

Animal and Plant Health Inspection Service, USDA

§ 130.2

Zoo animal. Any animal, including poultry, intended for exhibition in a zoo, park or other place maintained for the exhibition of live animals for recreational or educational purposes.³

Zoo bird. Any bird intended for exhibition in a zoo, park or other place maintained for the exhibition of live animals or birds for recreational or educational purposes.

Zoo equine. Any equine intended for exhibition in a zoo, park or other place maintained for the exhibition of live animals for recreational or educational purposes.

[57 FR 771, Jan. 9, 1992, as amended at 58 FR 38957, July 21, 1993; 58 FR 67654, Dec. 22, 1993; 59 FR 67617, Dec. 30, 1994; 61 FR 20432, May 7, 1996; 62 FR 56026, Oct. 28, 1997; 63 FR 53788, Oct. 7, 1998; 63 FR 64175, Nov. 19, 1998; 64 FR 67698, Dec. 3, 1999; 65 FR 38178, 38180, June 20, 2000; 68 FR 64507, Nov. 14, 2003]

§130.2 User fees for individual animals and certain birds quarantined in APHIS-owned or -operated quarantine facilities, including APHIS Animal Import Centers; and fee for use of animal ramp.

(a) *Standard requirements.* User fees for each animal or bird receiving standard housing, care, feed, and handling while quarantined in an APHIS owned or operated animal import center or quarantine facility are listed in the following table. Each user fee listed in the table is assessed per animal or bird quarantined by APHIS. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§130.50 and 130.51.

| Animal or bird | Daily user fee Beginning Oct. 1, 2003 |
|--|---|
| Birds (excluding ratites and pet birds imported in accordance with Part 93 of this subchapter): | |
| 0–250 grams | \$1.75 |
| 251–1,000 grams | 5.75 |
| Over 1,000 grams | 13.00 |
| Domestic or zoo animals (except equines, birds, and poultry): | |
| Bison, bulls, camels, cattle, or zoo animals | 102.00 |
| All others, including, but not limited to, alpacas, llamas, goats, sheep, and swine | 27.00 |
| Equines (including zoo equines, but excluding miniature horses): | |
| 1st through 3rd day (fee per day) | 270.00 |
| 4th through 7th day (fee per day) | 195.00 |
| 8th and subsequent days (fee per day) | 166.00 |
| Miniature horses | 61.00 |
| Poultry (including zoo poultry): | |
| Doves, pigeons, quail | 3.50 |
| Chickens, ducks, grouse, guinea fowl, partridge, pea fowl, pheasants | 6.25 |
| Large poultry and large waterfowl, including, but not limited to game cocks, geese, swans, and turkeys | 15.00 |
| Ratites: | |
| Chicks (less than 3 months old) | 9.25 |
| Juveniles (3 months through 10 months old) | 14.00 |
| Adults (11 months old and older) | 27.00 |

(b) *Special requirements.* User fees for birds or poultry, including zoo birds or poultry, receiving nonstandard housing, care, or handling to meet special requirements while quarantined in an APHIS owned or operated Animal Import Center or quarantine facility are listed in the following table. The user fees listed in the table are assessed for each bird or poultry quarantined by APHIS. Special requirements may be

requested by the importer or required by an APHIS representative. Certain conditions or traits, such as pregnancy or aggression, may necessitate special requirements for certain birds or poultry. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§130.50 and 130.51.

³Regulations concerning approval of zoos and requirements for importing wild animals are found in part 93 of this chapter.

§ 130.3

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| Bird or poultry (nonstandard housing, care, or handling) | Daily user fee Beginning Oct. 1, 2003 |
|---|---|
| Birds 0-250 grams and doves, pigeons, and quail | \$5.75 |
| Birds 251-1,000 grams and poultry such as chickens, ducks, grouse, guinea fowl, partridge, pea fowl, and pheasants | 13.00 |
| Birds over 1,000 grams and large poultry and large waterfowl, including, but not limited to game cocks, geese, swans, and turkeys | 25.00 |

(c) *Feed.* The importer must either provide feed or pay for it on an actual cost basis, including the cost of delivery to the APHIS owned or operated Animal Import Center or quarantine facility, for any animal or bird that requires a diet other than standard feed, including but not limited to diets of fruit, insects, nectar, or fish.

(d) *Animal ramp.* The user fee for the transport ramp used to move animals on or off aircraft at APHIS's Animal Import/Export and Plant Inspection Station at Miami International Airport is \$151 per use. For labor services asso-

ciated with the ramp, the hourly user fees in § 130.30 will apply.

(Approved by the Office of Management and Budget under control number 0579-0094)

[63 FR 53788, Oct. 7, 1998, as amended at 65 FR 52005, Aug. 28, 2000; 68 FR 51883, Aug. 29, 2003; 68 FR 62227, Nov. 3, 2003]

§ 130.3 User fees for exclusive use of space at APHIS Animal Import Centers.

(a)(1) An importer may request to exclusively occupy a space at an APHIS animal import center. The user fees for spaces at APHIS animal import centers are listed in the following table. The person for whom the service is provided and the person requesting the service are jointly and severally liable for payment of these user fees in accordance with §§ 130.50 and 130.51.

| Animal import center | Monthly user fee Beginning Oct. 1, 2003 |
|--|---|
| Newburgh, NY: | |
| Space A—5,396 sq. ft. (503.1 sq. m.) | \$59,254 |
| Space B—8,903 sq. ft. (827.1 sq. m.) | 97,764 |
| Space C—905 sq. ft. (84.1 sq. m.) | 9,938 |

(2) Any importer who occupies space for more than 30 days must pay 1/30th of the 30-day fee for each additional day or part of a day. The person for whom the service is provided and the person requesting the service are jointly and severally liable for any additional charges.

(3) Unless the importer cancels the reservation for exclusive use of space in time to receive a refund of the reservation fee in accordance with 9 CFR 93.103, 93.204, 93.304, 93.404, or 93.504, as appropriate, the 30-day user fee will be effective as of the first day for which the importer has reserved the space, regardless of whether the user occupies the space on that date or not.

(b) Users must provide APHIS personnel at the Animal Import Center, at the time they make a reservation for quarantine space, with the following information:

(1) Species of animals and birds to be quarantined;

(2) Ages of animals and birds to be quarantined; and

(3) Sizes of animals and birds to be quarantined.

(c)(1) APHIS personnel at the Animal Import Center will determine, based on the information provided by the importer under paragraph (b) of this section, and on routine husbandry needs, the maximum number of animals and birds permitted in the requested building.