

accredited-free States. The report must be submitted to APHIS each year between October 1 and November 30.

[64 FR 58778, Nov. 1, 1999]

**§ 77.4 Modified accredited States or zones.**

(a) The following are modified accredited States: New Mexico and Texas.

(b) The following are modified accredited zones: None.

(c) If tuberculosis is diagnosed within a modified accredited State or zone in an animal not specifically regulated by this part and a risk assessment conducted by APHIS determines that the outbreak poses a tuberculosis risk to livestock within the State or zone, the State or zone must adopt a tuberculosis management plan, approved jointly by the State animal health official and the Administrator, within 6 months of the diagnosis. The management plan must include provisions for immediate investigation of tuberculosis in livestock and wildlife, the prevention of the spread of the disease to other wildlife and livestock, increased surveillance of tuberculosis in wildlife, eradication of tuberculosis from individual herds, a timeline for tuberculosis eradication, and performance standards by which to measure yearly progress toward eradication. If a State or zone does not adopt such a plan within the required 6 months, the State or zone will be reclassified as nonmodified accredited.

(d) If any livestock other than cattle or bison are included in a newly assembled herd on a premises where a tuberculous herd has been depopulated, the State or zone must apply the herd test requirements contained in the "Uniform Methods and Rules—Bovine Tuberculosis Eradication, January 22, 1999 edition," which was approved for incorporation by reference into the Code of Federal Regulations by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.<sup>3</sup>

<sup>3</sup>Copies may be obtained from the National Animal Health Programs, Veterinary Services, APHIS, 4700 River Road Unit 43, Riverdale, Maryland 20737-1231. You may inspect a copy at the APHIS reading room, room 1141, USDA South Building, 14th Street and Independence Ave., SW., Washington, DC, or at

for such newly assembled herds to those other livestock in the same manner as to cattle and bison. Failure to do so will result in the removal of the State or zone from the list of modified accredited States or zones and its being reclassified as a nonmodified accredited State or zone.

(e) Modified accredited State or zone status must be renewed annually. To qualify for renewal of a modified accredited State or zone status, a State must submit an annual report to APHIS certifying that the State or zone complies with all the provisions of the "Uniform Methods and Rules—Bovine Tuberculosis Eradication" regarding modified accredited States. The report must be submitted to APHIS each year between October 1 and November 30.

(f) To qualify for accredited-free status, a modified accredited State or zone must demonstrate to the Administrator that it has zero percent prevalence of affected cattle and bison herds, has had no findings of tuberculosis in any cattle or bison in the State or zone for the previous 5 years, and complies with the provisions of the "Uniform Methods and Rules—Bovine Tuberculosis Eradication", except that the requirement of freedom from tuberculosis is 2 years from the depopulation of the last infected herd in States or zones that were previously accredited-free and in which all herds affected with tuberculosis were depopulated.

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**§ 77.5 Nonmodified accredited States or zones.**

(a) The following are nonmodified accredited States: None.

(b) The following are nonmodified accredited zones: A zone in Michigan delineated by starting at the juncture of State Route 55 and Interstate 75, then heading northwest and north along Interstate 75 to the Straits of Mackinac, then southeast and south along the shoreline of Michigan to the eastern terminus of State Route 55, then west along State Route 55 to Interstate 75.

the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC.