

testing in accordance with § 82.32(c) of this subpart.

[56 FR 3738, Jan. 30, 1991, as amended at 57 FR 778, Jan. 9, 1992; 59 FR 67613, Dec. 30, 1994; 61 FR 11517, Mar. 21, 1996]

### § 82.31 Applicability.

The regulations in this subpart apply only to primary and multiplier breeding flocks used for the purpose of producing progeny for commercial egg production, and to egg production flocks used for the purpose of producing table eggs for sale or other distribution in interstate commerce or for export.

### § 82.32 Identification of study flocks, test poultry houses, test flocks, infected poultry houses, and infected flocks.

Only a Federal representative or State representative<sup>2</sup> may make a determination in accordance with this subpart that an egg production flock is a study flock, a test flock, or an infected flock, or that a poultry house is a test poultry house or an infected poultry house. The Federal representative or State representative shall also determine which subunits of a flock meet the definition of a separate poultry house in § 82.30 of this subpart. Immediately after a study flock, test flock, infected flock, test poultry house, or infected poultry house is identified, a Federal representative or a State representative shall notify in writing the person in control of the flock that his or her flock has been determined to be a study flock, test flock, or infected flock, or that specified poultry houses in the flock have been determined to be test poultry houses or infected poultry houses. At any time after such notification, the person in control of such flock, test poultry house, or infected poultry house, upon request of a Federal representative or a State representative, shall make available for review and copying all records maintained in ac-

<sup>2</sup>The location of Federal or State representatives can be obtained by writing to the Animal and Plant Health Inspection Service, Veterinary Services, Sheep, Goat, Equine, and Poultry Diseases, 4700 River Road Unit 43, Riverdale, Maryland 20737-1231.

cordance with 7 CFR 59.200<sup>3</sup> and all other records of the shipment of poultry and poultry products to and from the flock.

(a) *Study flocks.* An egg production flock shall be determined to be a study flock under the circumstances described in paragraphs (a)(1) or (a)(2) of this section:

(1) The Administrator determines that the flock has been implicated as the probable source of disease in an outbreak of disease in humans or poultry caused by *Salmonella enteritidis* serotype *enteritidis*. The Administrator shall make such a determination after he or she determines that:

(i) Epidemiologic reports from Federal or State health agencies identify the cause of the outbreak as *Salmonella enteritidis* serotype *enteritidis*;

(ii) Eggs were the probable source of the *Salmonella enteritidis* serotype *enteritidis* organisms that caused the outbreak; and

(iii) Shipping records or other evidence reveal that the probable source of the eggs was the flock determined to be a study flock.

(2) A Federal representative or a State representative determines that the flock has received progeny from an egg-type chicken breeding flock that has had *Salmonella enteritidis* serotype *enteritidis* recovered from the internal organs of one or more chickens through testing in accordance with § 145.23(d) of this chapter, at any time since the last negative environmental sample tested for that egg-type chicken breeding house in accordance with § 145.23(d) of this chapter.

(b) *Test poultry houses and test flocks.* A separate poultry house in a study flock shall be determined to be a test poultry house if manure and egg transport machinery samples from the house are collected and tested in accordance

<sup>3</sup>In accordance with 7 CFR 59.200, persons engaged in the business of transporting, shipping, receiving, holding, or handling eggs or egg products in commerce shall maintain records for two years showing the receipt, delivery, sale, movement, and disposition of all eggs and egg products handled by them, and shall, upon the request of an authorized representative of the Secretary, permit him, at reasonable times, to have access to and to copy all such records.