

SUBCHAPTER H—ANIMAL BREEDS

PART 151—RECOGNITION OF BREEDS AND BOOKS OF RECORD OF PUREBRED ANIMALS

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AUTHORITY: 19 U.S.C. 1202; 7 CFR 2.22, 2.80, and 371.4.

DEFINITIONS

§ 151.1 Definitions.

Words used in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand. As used in this part, the following words, names, or terms shall have the meanings set forth in this section, unless otherwise clearly indicated by the context.

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

Agent. Custom broker or other person authorized to act as agent for the importer or owner of an animal.

Animal. Any purebred animal imported specially for breeding purposes except a black, silver, or platinum fox, or any fox which is a mutation or type developed therefrom.

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

Book of record. A printed book or an approved microfilm record sponsored by a registry association and containing breeding data relative to a large number of registered purebred animals used as a basis for the issuance of pedigree certificates.

Certificates of pure breeding. A certificate issued by the Administrator, for Bureau of Customs use only, certifying that the animal to which the certificate refers is a purebred animal of a recognized breed and duly registered in a book of record recognized under the regulations in this part for that breed.

(a) *The Act.* Item 100.01 in part 1, schedule 1, of title I of the Tariff Act of 1930, as amended (19 U.S.C. 1202, schedule 1, part 1, item 100.01).

Department. The United States Department of Agriculture.

Inspector. An inspector of APHIS or of the Bureau of Customs of the United States Treasury Department authorized to perform functions under the regulations in this part.

Pedigree certificate. A document issued by a registry association giving the pedigree of an animal and certifying that it is registered in the book of record of the association issuing the document, and containing all pertinent information relating to the registered animal, such as color and natural and artificial markings, a record of the name and address of the breeder, and the name and address of each subsequent owner of the animal.

Port of entry. Any port designated under § 92.102 for birds, § 92.203 for poultry, § 92.303 for horses, § 92.403 for ruminants, or § 92.503 for swine of this chapter.

Purebred. A term applicable to animals which are the progeny of known and registered ancestors of the same recognized breed and for which at least three generations of ancestry can be traced: *Provided, however,* That in the case of sheep registered on the basis of flocks, the term is applicable to animals of a recognized breed which originate in a flock for which available breeding data, as shown in the registry association's records, establish that

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the flock has been in existence at least ten years.

[23 FR 10103, Dec. 23, 1958, as amended at 24 FR 2643, Apr. 7, 1959; 26 FR 6072, July 7, 1961; 36 FR 23356, Dec. 9, 1971; 54 FR 34969, 34970, Aug. 23, 1989; 55 FR 31562, Aug. 2, 1990]

CERTIFICATION OF PUREBRED ANIMALS

§ 151.2 Issuance of a certificate of pure breeding.

The Administrator will issue a certificate of pure breeding for an animal claimed to be entitled to free entry under the act provided the requirements of the regulations in this part are complied with. Such certificate will be presented to the owner, agent, or importer who in turn shall present it to the collector of customs at the port where customs entry is made.

[26 FR 6072, July 7, 1961, as amended at 54 FR 34969, Aug. 23, 1989]

§ 151.3 Application for certificate of pure breeding.

An application for a certificate of pure breeding executed by the owner, agent, or importer of an animal shall be made on ANH Form 17-338 (available from the collector of customs) before the animal will be examined as provided in §151.7. Such application shall be made to the inspector at the port of entry for all animals: *Provided, however*, That the application for a certificate of pure breeding for dogs, other than those regulated under §92.600 of this chapter, and cats may be made to the inspector either at the port of entry or at any other port where customs entry is made. An agent shall show the inspector written authorization from the owner or importer authorizing him to act for the owner or importer in connection with the application for a certificate of pure breeding.

(Approved by the Office of Management and Budget under control number 0579-0011)

[26 FR 6072, July 7, 1961, as amended at 36 FR 23356, Dec. 9, 1971; 48 FR 57473, Dec. 30, 1983; 55 FR 31562, Aug. 2, 1990]

§ 151.4 Pedigree certificate.

A pedigree certificate for an animal of a breed listed in §151.9 issued by the custodian of the appropriate book of

record listed in said section and on which there has been entered in accordance with the rules of entry of the registry association, a complete record of transfers of ownership from the breeder to and including the United States importer, or a complete record of transfers of ownership from the breeder to and including the person who owns the animal when it is imported into the United States and the name of the United States importer (for example, a lessee), shall be furnished by the owner, agent, or importer to the inspector at the time of the examination of the animal as provided in §151.7. The inspector will return the document to the party who submitted it. A verbatim translation of the description relating to color and markings shall appear in English in the pedigree certificate for the animal or in a separate certificate appended to the pedigree certificate.

[26 FR 6072, July 7, 1961]

§ 151.5 Alteration of pedigree certificate.

No pedigree certificate which in the opinion of the Administrator has been substantially altered will be accepted.

[23 FR 10104, Dec. 23, 1958, as amended at 54 FR 34969, Aug. 23, 1989]

§ 151.6 Statement of owner, agent, or importer as to identity of animals.

The owner, agent, or importer who applies for a certificate of pure breeding for any animal offered for duty-free entry under this part, shall execute on ANH Form 17-338 a statement that the animal so offered for entry is the animal described in the pedigree certificate furnished to the inspector as prescribed in §151.4. This form shall be presented to the inspector before the animal and pedigree certificate are examined as provided in §151.7.

[36 FR 23357, Dec. 9, 1971]

§ 151.7 Examination of animal.

(a) For the purpose of determining identity, an examination shall be made by an inspector of each animal for which free entry is claimed under the act. All animals shall be examined at the port of entry: *Provided, however*, That dogs, other than those regulated under §92.600 of this chapter, and cats