Agriculture, delegated to act in the Administrator's stead.

Animal and Plant Health Inspection Service (APHIS). The Animal and Plant Health Inspection Service of the United States Department of Agriculture.

Animals. All species of the animal kingdom, except man, including: Cattle, sheep, goats, other ruminants, swine, horses, asses, mules, zebras, dogs, poultry, and birds that are susceptible to communicable diseases of livestock and poultry or capable of being carriers of those diseases or their arthropod vectors.

Communicable disease. Any contagious or infectious disease of animals. It can be transmitted either directly or indirectly to a susceptible animal from an infected animal, vector, inanimate source, or other sources.

Contagious disease. Any communicable disease transmitted from one animal to another by direct contact or by feed, water, aerosol, or contaminated objects.

Disease agent. A virus, bacterium, or other organism that causes disease in animals.

Import (imported, importation) into the United States. To bring into the territorial limits of the United States.

Passive surveillance. A surveillance system that does not depend on active

participation by the responsible agency to seek out and monitor a restricted disease agent. The system relies on mandatory reporting, a pool of trained investigators, diagnostic submission procedures and laboratory support, and periodic public information and continuing education programs on diseases.

Prevalence. The number of cases of a disease in existence at a given time in a designated area.

Region. Any defined geographic land region identifiable by geological, political or surveyed boundaries. A region may consist of any of the following:

- (1) A national entity (country);
- (2) Part of a national entity (zone, county, department, municipality, parish, Province, State, etc.);
- (3) Parts of several national entities combined into an area; or
- (4) A group of national entities (countries) combined into a single area.

Restricted disease agent. Any communicable disease agent or its vector not known to exist in the United States or that is subject to a Federal or cooperative Federal/State control or eradication program within the United States.

Surveillance. Systems to find, monitor, and confirm the existence or absence of a restricted disease agent or agents in livestock, poultry and other animals. Surveillance may be passive or active.

United States. All of the States of the United States, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico, the Virgin Islands of the United States, and all other territories and possessions of the United States.

Vector-borne disease. A disease transmitted to an animal through an intermediate arthropod vector, including ticks or insects.

§ 92.2 Application for recognition of the animal health status of a region.

(a)(1) The representative of the national government(s) of any country or countries who has the authority to request such a change may request at any time that all or part of the country or countries be recognized as a region, be included within an adjacent previously recognized region, or be made part of a region larger than an individual country. Requests for recognition of a region must be sent to the Administrator, in accordance with paragraph (c) of this section.

(b) Each request for approval to export a particular type of animal or animal product to the United States from a foreign region must be made to the Administrator, in accordance with

paragraph (c) of this section, and must include, in English, the following information about the region:

- (1) The authority, organization, and infrastructure of the veterinary services organization in the region.
- (2) Disease status—i.e., is the restricted disease agent known to exist in the region? If “yes,” at what prevalence? If “no,” when was the most recent diagnosis?
- (3) The status of adjacent regions with respect to the agent.
- (4) The extent of an active disease control program, if any, if the agent is known to exist in the region.
- (5) The vaccination status of the region. When was the last vaccination? What is the extent of vaccination if it is currently used, and what vaccine is being used?
- (6) The degree to which the region is separated from adjacent regions of higher risk through physical or other barriers.
- (7) The extent to which movement of animals and animal products is controlled from regions of higher risk, and the level of biosecurity regarding such movements.
- (8) Livestock demographics and marketing practices in the region.
- (9) The type and extent of disease surveillance in the region—e.g., is it passive and/or active; what is the quantity and quality of sampling and testing?
- (10) Diagnostic laboratory capabilities.
- (11) Policies and infrastructure for animal disease control in the region—i.e., emergency response capacity.

(c) Requests for recognition of a region or for approval to export animals or animal products to the United States from a region, including the information required by this section, must be sent to the Administrator, c/o National Center for Import and Export, VS, APHIS, 4700 River Road Unit 38, Riverdale, MD 20737-1231. (Where possible, include a copy of the request and accompanying information on a 3.5-inch floppy disk in ASCII or a word processing format.)

(d) The information submitted in accordance with paragraph (b) of this section will be made available to the public prior to initiation by APHIS of any rulemaking action on the request.

(e) If, after review of the information submitted, APHIS believes the requested importation can be safely allowed, APHIS will publish a proposed rule in the **Federal Register** to allow the importation, and the conditions under which the importation would be allowed, along with a discussion of the basis for the proposal.

(f) APHIS will provide a period of time during which the public may

comment on the proposal. During the comment period, the public will have access to the information upon which APHIS based its analysis of the risk of such importation, as well as to its methodology in conducting the analysis. Once APHIS has reviewed all comments received, it will make a final decision on what conditions will be necessary to allow the importation in question, and will publish the conditions for import in the **Federal Register**.

4. The heading of part 93 is revised to read as follows:

PART 93—IMPORTATION OF CERTAIN ANIMALS, BIRDS, AND POULTRY, AND CERTAIN ANIMAL, BIRD, AND POULTRY PRODUCTS; REQUIREMENTS FOR MEANS OF CONVEYANCE AND SHIPPING CONTAINERS

5. The authority citation for part 93 is revised to read as follows:

Authority: 7 U.S.C. 1622; 19 U.S.C. 1306; 21 U.S.C. 102-105, 111, 114a, 134a, 134b, 134c, 134d, 134f, 135, 136, and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.2(d).

Subpart A—Birds

6. Newly designated § 93.100 is amended by revising the definition of *Licensed veterinarian* and adding a definition of *Region*, in alphabetical order, to read as follows:

§ 93.100 Definitions.

* * * * *

Licensed veterinarian. Any person licensed by any region or political subdivision thereof to practice veterinary medicine.

* * * * *

Region. Any defined geographic land area identifiable by geological, political, or surveyed boundaries. A region may consist of any of the following:

- (1) A national entity (country);
- (2) Part of a national entity (zone, county, department, municipality, parish, Province, State, etc.);
- (3) Parts of several national entities combined into an area; or
- (4) A group of national entities (countries) combined into a single area.

* * * * *

§ 93.101 [Amended]

7. Newly designated § 93.101 is amended as follows:

a. In paragraph (a), footnote 1 is amended by removing the word “countries” and adding in its place the word “regions”.

b. By removing the word “country” each time it appears and adding in its place each time the word “region” in the following places:

- i. Paragraph (b)(3)(iii).

- ii. Paragraph (b)(3)(v).
- iii. Paragraph (b)(3)(vi).
- iv. Paragraph (b)(3)(vii).
- v. Paragraph (b)(3)(viii).
- vi. Paragraph (b)(3)(ix).
- vii. Paragraph (b)(3)(x).
- viii. Paragraph (b)(3)(xi).
- ix. Paragraph (c)(2)(i).
- x. Paragraph (c)(2)(ii)(A).
- xi. Paragraph (c)(3)(i).
- xii. Paragraph (d), introductory text.
- c. In paragraph (b)(1), by removing the reference to “§§ 92.205, 92.214, and 92.216” and adding in its place a reference to “§§ 93.205, 93.214, and 93.216”.
- d. In paragraph (b)(3), introductory text, by removing the reference to “§ 92.107” and adding in its place a reference to “§ 93.107”.
- e. In paragraph (b)(3)(ii), by removing the reference to “§ 92.103(a)(2)(iv)” and adding in its place a reference to “§ 93.103(a)(2)(iv)”.
- f. In paragraph (b)(3)(ix), by removing the reference to “§ 92.103(a)(2)(iv)” and adding in its place a reference to “§ 93.103(a)(2)(iv)”.
- g. In paragraph (b)(3)(x), by removing the reference to “§ 92.104(a)” and adding in its place a reference to “§ 93.104(a)”.
- h. In paragraph (b)(3)(xi), by removing the reference to “§ 92.104(a)” and adding in its place a reference to “§ 93.104(a)”.
- i. In paragraph (c)(1), by removing the reference to “§§ 92.102 or 92.203” and adding in its place a reference to “§§ 93.103 or 93.203”, and by removing the reference to “§ 92.105” and adding in its place a reference to “§ 93.105”.
- j. In paragraph (c)(2)(i), by removing the reference to “§ 92.101(c)(1)” and adding in its place a reference to “§ 93.101(c)(1)”.
- k. In paragraph (c)(3), the introductory text, by removing the reference to “§ 92.102(a)” and adding in its place a reference to “§ 93.102(a)”.
- l. In paragraph (c)(3)(ii), by removing the reference to “§ 92.103(a)(3)” each time it appears and adding in its place each time a reference to “§ 93.103(a)(3)”, and by removing the reference to “§ 92.102(a)” each time it appears and adding in its place each time a reference to “§ 93.102(a)”.
- m. In paragraph (c)(3)(iv), by removing the reference to “§ 92.106(a)” and adding in its place a reference to “§ 93.106(a)”.
- n. In paragraph (c)(3)(v), by removing the reference to “§ 92.210” and adding in its place a reference to “§ 93.210”.
- o. In paragraph (d), the introductory text, by removing the reference to “§ 92.103” and adding in its place a reference to “§ 93.103”.
- p. In paragraph (d)(1)(ii), by removing the reference to “§ 92.103(c)” and adding in its place a reference to “§ 93.103(c)”.
- q. In paragraph (e), by removing the reference to “§§ 92.102(a), 92.103, 92.104, 92.105(a), and 92.106(a)” and adding in its place a reference to “§§ 93.102(a), 93.103, 93.104, 93.105(a), and 93.106(a)”.
- r. In paragraph (f), by removing the reference to “§ 92.102 or 92.203” and adding in its place a reference to “§ 93.102 or 93.203”, and by removing the reference to “§ 92.103” and adding in its place a reference to “§ 93.103”.

§ 93.102 [Amended]

8. Newly designated § 93.102 is amended as follows:

- a. In paragraph (a), by removing the reference to “§ 92.101(c)” and adding in its place a reference to “§ 93.101(c)”, and by removing the reference to “§ 92.101(f)” and adding in its place a reference to “§ 93.101(f)”.
- b. In paragraph (c), by removing the reference to “§ 92.105” and adding in its place a reference to “§ 93.105”.
- c. In paragraph (d), by removing the reference to “§ 92.101(c)(1) or (2)” each time it appears and adding in its place a reference to “§ 93.101(c)(1) or (2)”, and by removing the reference to “§ 92.101(f)” and adding in its place a reference to “§ 93.101(f)”.

§ 93.103 [Amended]

9. Newly designated § 93.103 is amended as follows:

- a. By removing the word “country” each time it appears and adding in its place the word “region” in the following places:
 - i. Paragraph (a)(1)(vi).
 - ii. Paragraph (a)(1)(viii).
 - iii. Paragraph (a)(2)(ii), introductory text.
 - iv. Paragraph (a)(2)(ii)(B).
 - v. Paragraph (a)(2)(v).
 - vi. Paragraph (b), second sentence.
 - vii. Paragraph (c)(1)(ii).
 - viii. Paragraph (c)(1)(iv).
 - ix. Paragraph (c)(2)(ii).
- x. Paragraph (c)(2)(iv).
- b. In paragraph (a)(1), by removing the reference to “§§ 92.101 (b) and (c), 92.103(c), and 92.107(b)” and adding in its place a reference to “§§ 93.101(b) and (c), 93.103(c), and 93.107(b)”.
- c. In paragraph (a)(1)(x), by removing the reference to “§ 92.106(c)(5)” and adding in its place a reference to “§ 93.106(c)(5)”.
- d. In paragraph (a)(1)(xii), by removing the reference to “§§ 92.100 through 92.107” and adding in its place a reference to “§§ 93.100 through 93.107”.
- e. In paragraph (a)(1)(xiii), by removing the reference to “§ 92.107” and adding in its place a reference to “§ 93.107”.
- f. In paragraph (a)(2)(i), by removing the reference to “§ 92.106(c)” and adding in its place a reference to “§ 93.106(c)”.
- g. In paragraph (a)(2)(iii), by removing the reference to “§ 92.107” and adding in its place a reference to “§ 93.107”.
- h. In paragraph (a)(2)(iv), by removing the reference to “§ 92.107” and adding in its place a reference to “§ 93.107”.
- i. In paragraph (a)(2)(v), by removing the reference to “§ 92.101(b)(3)” each time it appears and adding in its place a reference to “§ 93.101(b)(3)”.

§ 93.104 [Amended]

10. Newly designated § 93.104 is amended as follows:

- a. In paragraph (a), by removing the word “country” each time it appears and adding in its place the word “region”.
- b. In paragraph (a), by removing the reference to “§ 92.101 (b) and (c)” and adding in its place a reference to “§ 93.101 (b) and (c)”.
- c. In paragraph (c)(2), by removing the reference to “§ 92.107” and adding in its place a reference to “§ 93.107”.

- d. In paragraph (c)(8), by removing the reference to “§ 92.107” and adding in its place a reference to “§ 93.107”.
- e. In paragraph (c)(13), by removing the reference to “§ 92.101(b)(3)(ix)” and adding in its place a reference to “§ 93.101(b)(3)(ix)”.
- f. In paragraph (c)(14), by removing the reference to “§ 92.101(b)(3)” and adding in its place a reference to “§ 93.101(b)(3)”.
- g. In paragraph (c)(15), by removing the reference to “§ 92.107” and adding in its place a reference to “§ 93.107”.
- h. In paragraph (d)(2), by removing the reference to “§ 92.107” and adding in its place a reference to “§ 93.107”.
- i. In paragraph (d)(9), by removing the reference to “§ 92.101(b)(3)(ix)” and adding in its place a reference to “§ 93.101(b)(3)(ix)”.
- j. In paragraph (d)(10), by removing the reference to “§ 92.101(b)(3)” and adding in its place a reference to “§ 93.101(b)(3)”.
- k. In paragraph (d)(11), by removing the reference to “§ 92.107” and adding in its place a reference to “§ 93.107”.

§ 93.105 [Amended]

11. Newly designated § 93.105 is amended as follows:

- a. In paragraph (a), by removing the reference to “§ 92.107(c)” and adding in its place a reference to “§ 93.107(c)”.
- b. In paragraph (b), by removing the reference to “§ 92.101(c)(2)” each time it appears and adding in its place a reference to “§ 93.101(c)(2)”; by removing the reference to “§ 92.102(a)” and adding in its place a reference to “§ 93.102(a)”; and by removing the reference to “§ 92.102 and 92.203” and adding in its place a reference to “§§ 93.102 and 93.203”.
- c. In paragraph (c), by removing the reference to “§ 92.107(b)” and adding in its place a reference to “§ 93.107(b)”.

§ 93.106 [Amended]

12. Newly designated § 93.106 is amended as follows:

- a. In paragraph (c)(5)(iii), the Cooperative and Trust Fund Agreement, the second paragraph, which begins with “Whereas, the Importer”, by removing the word “countries” and adding in its place the word “regions”.
- b. In paragraph (c)(5)(iii), the Cooperative and Trust Fund Agreement, paragraph (B)(5), by removing the word “country” and adding in its place the word “region”.
- c. In paragraph (a), by removing the reference to “§ 92.101(c)” and adding in its place a reference to “§ 93.101(c)”, and by removing the reference to “§ 92.103” and adding in its place a reference to “§ 93.103”.
- d. In paragraph (b)(1), by removing the reference to “§ 92.107” and adding in its place a reference to “§ 93.107”, and by removing the reference to “§ 92.103” and adding in its place a reference to “§ 93.103”.
- e. In paragraph (b)(2), by removing the reference to “§ 92.107” and adding in its place a reference to “§ 93.107”.
- f. In paragraph (c)(2)(ii)(L), by removing the reference to “§ 92.103” and adding in its place a reference to “§ 93.103”.
- g. In paragraph (c)(2)(ii)(M), by removing the reference to “§ 92.103” and adding in its place a reference to “§ 93.103”.

h. In paragraph (c)(5)(iii), the Cooperative and Trust Fund Agreement, paragraph (A)(4), by removing the reference to "part 92" and adding in its place a reference to "part 93" each time it appears.

i. In paragraph (c)(5)(iii), the Cooperative and Trust Fund Agreement, paragraph (A)(5), by removing the reference to "§ 92.106(c)" and adding in its place a reference to "§ 93.106(c)".

j. In paragraph (c)(5)(iii), the Cooperative and Trust Fund Agreement, paragraph (A)(13), by removing the reference to "§ 92.106(c)(3)(ii)(C)" and adding in its place a reference to "§ 93.106(c)(3)(ii)(C)".

k. In paragraph (c)(5)(iii), the Cooperative and Trust Fund Agreement, paragraph (A)(20), by removing the reference to "§ 92.106(c)" and adding in its place a reference to "§ 93.106(c)".

l. In subpart A, footnote 13, by removing the reference to "§ 92.107" and adding in its place a reference to "§ 93.107".

§ 93.107 [Amended]

13. Newly designated § 93.107 is amended as follows:

a. In paragraph (a), by removing the reference to "§ 92.103" and adding in its place a reference to "§ 93.103", and by removing the reference to "§ 92.101" and adding in its place a reference to "§ 93.101".

b. In paragraph (b)(3), by removing the reference to "§ 92.203(b)" and adding in its place a reference to "§ 93.203(b)".

c. In paragraph (b)(4), by removing the reference to "§ 92.104(c)(8)" and adding in its place a reference to "§ 93.104(c)(8)".

d. In paragraph (c)(2), by removing the reference to "§ 92.105(a)" and adding in its place a reference to "§ 93.105(a)".

e. In paragraph (c)(3), by removing the reference to "§ 92.203(b)" and adding in its place a reference to "§ 93.203(b)".

Subpart B—Poultry

14. Newly designated § 93.200 is amended by revising the definition of *Operator* and adding a definition of *Region*, in alphabetical order, to read as follows:

§ 93.200 Definitions.

* * * * *

Operator. For the purpose of § 93.209, any person operating an approved quarantine facility.

* * * * *

Region. Any defined geographic land area identifiable by geological, political, or surveyed boundaries. A region may consist of any of the following:

- (1) A national entity (country);
- (2) Part of a national entity (zone, county, department, municipality, parish, Province, State, etc.);
- (3) Parts of several national entities combined into an area; or
- (4) A group of national entities (countries) combined into a single area.

* * * * *

§ 93.201 [Amended]

15. Newly designated § 93.201 is amended as follows:

a. In paragraph (a), footnote 2, by removing the word "countries" and adding in its place the word "regions".

b. In paragraph (b), introductory text, by removing the word "country" and adding in its place the word "region".

c. In paragraph (b), introductory text, by removing the reference to "part 92" and adding in its place a reference to "part 93", and by removing the reference to "§ 92.204" and adding in its place a reference to "§ 93.204".

d. In paragraph (b)(1)(ii), by removing the reference to "§ 92.204(c)" and adding in its place a reference to "§ 93.204(c)".

e. In paragraph (c), by removing the reference to "§ 92.203" and adding in its place a reference to "§ 93.203", and by removing the reference to "§ 92.204" and adding in its place a reference to "§ 93.204".

§ 93.202 [Amended]

16. In newly designated § 93.202, paragraph (a) is amended by removing the word "country" and adding in its place the word "region".

§ 93.204 [Amended]

17. Newly designated § 93.204 is amended as follows:

a. In paragraph (a)(1), by removing the reference to "§§ 92.204(c), 92.214, 92.217, and 92.218" and adding in its place a reference to "§§ 93.204(c), 93.214, 93.217, and 93.218".

b. In paragraph (a)(2), by removing the word "countries" and adding in its place the word "regions".

c. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:

- i. Paragraph (a)(1).
- ii. Paragraph (a)(2).
- iii. Paragraph (b).
- iv. Paragraph (c)(1)(iii).
- v. Paragraph (c)(1)(v).
- vi. Paragraph (c)(2)(ii).
- vii. Paragraph (c)(2)(iv).

§ 93.205 [Amended]

18. Newly designated § 93.205 is amended by removing the word "country" each time it appears and adding in its place the word "region".

§ 93.207 [Amended]

19. Newly designated § 93.207 is amended by removing the reference to "§§ 92.215 and 92.220" and adding in its place a reference to "§§ 93.215 and 93.220".

§ 93.209 [Amended]

20. Newly designated § 93.209 is amended as follows:

a. In paragraph (a), by removing the reference to "§ 92.216" and adding in its place a reference to "§ 93.216".

b. In paragraph (b), by removing the word "countries" and adding in its place the word "regions".

21. Preceding newly designated § 93.214, in the undesignated center heading "CANADA⁶", footnote 6 is amended by removing the reference to "§§ 92.214 to 92.216" and adding in its place a reference to "§§ 93.214 to 93.216".

§ 93.214 [Amended]

22. Newly designated § 93.214 is amended as follows:

a. In paragraph (a), by removing the reference to "§ 92.204" and adding in its place a reference to "§ 93.204", and by removing the reference to "§ 92.203(b)" and adding in its place a reference to "§ 93.203(b)".

b. In paragraph (b), by removing the reference to "§ 92.206" and adding in its place a reference to "§ 93.206".

§ 93.215 [Amended]

23. Newly designated § 93.215 is amended as follows:

a. In paragraph (a)(1), by removing the reference to "§ 92.204" and adding in its place a reference to "§ 93.204", and by removing the reference to "§ 92.201" and adding in its place a reference to "§ 93.201".

b. In paragraph (b), by removing the word "country" and adding in its place the word "region".

§ 93.216 [Amended]

24. Newly designated § 93.216 is amended by removing the reference to "§ 92.209" and adding in its place a reference to "§ 93.209".

25. In subpart B, the undesignated heading preceding newly designated § 93.217 is revised to read "CENTRAL AMERICA AND THE WEST INDIES⁷", and footnote 7 is amended by removing the reference to "§ 92.217" and adding in its place a reference to "§ 93.217" and by removing the word "countries" and adding in its place the word "regions".

§ 93.217 [Amended]

26. Newly designated § 93.217 is amended as follows:

a. By removing the word "countries" and adding in its place the word "regions" in the following places:

- i. Paragraph (a).
- ii. Paragraph (b).
- iii. Paragraph (c).

b. In paragraph (a), by removing the reference to "§ 92.204" and adding in its place a reference to "§ 93.204".

c. In paragraph (b), by removing the reference to "§ 92.206" and adding in its place a reference to "§ 93.206".

d. In paragraph (c), by removing the reference to "§§ 92.205, 92.207, 92.209, and 92.210" and adding in its place a reference to "§§ 93.205, 93.207, 93.209, and 93.210".

27. Preceding newly designated § 93.218, in the undesignated center

heading "MEXICO 8", footnote 8 is amended by removing the reference to "§§ 92.218 to 92.220" and adding in its place a reference to "§§ 93.218 to 93.220".

§ 93.218 [Amended]

28. In newly designated § 93.218, paragraph (a) is amended by removing the reference to "§ 92.204" and adding in its place a reference to "§ 93.204".

§ 93.219 [Amended]

29. Newly designated § 93.219 is amended by removing the reference to "§ 92.206" and adding in its place a reference to "§ 93.206".

§ 93.220 [Amended]

30. In newly designated § 93.220, paragraph (b) is amended by removing the reference to "§ 92.203" and adding in its place a reference to "§ 93.203".

Subpart C—Horses

31. Newly designated § 93.300 is amended as follows:

a. In the definition of *Code of Practice*, by removing the word "country" and adding in its place the word "region."

b. By revising the definition of *Licensed veterinarian* and by adding a definition of *Region*, in alphabetical order, to read as follows:

§ 93.300 Definitions.

* * * * *

Licensed Veterinarian. Any person licensed by any country or political subdivision thereof to practice veterinary medicine.

* * * * *

Region. Any defined geographic land area identifiable by geological, political, or surveyed boundaries. A region may consist of any of the following:

- (1) A national entity (country);
- (2) Part of a national entity (zone, county, department, municipality, parish, Province, State, etc.)
- (3) Parts of several national entities combined into an area; or
- (4) A group of national entities (countries) combined into a single area.

* * * * *

§ 93.301 [Amended]

32. Newly designated § 93.301 is amended as follows:

a. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:

- i. Paragraph (b), introductory text.
- ii. Paragraph (c)(1).
- iii. Paragraph (c)(2)(viii).
- iv. Paragraph (d)(1)(ii)(E).
- v. Paragraph (d)(2).
- vi. Paragraph (e)(1), introductory text.

vii. Paragraph (e)(1)(iii).

viii. Paragraph (e)(1)(v).

ix. Paragraph (e)(1)(vi).

x. In the heading of paragraph (g), and introductory text.

xi. Paragraph (g)(1), introductory text.

xii. Paragraph (g)(1)(iii).

xiii. Paragraph (g)(1)(iv).

xiv. Paragraph (h), introductory text.

b. By removing the word "countries" each time it appears and adding in its place the word "regions" in the following places:

i. Paragraph (a), footnote 3.

ii. Paragraph (c)(1).

iii. In the heading of paragraph (e).

iv. Paragraph (h)(5).

c. In paragraph (b), introductory text, by removing the reference to "part 92" and adding in its place a reference to "part 93", and by removing the reference to "§ 92.304" and adding in its place a reference to "§ 93.304".

d. In paragraph (c)(2)(iii), by removing the reference to "§ 92.314(a)" and adding in its place a reference to "§ 93.314(a)".

e. In paragraph (c)(2)(iv), by removing the reference to "§ 92.301(a)" and adding in its place would be removed and a reference to "§ 93.301(a)".

f. In paragraph (d)(1)(i), by removing the reference to "§ 92.304" and adding in its place a reference to "§ 93.304".

g. In paragraph (d)(1)(ii), by removing the reference to "§ 92.314(a)" and adding in its place a reference to "§ 93.314(a)" each time it appears.

h. In paragraph (d)(3), by removing the reference to "§ 92.308" and adding in its place a reference to "§ 93.308" each time it appears.

i. In paragraph (e)(1)(i), by removing the reference to "§ 92.304" and adding in its place a reference to "§ 93.304", and by removing the reference to "§ 92.308" and adding in its place a reference to "§ 93.308".

j. In paragraph (e)(1)(ii), by removing the reference to "§ 92.314(a)" and adding in its place a reference to "§ 93.314(a)".

k. In paragraph (e)(2)(i), by removing the reference to "§ 92.308" and adding in its place a reference to "§ 93.308".

l. In paragraph (f)(1), by removing the reference to "§ 92.304" and adding in its place a reference to "§ 93.304".

m. In paragraph (f)(4), by removing the reference to "§ 92.304" and adding in its place a reference to "§ 93.304".

n. In paragraph (f)(6)(i), by removing the reference to "§ 92.304" and adding in its place a reference to "§ 93.304".

o. In paragraph (g)(1), introductory text, by removing the reference to "§ 92.314(a)" and adding in its place a reference to "§ 93.314(a)".

p. In paragraph (g)(2), by removing the reference to "§ 92.304" and adding in its place a reference to "§ 93.304".

q. In paragraph (g)(5), by removing the reference to "§ 92.308" and adding in its place a reference to "§ 93.308".

§ 93.302 [Amended]

33. In newly designated § 93.302, paragraph (a) is amended by removing the word "country" and adding in its place the word "region".

§ 93.303 [Amended]

34. Newly designated § 93.303 is amended as follows:

a. In paragraph (a), by removing the reference to "§§ 92.308(a), (b), and (c) and 92.317" and adding in its place a reference to "§§ 93.308(a), (b), and (c) and 93.317".

b. In paragraph (e), by removing the reference to "§§ 92.301(c), 92.304(a), 92.306, 92.308(a), (b), and (c), and 92.314" and adding in its place a reference to "§§ 93.301(c), 93.304(a), 93.306, 93.308(a), (b), and (c), and 93.314".

c. In paragraph (e), by removing the word "country" and adding in its place the word "region", and in footnote 12, by removing the word "countries" and adding in its place the word "regions".

§ 93.304 [Amended]

35. Newly designated § 93.304 is amended as follows:

a. By removing the word "countries" each time it appears and adding in its place the word "regions" in the following places:

i. The section heading.

ii. Paragraph (a)(1)(i).

iii. Paragraph (a)(2).

b. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:

i. Paragraph (a)(1)(i).

ii. Paragraph (a)(2).

iii. Paragraph (b)(1).

c. In paragraph (a)(1)(i), by removing the reference to "§ 92.301(c)(1)" and adding in its place a reference to "§ 93.301(c)(1)", and by removing the reference to "§§ 92.315, 92.319, and 92.321" and adding in its place a reference to "§§ 93.315, 93.319, and 93.321".

d. In paragraph (a)(1)(ii), introductory text, by removing the reference to "§ 92.301(f)" each time it appears and adding in its place a reference to "§ 93.301(f)".

e. In paragraph (a)(1)(iii), by removing the reference to "§ 92.301(f)" and adding in its place a reference to "§ 93.301(f)".

f. In paragraph (a)(2), by removing the reference to "§ 92.301(c)(1)" and adding in its place a reference to "§ 93.301(c)(1)".

§ 93.306 [Amended]

36. In newly designated § 93.306, paragraph (a) is amended by removing the reference to "§§ 92.318 and 92.323" and adding in its place a reference to "§§ 93.318 and 93.323".

§ 93.308 [Amended]

37. Newly designated § 93.308 is amended as follows:

a. In paragraph (a), introductory text, by removing the reference to "§ 92.324" and adding in its place a reference to "§ 93.324", and by removing the reference to "§ 92.303" and adding in its place a reference to "§ 93.303".

b. In paragraph (a)(1), by removing the reference to "§ 92.317" and adding in its place a reference to "§ 93.317", and by removing the reference to "§ 92.303" and adding in its place a reference to "§ 93.303".

c. In paragraph (a)(2), by removing the word "countries" each time it appears and

adding in its place the word "regions", and by removing the word "country" and adding in its place the word "region."

d. In paragraph (b), by removing the reference to "§ 92.303(e)" and adding in its place a reference to "§ 93.303(e)".

e. In paragraph (c)(4)(ii), by removing the reference to "§ 92.308(a)" and adding in its place a reference to "§ 93.308(a)".

§ 93.314 [Amended]

38. Newly designated § 92.314 is amended as follows:

a. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:

- i. In paragraph (a), introductory text.
- ii. In paragraph (a)(1).
- iii. In paragraph (a)(5)(i).
- iv. In paragraph (a)(5)(ii).
- v. In paragraph (b).

b. In paragraph (a)(5)(iv), by removing the word "countries" and adding in its place the word "regions".

c. In paragraph (a)(5), introductory text, by removing the reference to "§ 92.301(g)" and adding in its place a reference to "§ 93.301(g)".

d. In paragraph (a)(5)(i), by removing the reference to "§ 92.301(c)(1)" and adding in its place a reference to "§ 93.301(c)(1)".

e. In paragraph (c), by removing the reference to "§ 92.306" and adding in its place a reference to "§ 93.306".

39. Preceding newly designated § 93.315, in the undesignated center heading "CANADA¹⁶", footnote 16 is amended by removing the reference to "§§ 92.315, 92.316, 92.317 and 92.318" and adding in its place a reference to "§§ 93.315, 93.316, 93.317 and 93.318".

§ 93.315 [Amended]

40. Newly designated § 93.315 is amended by removing the reference to "§ 92.305" and adding in its place a reference to "§ 93.305".

§ 93.316 [Amended]

41. Newly designated § 93.316 is amended by removing the reference to "§ 92.306" and adding in its place a reference to "§ 93.306".

§ 93.317 [Amended]

42. In newly designated § 93.317, paragraph (a) is amended by removing the reference to "§ 92.306" and adding in its place a reference to "§ 93.306", and by removing the reference to "§ 92.314" each time it appears and adding in its place a reference to "§ 93.314".

§ 93.318 [Amended]

43. Newly designated § 93.318 is amended as follows:

a. In paragraph (a)(1), by removing the reference to "§ 92.304" and adding in its place a reference to "§ 93.304", and by removing the reference to "§ 92.301" and adding in its place a reference to "§ 93.301".

b. In paragraph (b), by removing the reference to "§ 92.317(b)" and adding in its place a reference to "§ 93.317(b)".

c. In paragraph (b), by removing the word "country" and adding in its place the word "region".

44. The undesignated center heading immediately preceding § 93.319 is revised to read "CENTRAL AMERICA AND THE WEST INDIES¹⁷", and footnote 17 is amended by removing word "countries" and adding in its place the word "regions", and by removing the reference to "§§ 92.319 and 92.320" and adding in its place a reference to "§§ 93.319 and 93.320".

§ 93.319 [Amended]

45. Newly designated § 93.319 is amended by removing the word "countries" and adding in its place the word "regions", and by removing the reference to "§ 92.305" and adding in its place a reference to "§ 93.305".

§ 93.320 [Amended]

46. Newly designated § 93.320 is amended by removing the reference to "§ 92.306" and adding in its place a reference to "§ 93.306", by removing the reference to "§ 92.314" and adding in its place a reference to "§ 93.314", and by removing the reference to "§ 92.308 (a), (b) and (c)" and adding in its place a reference to "§ 93.308 (a), (b), and (c)".

47. Preceding newly designated § 93.321, in the undesignated center heading "MEXICO¹⁸", footnote 18 is amended by removing the reference to "§§ 92.321 to 92.326" and adding in its place a reference to "§§ 93.321 to 93.326".

§ 93.322 [Amended]

48. Newly designated § 93.322 is amended by removing the reference to "§ 92.305" and adding in its place a reference to "§ 93.305".

§ 93.323 [Amended]

49. In newly designated § 93.323, paragraphs (a) and (b) are amended by removing the references to "§ 92.324" and adding in their place a reference to "§ 93.324".

§ 93.324 [Amended]

50. Newly designated § 93.324 is amended by removing the reference to "§ 92.303(a)" and adding in its place a reference to "§ 93.303(a)".

§ 93.325 [Amended]

51. Newly designated § 93.325 is amended by removing the reference to "§§ 92.306 and 92.323" and adding in its place a reference to "§§ 93.306 and 93.323", by removing the reference to "§ 92.314" and adding in its place a reference to "93.314", and by removing

the reference to "§ 92.324" and adding in its place a reference to "§ 93.324".

§ 93.326 [Amended]

52. Newly designated § 93.326 is amended by removing the reference to "§§ 92.321, 92.322, 92.323, and 92.324" and adding in its place a reference to "§§ 93.321, 93.322, 93.323, and 93.324", and by removing the words "in § 92.324" and adding in their place the words "in § 93.324".

Subpart D—Ruminants

53. In newly designated § 93.400, the definition of *Brucellosis certified free province and territories of Canada* is revised, and a new definition of *Region* is added, in alphabetical order, to read as follows:

§ 93.400 Definitions.

* * * * *

Brucellosis certified-free province or territory of Canada. A province or territory of Canada in which all herds of cattle are brucellosis certified free. The brucellosis certified free provinces and territories of Canada are Alberta, British Columbia, Manitoba, New Brunswick, Newfoundland (including Labrador), Northwest Territories, Nova Scotia, Ontario, Quebec, Prince Edward Island, Saskatchewan, and Yukon Territory.

* * * * *

Region. Any defined geographic land area identifiable by geological, political, or surveyed boundaries. A region may consist of any of the following:

- (1) A national entity (country);
- (2) Part of a national entity (zone, county, department, municipality, parish, Province, State, etc.);
- (3) Parts of several national entities combined into an area; or
- (4) A group of national entities (countries) combined into a single area.

* * * * *

§ 93.401 [Amended]

54. Newly designated § 93.401 is amended as follows:

a. In paragraph (a), footnote 3, by removing the word "countries" and adding the word "regions" in its place;

b. In paragraph (b), introductory text, by removing the word "country" and adding the word "region" in its place, and by removing the reference to "§ 92.404" and adding in its place a reference to "§ 93.404".

§ 93.402 [Amended]

55. In newly designated § 93.402, paragraph (a) is amended by removing the word "country" and adding the word "region" in its place.

§ 93.403 [Amended]

56. In newly designated § 93.403, paragraph (g), the references to

"§§ 92.401, 92.404(a), 92.407, 92.408, 92.433, and 92.434" are removed, and references to "§§ 93.401, 93.404(a), 93.407, 93.408, 93.433, and 93.434" are added in their place.

§ 93.404 [Amended]

57. Newly designated § 93.404 is amended as follows:

a. In paragraph (a)(1), by removing the reference to "§§ 92.417, 92.422, and 92.424" and adding in its place a reference to "§§ 93.417, 93.422, and 93.424".

b. In paragraph (a)(2), by removing the reference to "§ 92.430" and adding in its place a reference to "§ 93.430".

c. In paragraph (c)(4), "Agreement for the Importation, Quarantine and Exhibition of Certain Wild Ruminants and Wild Swine", paragraph 2, the first sentence, by removing the words "this country" and adding in their place the words "the United States".

d. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:

- i. Paragraph (a)(1).
- ii. Paragraph (a)(2).
- iii. Paragraph (a)(3).
- iv. Paragraph (b).

v. Paragraph (c)(4), in the "Agreement for the Importation, Quarantine and Exhibition of Certain Ruminants and Swine", in the introductory text and in paragraph (1) and paragraph (2).

e. By removing the word "countries" each time it appears and adding in its place the word "regions" in the following places:

- i. Paragraph (a)(3).
- ii. Paragraph (c), the heading and the introductory text.

f. In paragraph (c)(4), the "Agreement for the Importation, Quarantine and Exhibition of Certain Ruminants and Swine", introductory text, by removing the reference to "part 92" and adding in its place a reference to "part 93".

§ 93.405 [Amended]

58. Newly designated § 93.405 is amended as follows:

a. In paragraph (a), by removing the reference to "§§ 92.418(a), 92.419(a), 92.423(c), and 92.428(d)" and adding in its place a reference to "§§ 93.418(a), 93.419(a), 93.423(c), and 93.428(d)".

b. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:

- i. Paragraph (a), introductory text.
- ii. Paragraph (a)(1).
- iii. Paragraph (a)(2).
- iv. Paragraph (c)(3).

c. In paragraph (b)(2)(ii), by removing the reference to "§ 92.435(a)" and adding in its place a reference to "§ 93.435(a)".

d. In paragraph (c)(3), by removing the reference to "§ 92.435(a)" and adding in its place a reference to "§ 93.435(a)".

§ 93.406 [Amended]

59. Newly designated § 93.406 is amended as follows:

a. In paragraph (a), by removing the reference to "§§ 92.418, 92.427(c) and (d),

and 92.432" and adding in its place a reference to "§§ 93.418, 93.427(c) and (d), and 93.432", and by removing the word "country" and adding the word "region" in its place.

b. In paragraph (b), by removing the reference to "§§ 92.419 and 92.428(b)" and adding in its place a reference to "§§ 93.419 and 93.428(b)", and by removing the word "country" and adding in its place the word "region".

c. In paragraph (c), by removing the reference to "§ 92.411" and adding in its place a reference to "§ 93.411".

§ 93.408 [Amended]

60. Newly designated § 93.408 is amended by removing the reference to "§§ 92.421 and 92.426" and adding in its place a reference to "§§ 93.421 and 93.426", and by removing the reference to "§§ 92.423(c) and 92.427(a)" and adding in its place a reference to "§§ 93.423(c) and 93.427(a)".

61. Preceding newly designated § 93.417, in the undesignated center heading "CANADA", footnote 7 is amended by removing the reference to "§§ 92.417 to 92.421" and adding in its place a reference to "§§ 93.417 to 93.421".

§ 93.417 [Amended]

62. Newly designated § 93.417 is amended as follows:

a. In paragraph (a), introductory text, by removing the reference to "§ 92.404" and adding in its place a reference to "§ 93.404", and by removing the reference to "§ 92.403(b)" and adding in its place a reference to "§ 93.403(b)".

b. In paragraph (a)(3)(i) and paragraph (a)(3)(ii), by removing the word "country" and adding in its place the word "region".

c. In paragraph (b), by removing the reference to "§ 92.407" and adding in its place a reference to "§ 93.407".

63. Newly designated § 93.418 is amended as follows:

a. In paragraph (a), by removing the reference to "§ 92.420" and adding in its place a reference to "§ 93.420", and by removing the reference to "§ 92.405(a)" and adding in its place a reference to "§ 93.405(a)".

b. In paragraph (b)(2)(i), by removing the reference to "§ 92.420" and adding in its place a reference to "§ 93.420".

c. By revising paragraph (c) to read as set forth below.

d. In paragraph (d)(4), by removing the reference to "paragraph (c)(5)" and adding in its place a reference to "paragraph (c)(2)(ii)(C)".

§ 93.418 Cattle from Canada.

* * * * *

(c) *Brucellosis test or vaccination certificates.* (1) Cattle from Canada from a herd in which any cattle have been determined to have brucellosis may not be imported into the United States;

(2) Except for cattle prohibited from importation into the United States under paragraph (c)(1) of this section, cattle 6 months of age or older from Canada may be imported into the United States if the following conditions are met:

(i) The cattle are imported for slaughter in accordance with § 92.420;

(ii) The cattle are steers; or

(iii) The cattle are accompanied by a certificate issued or endorsed by a salaried veterinarian of the Canadian government showing:

(A) That the cattle are from a brucellosis certified-free herd, province, or territory; or

(B) The date and place the cattle were last tested for brucellosis; that the cattle were found negative for brucellosis on such test; and that such test was performed within 30 days preceding the arrival of the cattle at the port of entry; or

(C) That the female cattle under 18 months of age were vaccinated against brucellosis in accordance with Canadian regulations.

* * * * *

§ 93.419 [Amended]

64. In newly designated § 93.419, paragraph (a) is amended by removing the reference to "§ 92.420" and adding in its place a reference to "§ 93.420"; and by removing the reference to "§ 92.405" and adding in its place a reference to "§ 93.405".

§ 93.420 [Amended]

65. Newly designated § 92.420 is amended by removing the reference to "§ 92.408" and adding in its place a reference to "§ 93.408".

§ 93.421 [Amended]

66. Newly designated § 93.421 is amended as follows:

a. In paragraph (a)(1), by removing the reference to "§ 92.404" and adding in its place a reference to "§ 93.404", and by removing the reference to "§ 92.401" and adding in its place a reference to "§ 93.401".

b. In paragraph (b), by removing the word "country" and adding in its place the word "region".

67. Preceding newly designated § 93.422, the undesignated center heading "COUNTRIES OF CENTRAL AMERICA AND WEST INDIES" is revised to read "CENTRAL AMERICA AND WEST INDIES", and footnote 8 is amended by removing the word "countries" and adding in its place the word "regions", and by removing the reference to "§§ 92.422 and 92.423" and adding in its place a reference to "§§ 93.422 and 93.423".

§ 93.422 [Amended]

68. Newly designated § 93.422 is amended as follows:

a. In paragraph (a), by removing the reference to “§ 92.404” and adding in its place a reference to “§ 93.404”, and by removing the reference to “§ 92.423” and adding in its place a reference to “§ 93.423”.

b. In paragraph (b), by removing the reference to “§ 92.407” and adding in its place a reference to “§ 93.407”.

69. In newly designated § 93.422, paragraphs (a) and (b) are amended by removing the word “countries” and adding in its place the word “regions”.

§ 93.423 [Amended]

70. Newly designated § 93.423 is amended as follows:

a. In paragraph (a), by removing the word “country” each time it appears and adding in its place the word “region”; by removing the reference to “§ 92.405(a)” and adding in its place a reference to “§ 93.405(a)”; and by removing the reference to “§ 92.420” and adding in its place a reference to “§ 93.420”.

b. In paragraph (b), by removing the reference to “§ 92.405” and adding in its place a reference to “§ 93.405”.

c. In paragraph (c), by removing the reference to “§ 92.403(d)” and adding in its place a reference to “§ 93.403(d)”.

71. Preceding newly designated § 93.424, in the undesignated center heading “MEXICO”, footnote 9 is amended by removing the reference to “§§ 92.424 to 92.429,” and adding in its place a reference to “§§ 93.424 to 93.429”.

§ 93.424 [Amended]

72. Newly designated “§ 93.424” is amended as follows:

a. In paragraph (a), introductory text, by removing the reference to “§ 92.404” and adding in its place a reference to “§ 93.404”; and by removing the reference to “§ 92.403(c)” and adding in its place a reference to “§ 93.403(c)”.

b. In paragraph (a)(3)(i) and paragraph (a)(3)(ii), by removing the word “country” each time it appears and adding in its place the word “region”.

c. In paragraph (a)(3)(iii), by removing the word “countries” and adding in its place the word “regions”.

d. In paragraph (b), by removing the reference to “§ 92.427(d)” each time it appears and adding in its place a reference to “§ 93.427(d)”.

§ 93.425 [Amended]

73. Newly designated § 93.425 is amended by removing the reference to “§ 92.407” and adding in its place a reference to “§ 93.407”.

§ 93.426 [Amended]

74. Newly designated § 93.426 is amended as follows:

a. In paragraph (a), by removing the reference to “§ 92.427” and adding in its place a reference to “§ 93.427”.

b. In paragraph (b), by removing the reference to “§ 92.403” and adding in its place a reference to “§ 93.403”.

§ 93.427 [Amended]

75. Newly designated § 93.427 is amended as follows:

a. By removing the reference to “§ 92.405(a)” and adding in its place a reference to § 93.405(a) in the following places:

- i. Paragraph (b)(1).
- ii. Paragraph (b)(2)(i).
- iii. Paragraph (b)(2)(ii).
- iv. Paragraph (c)(1).

v. Paragraph (d)(1), introductory text.

b. In paragraph (b)(2), introductory text, by removing the reference to “§ 92.403(c)” and adding in its place a reference to “§ 93.403(c)”.

c. In paragraph (c)(1), by removing the word “country’s” and adding in its place the word “region’s”.

d. In paragraph (c)(1) and paragraph (c)(2), by removing the reference to “§ 92.429” each time it appears and adding in its place a reference to “§ 93.429”.

e. In paragraph (c)(2), by removing the reference to “§ 92.427(e)” and adding in its place a reference to “§ 93.427(e)”.

§ 93.428 [Amended]

76. Newly designated § 93.428 is amended as follows:

a. In paragraph (a), by removing the reference to “§ 92.405” and adding in its place a reference to “§ 93.405”, and by removing the reference to “§ 92.427(a)” and adding in its place a reference to “§ 93.427(a)”.

b. In paragraph (b), by removing the reference to “§ 92.427” and adding in its place a reference to “§ 93.427”.

c. In paragraph (d), by removing the reference to “§ 92.426” and adding in its place a reference to “§ 93.426”.

§ 93.429 [Amended]

77. Newly designated § 93.429 is amended by removing the reference to “§§ 92.424, 92.425, 92.426, and 92.427(b)(2)” and adding in its place a reference to “§§ 93.424, 93.425, 93.426, and 93.427(b)(2)”, and by removing the reference to “§ 92.405(a)” and adding in its place a reference to “§ 93.405(a)”.

§ 93.430 [Amended]

78. Newly designated § 92.430 is amended as follows:

a. By removing the word “country” each time it appears and adding in its place the word “region” in the following places:

- i. Paragraph (c)(1).
- ii. Paragraph (d), “Cooperative Services Agreement Between (Name of Importer) and the United States Department of Agriculture, Animal and Plant Health Inspection Service”, under “The importer agrees:”, paragraph 4.

iii. Paragraph (d), “Cooperative Services Agreement Between (Name of Importer) and the United States Department of Agriculture, Animal and Plant Health Inspection Service”, under “Both parties agree:”, paragraph 4.

b. In paragraph (d), “Cooperative Services Agreement Between (Name of Importer) and the United States Department of Agriculture, Animal and Plant Health Inspection Service”, under “The importer agrees:”, paragraph 7, by removing the reference to “9 CFR 92.431” and adding in its place a reference to “9 CFR 93.431”.

iii. Paragraph (d), “Cooperative Services Agreement Between (Name of Importer) and the United States Department of Agriculture, Animal and Plant Health Inspection Service”, under “The importer agrees:”, paragraph 7, by removing the reference to “9 CFR 92.431” and adding in its place a reference to “9 CFR 93.431”.

§ 93.431 [Amended]

79. Newly designated § 93.431 is amended as follows:

a. In paragraph (a)(4), by removing the reference to “§ 92.430(d)” both times it appears and adding in its place a reference to “§ 93.430(d)”.

b. In paragraph (b)(2)(iv) and paragraph (b)(4), by removing the word “country” and adding in its place the word “region”.

§ 93.432 [Amended]

80. Newly designated § 93.432 is amended as follows:

a. In paragraph (a), by removing the reference to “§ 92.432(c)” and adding in its place a reference to “§ 93.432(c)”.

b. In paragraph (b)(2), introductory text, by removing the reference to “§ 92.432(c)(1)” and adding in its place a reference to “§ 93.432(c)(1)”.

§ 93.434 [Amended]

81. Newly designated § 93.434 is amended as follows:

a. In paragraph (a) and the introductory text of paragraph (b), by removing the reference to “§ 92.412” each time it appears and adding in its place a reference to “§ 93.412”.

b. In paragraph (b)(2)(i)(A), by removing the reference to “§ 92.403(g)” and adding in its place a reference to “§ 93.403(g)”.

§ 93.435 [Amended]

82. Newly designated § 93.435 is amended as follows:

a. In paragraph (b)(2), by removing the reference to “§ 92.405(b)(2)(ii)” and adding in its place a reference to “§ 93.405(b)(2)(ii)”.

b. By removing the word “country” and adding in its place the word “region” in the following places:

- i. Paragraphs (b)(2) and (b)(3).
- ii. Paragraph (d).
- iii. Paragraph (e).
- iv. Paragraph (g)(2)(i) and (g)(2)(ii).

c. In paragraph (b)(3), by removing the reference to “§ 92.405(c)(3)” and adding in its place a reference to “§ 93.405(c)(3)”.

d. In paragraph (b)(6), by removing the reference to “§ 92.404(c)” and adding in its place a reference to “§ 93.404(c)”.

Subpart E—Swine

83. Newly designated 93.500 is amended by adding a definition of

Region, in alphabetical order, to read as follows:

§ 93.500 Definitions.

* * * * *

Region. Any defined geographic land area identifiable by geological, political, or surveyed boundaries. A region may consist of any of the following:

- (1) A national entity (country);
- (2) Part of a national entity (zone, county, department, municipality, parish, Province, State, etc.);
- (3) Parts of several national entities combined into an area; or
- (4) A group of national entities (countries) combined into a single area.

* * * * *

§ 93.501 [Amended]

84. In newly designated § 93.501, paragraph (b), the introductory text is amended by removing the reference to "part 92" and adding in its place a reference to "part 93"; by removing the word "country" and adding in its place the word "region"; and by removing the reference to "§ 92.504" and adding in its place a reference to "§ 93.504".

§ 93.502 [Amended]

85. In newly designated § 93.502, paragraph (a) is amended by removing the word "country" and adding in its place the word "region".

§ 93.504 [Amended]

86. Newly designated § 93.504 is amended as follows:

- a. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:
 - i. Paragraph (a)(1).
 - ii. Paragraph (a)(2).
 - iii. Paragraph (a)(3).
 - iv. Paragraph (b).
 - v. Paragraph (c)(4), "Agreement for the Importation, Quarantine and Exhibition of Certain Wild Ruminants and Wild Swine", in the introductory text, paragraph (1), and paragraph (2).
- b. In paragraph (a)(1), by removing the reference to "§§ 92.516 and 92.520" and adding in its place a reference to "§§ 93.516 and 93.520".
- c. In paragraph (a)(2), by removing the reference to "§ 92.522" and adding in its place a reference to "§ 93.522".
- d. By removing the word "countries" and replacing it with the word "regions" in the following places:
 - i. Paragraph (a)(3).
 - ii. Paragraph (c) in the heading and in the introductory text.
 - e. In paragraph (c)(4), "Agreement for the Importation, Quarantine and Exhibition of Certain Wild Ruminants and Wild Swine, introductory text, by removing the reference to "part 92" and adding in its place a reference to "part 93".

§ 93.505 [Amended]

87. In newly designated § 93.505, paragraph (a) is amended by removing the reference to "§ 92.517" and adding in its place a reference to "§ 93.517", and by removing the word "country" each time it appears and adding in its place the word "region".

§ 93.507 [Amended]

88. Newly designated § 93.507 is amended by removing the reference to "§ 92.519" and adding in its place a reference to "§ 93.519".

89. Preceding newly designated § 93.516, in the undesignated center heading "CANADA⁷", footnote 7 is amended by removing the reference to "§§ 92.516 to 92.519" and adding in its place a reference to "§§ 93.516 to 93.519".

§ 93.516 [Amended]

90. Newly designated § 93.516 is amended as follows:

- a. In paragraph (a), introductory text, by removing the reference to "§ 92.504" and adding in its place a reference to "§ 93.504", and by removing the reference to "§ 92.503(b)" and adding in its place a reference to "§ 93.503(b)".
- b. In paragraph (a)(1) and paragraph (a)(2), by removing the word "country" each time it appears and adding in its place the word "region".
- c. In paragraph (b), by removing the reference to "§ 92.506" and adding in its place a reference to "§ 93.506".

§ 93.517 [Amended]

91. In newly designated § 93.517, paragraph (b) is amended by removing the reference to "§ 92.507, 92.516, and 92.518" and adding in its place a reference to "§§ 93.507, 93.516, and 93.518".

§ 93.519 [Amended]

92. Newly designated § 93.519 is amended as follows:

- a. In paragraph (a)(1), by removing the reference to "§ 92.504" and adding in its place a reference to "§ 93.504", and by removing the reference to "§ 92.501" and adding in its place a reference to "§ 93.501".
- b. In paragraph (b), by removing the word "country" and adding in its place the word "region".

93. Preceding newly designated § 93.520, the undesignated center heading "COUNTRIES OF CENTRAL AMERICA AND WEST INDIES⁸" is revised to read "CENTRAL AMERICA AND WEST INDIES⁸", and footnote 8 is amended by removing the word "countries" and adding in its place the word "regions", and by removing the reference to "§§ 92.520 to 92.522" and adding in its place a reference to "§§ 93.520 to 93.522."

§ 93.520 [Amended]

94. Newly designated § 93.520 is amended by removing the reference to "§ 92.506" and adding in its place a reference to "§ 93.506".

95. Preceding newly designated § 93.521, in the undesignated center heading "MEXICO⁹", footnote 9 is amended by removing the reference to "§ 92.521" and adding in its place a reference to "§ 93.521".

§ 93.521 [Amended]

96. Newly designated § 93.521 is amended by removing the reference to "§ 92.506" and adding in its place a reference to "§ 93.506".

§ 93.522 [Amended]

97. Newly designated § 93.522 is amended as follows:

- a. In paragraph (c)(1), by removing the words "country or area" and adding in their place the word "region".
- b. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:
 - i. Paragraph (c)(3).
 - ii. Paragraph (d), "Cooperative-Services Agreement Between (Name of Importer) and the United States Department of Agriculture, Animal and Plant Health Inspection Service", under "The importer agrees:", paragraph 4.
 - iii. Paragraph (d), "Cooperative-Services Agreement Between (Name of Importer) and the United States Department of Agriculture, Animal and Plant Health Inspection Service", under "Both parties agree:", paragraph 4.
 - c. In paragraph (d), "Cooperative-Services Agreement Between (Name of Importer) and the United States Department of Agriculture, Animal and Plant Health Inspection Service", under "The importer agrees:", paragraph 7, by removing the reference to "§ 92.523" and adding in its place a reference to "§ 93.523".

§ 93.523 [Amended]

98. Newly designated § 93.523 is amended as follows:

- a. In paragraph (a)(4), by removing the reference to "§ 92.522(d)" both times it appears and adding in its place a reference to "§ 93.522(d)".
- b. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:
 - i. Paragraph (b)(2)(iv).
 - ii. Paragraph (b)(2)(viii).
 - iii. Paragraph (b)(4).

Subpart F—Dogs

§ 93.600 [Amended]

99. Newly designated § 93.600 is amended by removing the word "countries" and adding in its place the word "regions".

Subpart G—Miscellaneous Animals

100. In newly designated § 93.700, a definition of *Region* is added, in alphabetical order, to read as follows:

§ 93.700 Definitions.

* * * * *

Region. Any defined geographic land area identifiable by geological, political, or surveyed boundaries. A region may consist of any of the following:

- (1) A national entity (country);
- (2) Part of a national entity (zone, county, department, municipality, parish, Province, State, etc.)
- (3) Parts of several national entities combined into an area; or
- (4) A group of national entities (countries) combined into a single area.

* * * * *

§ 93.701 [Amended]

101. Newly designated § 93.701 is amended by removing the word “country” both times it appears and adding in its place the word “region”.

§ 93.702 [Amended]

102. Newly designated § 93.702 is amended by removing the reference to “§ 92.701” and adding in its place a reference to “§ 93.701”.

§ 93.704 [Amended]

103. Newly designated § 93.704 is amended by removing the word “country” each time it appears and adding in its place the word “region” in the paragraph (c)(1) and paragraph (c)(4).

§ 93.705 [Amended]

104. Newly designated § 93.705 is amended by removing the word “country” each time it appears and adding in its place the word “region” in the following places:

- a. Paragraph (a), introductory text.
- b. Paragraph (a)(1).
- c. Paragraph (a)(2).
- d. Paragraph (a)(3).

Subpart H—Elephants, Hippopotami, Rhinoceroses, and Tapirs

105. Newly designated § 93.800 is amended by adding a definition of *Region*, in alphabetical order, to read as follows:

§ 93.800 Definitions.

* * * * *

Region. Any defined geographic land area identifiable by geological, political, or surveyed boundaries. A region may consist of any of the following:

- (1) A national entity (country);
- (2) Part of a national entity (zone, county, department, municipality, parish, Province, State, etc.)

(3) Parts of several national entities combined into an area; or

(4) A group of national entities (countries) combined into a single area.

* * * * *

§ 93.803 [Amended]

106. In newly designated § 93.803, paragraph (a), the introductory text is amended by removing the word “country” each time it appears and adding in its place the word “region”.

§ 93.804 [Amended]

107. In newly designated § 93.804, paragraph (g) is amended by removing the word “country” and adding in its place the word “region”.

PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), EXOTIC NEWCASTLE DISEASE, AFRICAN SWINE FEVER, HOG CHOLERA, AND BOVINE SPONGIFORM ENCEPHALOPATHY: PROHIBITED AND RESTRICTED IMPORTATIONS

108. The authority citation for part 94 continues to read as follows:

Authority: 7 U.S.C. 147a, 150ee, 161, 162, 450; 19 U.S.C. 1306; 21 U.S.C. 111, 114a, 134a, 134b, 134c, 134f, 136, and 136a; 31 U.S.C. 9701; 42 U.S.C. 4331 and 4332; 7 CFR 2.22, 2.80, and 371.2(d).

109. In § 94.0, the definition of *Country of origin* is removed and definitions of *Cervid*, *Contact*, *Pink juice test*, *Region*, *Region of origin*, *Ruminants*, and *Veterinarian in charge* are added, in alphabetical order, to read as follows:

§ 94.0 Definitions.

* * * * *

Cervid. All species of deer, elk, and moose.

* * * * *

Contact. Known or potential commingling of products during processing or storage, or while being transported from any point to any other point. Contact includes the simultaneous processing in the same room, locker, or container, but not necessarily the same storage facility or conveyance, as long as adequate security measures are taken to prevent commingling, as determined by an authorized APHIS representative.

* * * * *

Pink juice test. Determination of whether meat has been thoroughly cooked by observation of whether the flesh and juices have lost all red and pink color.

* * * * *

Region. Any defined geographic land area identifiable by geological, political,

or surveyed boundaries. A region may consist of any of the following:

- (1) A national entity (country);
- (2) Part of a national entity (zone, county, department, municipality, parish, Province, State, etc.)

(3) Parts of several national entities combined into an area; or

(4) A group of national entities (countries) combined into a single area.

Region of origin. For meat and meat products, the region in which the animal from which the meat or meat products were derived was born, raised and slaughtered; and for eggs, the region in which the eggs were laid.

Ruminants. All animals that chew the cud, such as cattle, buffaloes, sheep, goats, deer, antelopes, camels, llamas and giraffes.

* * * * *

Veterinarian in Charge. The veterinary official of the Animal and Plant Health Inspection Service, United States Department of Agriculture, who is assigned by the Administrator to supervise and perform the official animal health work of the Animal and Plant Health Inspection Service in the State or area concerned.

* * * * *

§ 94.1 [Amended]

110. Section 94.1 is amended as follows:

- a. By removing the word “Countries” in the heading to the section and adding in its place the word “Regions”.
- b. By removing the word “countries” each time it appears and adding in its place the word “regions” in the following places:
 - i. Paragraph (a)(1);
 - ii. Paragraph (a)(2);
 - iii. Paragraph (b).
- c. By removing the words “fresh, chilled, or frozen” each time they appear and adding in their place the words “fresh (chilled or frozen)” in paragraph (b) and paragraph (c).
- d. By removing the word “country” each time it appears and adding in its place the word “region” in the following places:
 - i. Paragraph (b).
 - ii. Paragraph (c), introductory text.
 - iii. Paragraph (c)(2).
 - iv. Paragraph (c)(3).
 - v. Paragraph (c)(5).

§ 94.1a [Amended]

111. Section 94.1a is amended as follows:

- a. By removing the word “country” each time it appears and adding in its place the word “region” in the following places:
 - i. Paragraph (a), introductory text.
 - ii. Paragraph (a)(2).
 - iii. Paragraph (a)(7).
 - iv. Paragraph (a)(8), introductory text.
- b. In paragraph (a)(7) and in paragraph (a)(8), introductory text, by removing the word “countries” each time it appears and adding in its place the word “regions”.

§ 94.2 [Amended]

112. Section 94.2 is amended as follows:

- a. In the heading to the section, by removing the words "Fresh, chilled, or frozen" and adding in their place the words "Fresh (chilled or frozen)";
- b. In paragraph (a), by removing the words "fresh, chilled, or frozen" and adding in their place the words "fresh (chilled or frozen)";
- c. In paragraphs (a) and (b), by removing the word "country" each time it appears and adding in its place the word "region".

§ 94.3 [Amended]

113. Section 94.3 is amended by removing the words "fresh, chilled, or frozen" and adding in their place the words "fresh (chilled or frozen)" and by removing the word "country" and adding in its place the word "region".

§ 94.4 [Amended]

114. Section 94.4 is amended as follows:

- a. In the heading to the section, by removing the word "countries" and adding in its place the word "regions".
- b. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:
 - i. Paragraph (a), introductory text.
 - ii. Paragraph (a)(1).
 - iii. Paragraph (a)(4).
 - iv. Paragraph (b), introductory text.
 - v. Paragraph (b)(7).
 - vi. Paragraph (c)(1)(iii).
 - vii. Paragraph (c)(2)(iv).

§ 94.5 [Amended]

115. In § 94.5, paragraph (b)(1)(i)(A) is amended by removing the word "country" and adding the word "region" in its place, and by removing the word "countries" and adding the word "regions" in its place.

§ 94.6 [Amended]

116. Section 94.6 is amended as follows:

- a. By removing the word "countries" each time it appears and adding in its place the word "regions" in the following places:
 - i. The heading to the section.
 - ii. Paragraphs (a)(1) and (a)(2).
 - iii. Paragraph (b)(1).
 - iv. Paragraph (b)(2).
 - v. The heading to paragraph (c).
 - vi. The heading to paragraph (d).
- b. In the heading to paragraph (a) and in the heading to paragraph (b), by removing the word "Countries" each time it appears and adding in its place the word "Regions".
- c. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:
 - i. Paragraph (c), introductory text.
 - ii. Paragraph (d), introductory text.
 - iii. Paragraph (d)(1), introductory text.
 - iv. Paragraph (d)(1)(i).
 - v. Paragraph (d)(1)(iii).
 - vi. Paragraph (d)(1)(v).
 - vii. Paragraph (d)(1)(viii).

- viii. Paragraph (d)(1)(ix), introductory text.
- ix. Paragraph (d)(1)(ix)(C)(1).
- x. Paragraph (d)(1)(ix)(C)(2).
- xi. Paragraph (d)(1)(x), introductory text.
- xii. Paragraph (d)(1)(x)(C)(1).
- xiii. Paragraph (d)(1)(x)(C)(2).
- xiv. Paragraph (d)(1)(x)(C)(3).

§ 94.7 [Amended]

117. Section 94.7 is amended as follows:

- a. By removing the words "fresh, chilled, or frozen" wherever they appear and adding in their place the words "fresh (chilled or frozen)" in the following places:
 - i. Paragraph (a);
 - ii. Paragraph (b);
 - iii. Paragraph (c);
 - iv. Paragraph (d).
- b. By removing the reference to "§ 94.1," each time it appears and adding in its place a reference to "§§ 94.1, 94.8, 94.9, 94.10, 94.12, 94.14, or 94.18," in the following places:
 - i. Paragraph (a).
 - ii. Paragraph (b).
 - iii. Paragraph (c).
 - iv. Paragraph (d).

§ 94.8 [Amended]

118. Section 94.8 is amended as follows:

- a. In paragraph (a)(3)(iv)(A), by removing the words "countries or parts of countries" and adding in their place the word "regions".
- b. In the heading to the section, by removing the word "countries" and adding in its place the word "regions".
- c. In footnote 7, before paragraph (1), by removing the words "country or a part of a country" and adding in their place the word "region", and, in paragraph (4), by removing the words "this country" and adding in their place the words "the United States".
- d. By removing the words "country or part of a country" and adding in their place the word "region" in the following places:
 - i. Paragraph (a), introductory text.
 - ii. Paragraph (a)(3)(i)(A).
 - iii. Paragraph (a)(3)(i)(B).
 - iv. Paragraph (a)(3)(v).
 - v. Paragraph (c).
- e. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:
 - i. Footnote 7 to the introductory text of the section.
 - ii. Paragraph (a)(3)(i)(B).
 - iii. Paragraph (a)(3)(i)(C).
 - iv. Paragraph (a)(3)(i)(D).
 - v. Paragraph (a)(3)(vi).
 - f. In footnote 7 to the introductory text of the section, by removing the word "country's" and adding in its place the word "region's".

§ 94.9 [Amended]

119. Section 94.9 is amended as follows:

- a. By removing the word "countries" each time it appears and adding in its place the word "regions" in the following places:
 - i. The heading to the section.
 - ii. Paragraph (a), introductory text.

- iii. Paragraph (b)(1)(iii)(C)(2).
- iv. Paragraph (c).
- b. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:
 - i. Paragraph (b), introductory text.
 - ii. Paragraph (b)(1)(ii)(A).
 - iii. Paragraph (b)(1)(iii)(A).
 - iv. Paragraph (b)(1)(iii)(C), introductory text.
 - v. Paragraph (b)(1)(iii)(C)(1).
 - vi. Paragraph (b)(1)(iii)(C)(2).
 - vii. Paragraph (b)(3).

§ 94.10 [Amended]

120. Section 94.10 is amended as follows:

- a. In the heading to the section and in paragraph (a), by removing the word "countries" and adding in its place the word "regions".
- b. In paragraph (a), by removing the word "country" and adding in its place the word "region".
- c. In paragraph (b), by removing the reference to "§ 92.504(c) or § 92.501" and adding in its place a reference to "§ 93.504(c) or § 93.501".

§ 94.11 [Amended]

121. Section 94.11 is amended as follows:

- a. By removing the word "countries" each time it appears and adding in its place the word "regions" in the following places:
 - i. The heading to the section.
 - ii. Paragraph (a).
 - iii. Paragraph (b).
 - iv. Paragraph (c), introductory text.
- b. In paragraph (a), by removing the words "fresh, chilled, or frozen" both times they appear and adding in their place the words "fresh (chilled or frozen)".
- c. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:
 - i. Paragraph (a).
 - ii. Paragraph (c), introductory text.
 - iii. Paragraph (c)(1).
 - iv. Paragraph (c)(2).
 - v. Paragraph (c)(3).

122. Section 94.12 is amended as follows:

- a. By removing the word "countries" each time it appears and adding in its place the word "regions" in the following places:
 - i. The heading to the section.
 - ii. Paragraph (a).
 - iii. Paragraph (b)(1)(iv)(B)(2)(ii).
- b. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:
 - i. Paragraph (b), introductory text.
 - ii. Paragraph (b)(1)(ii)(A).
 - iii. Paragraph (b)(1)(iii)(A).
 - iv. Paragraph (b)(1)(iv), introductory text.
 - v. Paragraph (b)(1)(iv)(A).
 - vi. Paragraph (b)(1)(iv)(B)(1).
 - vii. Paragraph (b)(1)(iv)(B)(2)(i).
 - viii. Paragraph (b)(3).
- c. By revising paragraph (b)(1)(iii)(B) to read as follows:

§ 94.12 Pork and pork products from countries where swine vesicular disease exists.

* * * * *

- (b) * * *
(1) * * *
(iii) * * *

(B) Such pork or pork products shall be consigned directly from the port of entry in the United States to a meat processing establishment operating under Federal meat inspection and approved by the Administrator,¹¹ for heating to an internal temperature of 166 °F. During movement from the port of entry to the meat processing establishment, the pork or pork products must be moved under Department seals or seals of the the U.S. Customs Service, and shall be otherwise handled as the Administrator may direct in order to guard against the introduction and dissemination of swine vesicular disease. Seals applied under this section may not be broken except by persons authorized by the Administrator to do so; or

* * * * *

§ 94.13 [Amended]

123. Section 94.13 is amended as follows:

a. In the heading to the section and in the introductory text to the section, by removing the word "countries" each time it appears and adding in its place the word "regions".

b. In the introductory text to the section, by removing the words "fresh, chilled, or frozen" both times they appear and adding in their place the words "fresh (chilled or frozen)".

c. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:

- i. The introductory text to the section.
- ii. Paragraph (b), introductory text.
- iii. Paragraph (b)(1).
- iv. Paragraph (b)(2).

§ 94.14 [Amended]

124. Section 94.14 is amended as follows:

a. In the heading to the section and in paragraph (a), by removing the word "countries" and adding in its place the word "regions".

¹¹ The names and addresses of approved establishments may be obtained from, and request for approval of any establishment may be made to, the Animal and Plant Health Inspection Service, Veterinary Services, National Center for Import-Export, 4700 River Road Unit 38, Riverdale, Maryland 20737-1231. Establishments will be approved only if the Administrator determines that the imported articles will be so handled at the establishment as to prevent the introduction and dissemination of livestock or poultry diseases into the United States. Approval of any establishment may be refused or withdrawn only after the operator thereof has been given notice of the proposed action and has had an opportunity to present his views thereon.

b. In paragraph (a), by removing the word "country" and adding in its place the word "region".

c. In paragraph (b), by removing the reference to "§ 92.501 or § 92.504(c)" and adding in its place a reference to "§ 93.501 or § 93.504(c)".

125. In § 94.15, paragraph (c) is amended by removing the word "countries" both times it appears and adding in its place the word "regions", and a new paragraph (d) is added to read as follows:

§ 94.15 Animal products and materials; movement and handling.

* * * * *

(d) Any meat or other animal products not otherwise eligible for entry into the United States, as provided in this part and part 95 of this chapter, may transit the United States for immediate export if the following conditions are met:

(1) Notification of the transiting of such meat or other animal product is made by the importer to the Plant Protection and Quarantine officer at the United States port of arrival prior to such transiting;

(2) The meat or other animal product is contained in a sealed, leakproof carrier or container, which remains sealed while aboard the transporting carrier or other means of conveyance, or, if the container or carrier in which the meat or other animal product is transported is offloaded in the United States for reshipment, it remains sealed at all times;

(3) Such transit is limited to the maritime or airport port of arrival only, with no overland movement outside the airport terminal area or dock area of the maritime port; and

(4) The meat or other animal product is not held or stored for more than 72 hours at the maritime or airport port of arrival.

§ 94.16 [Amended]

126. Section 94.16 is amended as follows:

a. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:

- i. Paragraph (b), introductory text.
- ii. Paragraph (c), introductory text.
- iii. Paragraph (c)(1).
- iv. Paragraph (c)(3).
- v. Paragraph (d).

b. In paragraph (b)(2), first sentence, by removing the words "for human food".

c. In paragraph (c), introductory text, by removing the word "countries" and adding in its place the word "regions".

§ 94.17 [Amended]

127. Section 94.17 is amended as follows:

a. By removing the word "countries" each time it appears and adding in its place the word "regions" in the following places:

- i. The heading to the section.
- ii. Paragraph (o)(2)(ii)(A).
- iii. Paragraph (o)(2)(ii)(B).
- iv. Paragraph (o)(2)(iii)(A).
- v. Paragraph (o)(2)(iii)(B).

b. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:

- i. Paragraph (a).
- ii. Paragraph (b).
- iii. Paragraph (d).
- iv. Paragraph (i)(2)(vi).
- v. Paragraph (i)(3)(vii).
- vi. Paragraph (j)(1).
- vii. Paragraph (j)(2).
- viii. Paragraph (j)(3).
- ix. Paragraph (k).
- x. Paragraph (m)(1).
- xi. Paragraph (o), introductory text.
- xii. Paragraph (o)(2)(ii)(A).
- xiii. Paragraph (o)(2)(ii)(B).
- xiv. Paragraph (o)(2)(iii)(A).
- xv. Paragraph (o)(2)(iii)(B).

§ 94.18 [Amended]

128. Section 94.18 is amended as follows:

a. In the heading to the section and in paragraph (a), by removing the word "countries" and adding in its place the word "regions".

b. In paragraph (b), introductory text, and paragraph (b)(1), by removing the words "fresh, frozen, and chilled" and adding in their place the words "fresh (chilled or frozen)".

c. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:

- i. Paragraph (b), introductory text.
- ii. Paragraph (b)(2)(ii).
- iii. Paragraph (b)(2)(iii).
- iv. Paragraph (c), introductory text.

d. In paragraph (d), introductory text, by removing the words "Fresh, chilled, or frozen" and adding in their place the words "Fresh (chilled or frozen)".

§ 94.19 [Amended]

129. Section 94.19 is amended by removing the word "country" each time it appears and adding in its place the word "region" in both the heading and the text to the section.

§ 94.20 [Amended]

130. Section 94.20 is amended as follows:

a. In introductory text to the section, by removing the words "fresh, chilled or frozen" and adding in their place the words "fresh (chilled or frozen)".

b. In paragraph (a), by adding the word "born," immediately before the word "raised".

c. In paragraph (b), by removing the word "countries" both times it appears and adding in its place the word "regions".

§ 94.21 [Amended]

131. Section 94.21 is amended as follows:

a. In the introductory text to the section, by removing the words "fresh, chilled or frozen" and adding in their place the words "fresh (chilled or frozen)".

b. In paragraph (c), by removing the word "countries" and adding in its place the word "regions".

PART 95—SANITARY CONTROL OF ANIMAL BYPRODUCTS (EXCEPT CASINGS), AND HAY AND STRAW, OFFERED FOR ENTRY INTO THE UNITED STATES

132. The authority citation for part 95 continues to read as follows:

Authority: 21 U.S.C. 111, 136, and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.2(d).

133. Section 95.1 is amended by adding a definition of *Region*, in alphabetical order, to read as follows:

§ 95.1 Definitions.

* * * * *

Region. Any defined geographic land area identifiable by geological, political, or surveyed boundaries. A region may consist of any of the following:

- (1) A national entity (country);
- (2) Part of a national entity (zone, county, department, municipality, parish, Province, State, etc.)
- (3) Parts of several national entities combined into an area; or
- (4) A group of national entities (countries) combined into a single area.

* * * * *

§ 95.2 [Amended]

134. Section 95.2 is amended as follows:

a. In the heading to the section, by removing the word "Country" and adding in its place the word "Region".

b. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:

- i. The introductory text to the section.
- ii. Paragraph (a).
- iii. Paragraph (b).

§ 95.4 [Amended]

135. Section 95.4 is amended as follows:

a. In the heading to the section, by removing the word "countries" and adding in its place the word "regions".

b. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:

- i. Paragraph (a).
- ii. Paragraph (b).
- iii. Paragraph (c), introductory text.

§ 95.5 [Amended]

136. Section 95.5 is amended as follows:

a. In paragraph (a) and paragraph (c), by removing the word "country" each time it appears and adding in its place the word "region".

b. In paragraph (c), footnote 1, by removing the word "countries" and adding in its place the word "regions".

§ 95.7 [Amended]

137. In § 95.7, paragraph (a) and paragraph (c) are amended by removing the word "country" each time it appears and adding in its place the word "region".

§ 95.9 [Amended]

138. In § 95.9, paragraph (a) and paragraph (c) are amended by removing the word "country" each time it appears and adding in its place the word "region".

§ 95.11 [Amended]

139. In § 95.11, the introductory text of paragraph (b) and paragraph (b)(2) are amended by removing the word "country" each time it appears and adding in its place the word "region".

§ 95.14 [Amended]

140. In § 95.14, paragraph (a) is amended by removing the word "country" and adding in its place the word "region".

§ 95.15 [Amended]

141. Section 95.15 is amended by removing the word "country" and adding in its place the word "region".

§ 95.17 [Amended]

142. Section 95.17 is amended by removing the word "country" and adding in its place the word "region".

§ 95.21 [Amended]

143. Section 95.21 is amended by removing the word "country" and adding in its place the word "region".

§ 95.23 [Amended]

144. In § 95.23, the introductory text is amended by removing the word "country" both times it appears and adding in its place the word "region".

PART 96—RESTRICTION OF IMPORTATIONS OF FOREIGN ANIMAL CASINGS OFFERED FOR ENTRY INTO THE UNITED STATES

145. The authority citation for part 96 continues to read as follows:

Authority: 21 U.S.C. 111, 136, 136a; 7 CFR 2.22, 2.80, and 371.2(d).

146. Section 96.1 is amended by adding a definition of *Region*, in alphabetical order, to read as follows:

§ 96.1 Definitions.

* * * * *

Region. Any defined geographic land area identifiable by geological, political, or surveyed boundaries. A region may consist of any of the following:

- (1) A national entity (country);
- (2) Part of a national entity (zone, county, department, municipality, parish, Province, State, etc.)
- (3) Parts of several national entities combined into an area; or
- (4) A group of national entities (countries) combined into a single area.

* * * * *

§ 96.2 [Amended]

147. Section 96.2 is amended as follows:

a. In the heading to the section, by removing the word "countries" and adding in its place the word "regions".

b. In paragraph (a), by removing the words "country or part of a country" and adding in their place the word "region" each time they appear.

c. In paragraph (b), by removing the word "country" and adding in its place the word "region".

§ 96.3 [Amended]

148. Section 96.3 is amended as follows: a. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:

- i. Paragraph (a).
- ii. Paragraph (c), introductory text.
- iii. Paragraph (c), "FOREIGN OFFICIAL CERTIFICATE FOR ANIMAL CASINGS".
- b. In paragraph (c), "FOREIGN OFFICIAL CERTIFICATE FOR ANIMAL CASINGS", by removing the word "Country" and adding in its place the word "Region".

149. Section 96.10 is amended by revising the introductory text of paragraph (a) to read as follows:

§ 96.10 Uncertified casings; transportation for disinfection; original shipping containers; disposition of salt.

(a) Foreign animal casings imported into the United States without certification may be forwarded in customs custody to a USDA-approved facility for disinfection under APHIS supervision and release by the United States Customs authorities, provided that, before being transported over land in the United States, each and every container of such casings shall be disinfected by the application of a solution of sodium hydroxide prepared as follows:

* * * * *

150. Sections 96.15 and 96.16 are removed.

PART 97—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

151. The authority citation for part 97 continues to read as follows:

Authority: 7 U.S.C. 2260; 49 U.S.C. 1741; 7 CFR 2.22, 2.80, and 371.2(d).

§ 97.1 [Amended]

152. In § 97.1, footnote 1 is amended by removing the reference to “§§ 92.1 through 92.3” and adding in its place a reference to “§§ 93.102, 93.203, 93.303, 93.403, 93.503, 93.703, and 93.805”.

PART 98—IMPORTATION OF CERTAIN ANIMAL EMBRYOS AND ANIMAL SEMEN

153. The authority citation for part 98 continues to read as follows:

Authority: 7 U.S.C. 1622; 19 U.S.C. 1306; 21 U.S.C. 103–105, 111, 134a, 134b, 134c, 134d, 134f, 136, and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.2(d)

154. In part 98, the heading for subpart A is revised to read:

Subpart A—Ruminant and Swine Embryos from Regions Free of Rinderpest and Foot-and-Mouth Disease; and Embryos of Horses and Asses

155. Section 98.2 is amended by revising the definitions of *Approved artificial insemination center* and *Approved embryo transfer unit*, and by adding a definition of *Region*, in alphabetical order, to read as follows:

§ 98.2 Definitions.

* * * * *

Approved artificial insemination center. A facility approved or licensed by the national government of the region in which the facility is located to collect and process semen under the general supervision of such government.

Approved embryo transfer unit. A facility approved or licensed by the national government of the region in which the facility is located for the artificial insemination of donor dams or for conception as a result of artificial breeding by a donor sire and for collecting and processing embryos for export under the general supervision of such government.

* * * * *

Region. Any defined geographic land area identifiable by geological, political, or surveyed boundaries. A region may consist of any of the following:

- (1) A national entity (country);
- (2) Part of a national entity (zone, county, department, municipality, parish, Province, State, etc.);
- (3) Parts of several national entities combined into an area; or
- (4) A group of national entities (countries) combined into a single area.

* * * * *

§ 98.3 [Amended]

156. Section 98.3 is amended as follows:

a. By removing the word “country” each time it appears and adding in its place the word “region” in the following places:

- i. The introductory text to the section.
- ii. Paragraph (a).
- iii. Paragraph (i).

b. In paragraph (d), by removing the reference to “part 92” and adding in its place a reference to “part 93”.

c. In paragraph (f), by removing the reference to “§ 92.304(a)(2)” and adding in its place a reference to “§ 93.304(a)(2)”, by removing the reference to “§ 92.404(a)(2)” and adding in its place a reference to “§ 93.404(a)(2)”, and by removing the reference to “§ 92.504(a)(2)” and adding in its place a reference to “§ 93.504(a)(2)”.

§ 98.4 [Amended]

157. In § 98.4, paragraph (c)(1) and paragraph (c)(5) are amended by removing the word “country” each time it appears and adding in its place the word “region”.

§ 98.5 [Amended]

158. In § 98.5, paragraph (a), the introductory text is amended by removing the word “country” each time it appears and adding in its place the word “region”.

§ 98.6 [Amended]

159. Section 98.6 is amended by removing the reference to “§ 92.303” and adding in its place a reference to “§ 93.303”, by removing the reference to “§ 92.403” and adding in its place a reference to “§ 93.403”, and by removing the reference to “§ 92.503” and adding in its place a reference to “§ 93.503”.

§ 98.7 [Amended]

160. In § 98.7, paragraph (g) is amended by removing the word “country” and adding in its place the word “region”.

§ 98.10a [Amended]

161. Section 98.10a is amended as follows:

a. In the heading to the section, by removing the word “countries” and adding in its place the word “regions”.

b. By removing the word “country” each time it appears and adding in its place the word “region” in the following places:

- i. Paragraph (c).
- ii. Paragraph (d).
- iii. Paragraph (f), introductory text.
- iv. Paragraph (f)(1).
- v. Paragraph (f)(2)(i).
- vi. Paragraph (f)(2)(ii).

162. The heading for subpart B is revised to read:

Subpart B—Ruminant and Swine Embryos From Regions Where Rinderpest or Foot-and-Mouth Disease Exists

163. Section 98.11 is amended by removing the definition of *Country of origin* and by adding definitions of *Region* and *Region of origin*, in alphabetical order, to read as follows:

§ 98.11 Definitions.

* * * * *

Region. Any defined geographic land area identifiable by geological, political, or surveyed boundaries. A region may consist of any of the following:

- (1) A national entity (country);
- (2) Part of a national entity (zone, county, department, municipality, parish, Province, State, etc.);
- (3) Parts of several national entities combined into an area; or
- (4) A group of national entities (countries) combined into a single area.

Region of origin. The region in which the embryo is conceived and collected and from which the embryo is imported into the United States.

* * * * *

§ 98.12 [Amended]

164. Section 98.12 is amended as follows:

a. In paragraph (a), by removing the word “countries” and adding in its place the word “regions”.

b. In paragraph (b), by removing the word “country” both time it appears and adding in its place the word “region”.

§ 98.13 [Amended]

165. In § 98.13, paragraph (a) is amended by removing the word “countries” and adding in its place the word “regions”.

§ 98.14 [Amended]

166. In § 98.14, paragraph (a) is amended by removing the word “country” each time it appears and adding in its place the word “region”.

§ 98.15 [Amended]

167. Section § 98.15 is amended by removing the word “country” each time it appears and adding in its place the word “region” in the following places:

- a. The introductory text to the section.
- b. Paragraph (a)(5)(ii), introductory text.
- c. Paragraph (a)(5)(iii).
- d. Paragraph (a)(6).
- e. Paragraph (b)(1).
- f. Paragraph (b)(2).
- g. Paragraph (b)(5).

§ 98.16 [Amended]

168. In § 98.16, the introductory text to the section is amended by removing the word “country” and adding in its place the word “region”.

§ 98.17 [Amended]

169. Section 98.17 is amended by removing the word "country" each time it appears and adding in its place the word "region" in the following places:

- a. Paragraph (f)(6)(i).
- b. Paragraph (f)(6)(ii).
- c. Paragraph (h)(2).

§ 98.18 [Amended]

170. In § 98.18, paragraph (c) is amended by removing the reference to "§ 92.203(a)" and adding in its place a reference to "§ 93.203(a).

§ 98.21 [Amended]

171. In § 98.21, the heading is amended by removing the word "countries" and adding in its place the word "regions".

Subpart C—Certain Animal Semen

172. Section 98.30 is amended by adding a definition of *Region*, in alphabetical order, to read as follows:

§ 98.30 Definitions.

* * * * *

Region. Any defined geographic land area identifiable by geological, political, or surveyed boundaries. A region may consist of any of the following:

- (1) A national entity (country);
- (2) Part of a national entity (zone, county, department, municipality, parish, Province, State, etc.)
- (3) Parts of several national entities combined into an area; or
- (4) A group of national entities (countries) combined into a single area.

* * * * *

§ 98.31 [Amended]

173. In § 98.31, paragraph (b) is amended by removing the word "country" each time it appears and adding in its place the word "region".

§ 98.32 [Amended]

174. In § 98.32, paragraph (a) is amended by removing the word "country" and adding in its place the word "region".

§ 98.34 [Amended]

175. Section 98.34 is amended as follows:

a. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:

- i. Paragraph (a)(1).
- ii. Paragraph (a)(2).
- iii. Paragraph (a)(3).
- iv. Paragraph (b).
- v. Paragraph (c), introductory text.
- vi. Paragraph (c)(1)(i).
- vii. Paragraph (c)(1)(ii).
- viii. Paragraph (c)(3).
- ix. Paragraph (c)(4).
- x. Paragraph (c)(5).

b. In paragraph (a)(3) and in the heading to paragraph (c), by removing the word "countries" each time it appears and adding in its place the word "regions".

§ 98.35 [Amended]

176. In § 98.35, paragraph (c) is amended by removing the word "country" each time it appears and adding in its place the word "region".

§ 98.36 [Amended]

177. In § 98.36, paragraph (a)(1) and paragraph (a)(2) are amended by removing the word "country" each time it appears and adding in its place the word "region".

§ 98.37 [Amended]

178. Section 98.37 is amended as follows:

a. In the heading to the section, by removing the word "countries" and adding in its place the word "regions".

b. By removing the word "country" each time it appears and adding in its place the word "region" in the following places:

- i. Paragraph (c).
- ii. Paragraph (d).
- iii. Paragraph (f), introductory text.
- iv. Paragraph (f)(1).
- v. Paragraph (f)(2)(i).
- vi. Paragraph (f)(2)(ii).

PART 130—USER FEES

179. The authority citation for part 130 continues to read as follows:

Authority: 5 U.S.C. 5542; 7 U.S.C. 1622; 19 U.S.C. 1306; 21 U.S.C. 102–105, 111, 114, 114a, 134a, 134b, 134c, 134d, 134f, 135, 136, and 136a; 7 CFR 2.22, 2.80, and 371.2(d).

§ 130.1 [Amended]

180. Section 130.1 is amended by removing the reference to "part 92" and adding in its place a reference to "part 93" in the following places:

- a. The definition of *Feeder animal*.
- b. The definition of *Privately operated permanent import-quarantine facility*.
- c. The definition of *Zoo animal*, footnote 2.

§ 130.2 [Amended]

181. Section 130.2 is amended by removing the references to "part 92" and adding in their place references to "part 93" in the following places:

- a. Paragraph (a), footnote 5.
- b. Paragraph (a), in the table, under the heading "Animal or bird", in the first entry under "Birds".
- c. Paragraph (e).

§ 130.3 [Amended]

182. In § 130.3, paragraph (a)(3) is amended by removing the references to "92.103, 92.204, 92.304, 92.404, or 92.504" and adding in their place references to "93.103, 93.204, 93.304, 93.404, or 93.504".

§ 130.10 [Amended]

183. In § 130.10, paragraph (a), footnote 7 is amended by removing the reference "part 92" and adding in its place a reference to "part 93".

Done in Washington, DC, this 22nd day of October, 1997.

Terry L. Medley,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 97–28473 Filed 10–23–97; 12:52 pm]

BILLING CODE 3410–34–P