

- 94.14 Swine from regions where swine vesicular disease exists; importations prohibited.
- 94.15 Animal products and materials; movement and handling.
- 94.16 Milk and milk products.
- 94.17 Dry-cured pork products from regions where foot-and-mouth disease, rinderpest, African swine fever, hog cholera, or swine vesicular disease exists.
- 94.18 Ruminant meat and edible products from ruminants that have been in regions where bovine spongiform encephalopathy exists.
- 94.19 Gelatin derived from horses or swine, or from ruminants that have not been in any region where bovine spongiform encephalopathy exists.
- 94.20 Importation of pork from Sonora, Mexico.
- 94.21 Restrictions on importation of beef from Argentina.

AUTHORITY: 7 U.S.C. 147a, 150ee, 161, 162, and 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).

#### § 94.0 Definitions.

As used in this part, the following terms shall have the meanings set forth in this section.

**Administrator.** The Administrator, Animal and Plant Health Inspection Service, or any person authorized to act for the Administrator.

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

**APHIS representative.** An individual employed by Animal and Plant Health Inspection Service, United States Department of Agriculture, who is authorized to perform the function involved.

**Authorized inspector.** Any employee of the Animal and Plant Health Inspection Service, United States Department of Agriculture, or any other individual who is authorized by the Administrator to enforce this part.

**Birds.** All members of the class Aves (other than poultry or game birds).

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

**Cold spot.** The area in a flexible plastic cooking tube or other type of container loaded with meat product, or the areas at various points along the belt in an oven chamber, slowest to reach

the required temperature during the cooking process. The cold spot(s) for each container is experimentally determined before the cooking process begins, and once identified, remains constant.

**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.

**Container.** For the purposes of § 94.1(c) and § 94.16(c), this term means a receptacle, sometimes refrigerated, which is designed to be filled with cargo, sealed, and then moved, without unsealing or unloading, aboard a variety of different transporting carriers.

**Department.** The United States Department of Agriculture (USDA, Department).

**Exotic Newcastle disease (END).** Any velogenic Newcastle disease. Exotic Newcastle disease is an acute, rapidly spreading, and usually fatal viral disease of birds and poultry.

**Flock of origin.** The flock in which the eggs were produced.

**FSIS inspector.** An individual authorized by the Administrator, Food Safety and Inspection Service, United States Department of Agriculture, to perform the function involved.

**Game birds.** Migratory birds, including certain ducks, geese, pigeons, and doves ("migratory" refers to seasonal flight to and from the United States); free-flying quail, wild grouse, wild pheasants (as opposed to those that are commercial, domestic, or pen-raised).

**House.** A structure, enclosed by walls and a roof, in which poultry are raised.

**Immediate export.** The period of time determined by APHIS, based on shipping routes and timetables, to be the shortest practicable interval of time between the arrival in the United States of an incoming carrier and the departure from the United States of an outgoing carrier, to transport a consignment of products.

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

*Indicator piece.* A cube or slice of meat to be used for the pink juice test, required to meet minimum size specifications.

*Operator.* The operator responsible for the day-to-day operations of a facility.

*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.

*Port of arrival.* Any place in the United States at which a product or article arrives, unless the product or article remains on the means of conveyance on which it arrived within the territorial limits of the United States.

*Poultry.* Chickens, turkeys, swans, partridges, guinea fowl, pea fowl; non-migratory ducks, geese, pigeons, and doves; commercial, domestic, or pen-raised grouse, pheasants, and quail.

*Premises of origin.* The premises where the flock of origin is kept.

*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.

*Salmonella enteritidis.* *Salmonella enteritidis* serotype *enteritidis*, an organism that causes salmonellosis.

*Salmonella enteritidis, phage-type 4.* A virulent type of *Salmonella enteritidis* serotype *enteritidis*.

*Salmonellosis.* An infectious disease caused by species of *Salmonella* bacteria.

*Sentinel bird.* A chicken that has been raised in an environment free of pathogens that cause communicable diseases of poultry and that has not been infected with, exposed to, or immunized with any strain of virus that causes Newcastle disease.

*Temperature indicator device (TID).* A precalibrated temperature-measuring instrument containing a chemical compound activated at a specific temperature (the melting point of the chemical compound) identical to the processing temperature that must be reached by the meat being cooked. The Administrator will approve a TID for use after determining that the chemical compound in the device is activated at the specific temperature required.

*Thoroughly cooked.* Heated sufficiently to inactivate any pathogen that may be present, as indicated by the required TID or pink juice test.

*United States.* The several states, the District of Columbia, Puerto Rico, the Virgin Islands of the United States, Guam, the Northern Mariana Islands, or any other territory or possession of the United States, except as provided in § 94.5 of this part.

*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.

*Wild swine.* Any swine which are allowed to roam outside an enclosure.

[52 FR 33801, Sept. 8, 1987, as amended at 53 FR 48520, Dec. 1, 1988; 54 FR 7393, Feb. 21, 1989; 54 FR 14794, Apr. 13, 1989; 54 FR 31504, July 31, 1989; 55 FR 38982, Sept. 24, 1990; 57 FR 43886, Sept. 23, 1992; 59 FR 13185, Mar. 21, 1994; 61 FR 56891, Nov. 5, 1996; 62 FR 56021, Oct. 28, 1997]

**§ 94.1 Regions where rinderpest or foot-and-mouth disease exists; importations prohibited.**

(a) Notice is hereby given that, in accordance with section 306 of the Act of June 17, 1930, as amended (19 U.S.C. 1306), it has been determined, and official notice has been given to the Secretary of the Treasury that: