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plant that is under the direct supervision of a full-time salaried veterinarian of the national Government of the exporting region.

(Approved by the Office of Management and Budget under control number 0579–0228)

[69 FR 3823, Jan. 27, 2004. Redesignated at 70 FR 550, Jan. 4, 2005, as amended at 71 FR 4813, Jan. 30, 2006]

§ 94.27 Importation of whole cuts of boneless beef from Japan.

Notwithstanding any other provisions of this part, whole cuts of boneless beef derived from cattle that were born, raised, and slaughtered in Japan may be imported into the United States under the following conditions:

(a) The beef is prepared in an establishment that is eligible to have its products imported into the United States under the Federal Meat Inspection Act (21 U.S.C. 601 *et seq.*) and the regulations in 9 CFR 327.2 and the beef meets all other applicable requirements of the Federal Meat Inspection Act and regulations thereunder (9 CFR chapter III), including the requirements for removal of SRMs and the prohibition on the use of air-injection stunning devices prior to slaughter on cattle from which the beef is derived.

(b) The beef is derived from cattle that were not subjected to a pithing process at slaughter.

(c) An authorized veterinary official of the Government of Japan certifies on an original certificate that the above conditions have been met.

[70 FR 73918, Dec. 14, 2005]

PART 95—SANITARY CONTROL OF ANIMAL BYPRODUCTS (EXCEPT CASINGS), AND HAY AND STRAW, OFFERED FOR ENTRY INTO THE UNITED STATES

Sec.

95.1 Definitions.
95.2 Region of origin.
95.3 Byproducts from diseased animals prohibited.
95.4 Restrictions on the importation of processed animal protein, offal, tankage, fat, glands, certain tallow other than tallow derivatives, and blood and blood products due to bovine spongiform encephalopathy.
95.5 Untanned hides and skins; requirements for unrestricted entry.
95.6 Untanned hides and skins; importations permitted subject to restrictions.
95.7 Wool, hair, and bristles; requirements for unrestricted entry.
95.8 Wool, hair, and bristles; importations permitted subject to restrictions.
95.9 Glue stock; requirements for unrestricted entry.
95.10 Glue stock; importations permitted subject to restrictions.
95.11 Bones, horns, and hoofs for trophies or museums; disinfected hoofs.
95.12 Bones, horns, and hoofs; importations permitted subject to restrictions.
95.13 Bone meal for use as fertilizer or as feed for domestic animals; requirements for entry.
95.14 Blood meal, tankage, meat meal, and similar products, for use as fertilizer or animal feed; requirements for entry.
95.15 Blood meal, blood albumin, intestines, and other animal byproducts for industrial use; requirements for unrestricted entry.
95.16 Blood meal, blood albumin, intestines, and other animal byproducts for industrial use; importations permitted subject to restrictions.
95.17 Glands, organs, ox gall, and like materials; requirements for unrestricted entry.
95.18 Glands, organs, ox gall, and like materials; importations permitted subject to restrictions.
95.19 Animal stomachs.
95.20 Animal manure.
95.21 Hay and straw; requirements for unrestricted entry.
95.22 Hay and straw; importations permitted subject to restrictions.
95.23 Previously used meat covers; importations permitted subject to restrictions.
95.24 Methods for disinfection of hides, skins, and other materials.
95.25 Transportation of restricted import products; placarding cars and marking billing; unloading enroute.
95.26 Railroad cars, trucks, boats, aircraft and other means of conveyance, equipment or containers, yards, and premises; cleaning and disinfection.
95.27 Regulations applicable to products from Territorial possessions.
95.28 Hay or straw and similar material from tick-infested areas.
95.29 Certification for certain materials.
95.30 Restrictions on entry of products and byproducts of poultry, game birds, or other birds from regions where highly pathogenic avian influenza (HPAI) subtype H5N1 exists.

AUTHORITY: 7 U.S.C. 8301–8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.4.

SOURCE: 28 FR 5981, June 13, 1963, unless otherwise noted.

§ 95.1 Definitions.

Whenever in the regulations in this part the following words, names, or terms are used they shall be construed, respectively, to mean:

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

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

Animal byproducts means hides, skins, hair, wool, glue stock, bones, hoofs, horns, bone meal, hoof meal, horn meal, blood meal, meat meal, tankage, glands, organs, or other parts or products of ruminants and swine unsuitable for human consumption.

Approved chlorinating equipment means equipment approved by Veterinary Services as efficient for the disinfection of effluents against the contagions of foot-and-mouth disease and rinderpest.

Approved establishment means an establishment approved by Veterinary Services for the receipt and handling of restricted import animal byproducts.

Approved sewerage system means a drainage system equipped and operated so as to carry and dispose of sewage without endangering livestock through the contamination of streams or fields and approved by the Veterinary Services.

Approved warehouse means a warehouse having facilities approved by Veterinary Services for the handling and storage, apart from other merchandise, of restricted import products.

Blood meal means dried blood of animals.

Bone meal means ground animal bones and hoof meal and horn meal.

Bovine. *Bos taurus*, *Bos indicus*, and *Bison bison*.

Bovine spongiform encephalopathy (BSE) minimal-risk region. A region listed in § 94.18(a)(3) of this subchapter.

Department means the United States Department of Agriculture.

Deputy Administrator of Veterinary Services means the Deputy Administrator of Veterinary Services.

Direct transloading. The transfer of cargo directly from one means of conveyance to another.

Glue stock means fleshings, hide cuttings and parings, tendons, or other collagenous parts of animal carcasses.

Hay and straw means dried grasses, clovers, legumes, and similar materials or stalks or stems of various grains, such as barley, oats, rice, rye, and wheat.

Inspector. Any individual authorized by the Administrator of APHIS or the Commissioner of Customs and Border Protection, Department of Homeland Security, to enforce the regulations in this part.

Meat meal or tankage means the rendered and dried carcasses or parts of the carcasses of animals.

Offal. The inedible parts of a butchered animal that are removed in dressing, consisting largely of the viscera and the trimmings, which may include, but are not limited to, brains, thymus, pancreas, liver, heart, kidney.

Positive for a transmissible spongiform encephalopathy. A sheep or goat for which a diagnosis of a transmissible spongiform encephalopathy has been made.

Processed animal protein means meat meal, bone meal, meat and bone meal, blood meal, dried plasma and other blood products, hydrolyzed proteins, hoof meal, horn meal, poultry meal, feather meal, fish meal, and any other similar products.

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.

Specified risk materials (SRMs). Those bovine parts considered to be at particular risk of containing the bovine spongiform encephalopathy (BSE) agent in infected animals, as listed in the FSIS regulations at 9 CFR 310.22(a).

Suspect for a transmissible spongiform encephalopathy. (1) A sheep or goat that has tested positive for a transmissible spongiform encephalopathy or for the proteinase resistant protein associated with a transmissible spongiform encephalopathy, unless the animal is designated as positive for a transmissible spongiform encephalopathy; or

(2) A sheep or goat that exhibits any of the following signs and that has been determined to be suspicious for a transmissible spongiform encephalopathy by a veterinarian: Weight loss despite retention of appetite; behavior abnormalities; pruritus (itching); wool pulling; biting at legs or side; lip smacking; motor abnormalities such as incoordination, high stepping gait of forelimbs, bunny hop movement of rear legs, or swaying of back end; increased sensitivity to noise and sudden movement; tremor, ''star gazing,'' head pressing, recumbency, or other signs of neurological disease or chronic wasting.

United States means the several States, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico, the Virgin Islands of the United States, and all other territories and possessions of the United States.

Veterinary Services means the Veterinary Services unit of the Animal and Plant Health Inspection Service, United States Department of Agriculture.

[28 FR 5981, June 13, 1963, as amended at 56 FR 19796, Apr. 30, 1991; 56 FR 63869, Dec. 6, 1991; 62 FR 56024, Oct. 28, 1997; 66 FR 42600, Aug. 14, 2001; 70 FR 551, Jan. 4, 2005; 70 FR 71218, Nov. 28, 2005]

EFFECTIVE DATE NOTE: At 74 FR 66226, Dec. 15, 2009, §95.1 was amended by adding, in alphabetical order, a new definition of *bird trophy*, effective Jan. 14, 2010. For the convenience of the user, the added text is set forth as follows:

§95.1 Definitions.

* * * * *

Bird trophy. A carcass or part of a carcass of a wild bird taken as game during a hunting expedition for the purpose of processing into taxidermy mounts for personal exhibition.

* * * * *

§95.2 Region of origin.

No products or materials specified in the regulations in this part shall be imported unless there be shown upon the commercial invoice, or in some other manner satisfactory to the Deputy Administrator, Veterinary Services, the name of the region of origin of such product or material: *Provided,* That the region of origin shall be construed to mean (a) in the case of an animal byproduct, the region in which such product was taken from an animal or animals, and (b) in the case of other materials, the region in which such materials were produced.

[28 FR 5981, June 13, 1963, as amended at 62 FR 56024, Oct. 28, 1997]

§95.3 Byproducts from diseased animals prohibited.

The importation of any animal byproduct taken or removed from an animal affected with anthrax, foot-and-mouth disease, or rinderpest is prohibited.

§95.4 Restrictions on the importation of processed animal protein, offal, tankage, fat, glands, certain tallow other than tallow derivatives, and blood and blood products due to bovine spongiform encephalopathy.

(a) Except as provided in paragraphs (c) through (i) of this section, the importation of the following is prohibited:

(1) Any of the materials listed in paragraphs (a)(1)(i) through (a)(1)(iv) of this section that have been derived from animals that have been in any region listed in §94.18(a) of this chapter:

(i) Processed animal protein, tankage, offal, and tallow other than tallow derivatives, unless, in the opinion of the Administrator, the tallow cannot be used in feed, regardless of the animal species from which the material was derived;

(ii) Glands, unprocessed fat tissue, and blood and blood products derived from ruminants;

(iii) Processed fats and oils, and derivatives of processed animal protein, tankage, and offal, regardless of the animal species from which the material was derived; and

(iv) Derivatives of glands and blood and blood products derived from ruminants.

(2) Any of the materials listed in paragraphs (a)(2)(i) through (a)(2)(iv) of this section that have been stored, rendered, or otherwise processed in a region listed in § 94.18(a) of this chapter, or that have otherwise been associated with a facility in a region listed in § 94.18(a) of this chapter or with any material listed in paragraph (a)(1) through (a)(3) of this section:

(i) Processed animal protein, tankage, offal, and tallow other than tallow derivatives, unless, in the opinion of the Administrator, the tallow cannot be used in feed, regardless of the animal species from which the material was derived;

(ii) Glands and unprocessed fat tissue derived from ruminants;

(iii) Processed fats and oils, and derivatives of processed animal protein, tankage, and offal, regardless of the animal species from which the material was derived; and

(iv) Derivatives of glands from ruminants.

(3) Products containing any of the items prohibited importation under paragraphs (a)(1) and (a)(2) of this section.

(b) Except as provided in paragraphs (d), (e), and (i) of this section, the importation of serum from ruminants that have been in any region listed in § 94.18(a) of this chapter is prohibited, except that serum from ruminants may be imported for scientific, educational, or research purposes if the Administrator determines that the importation can be made under conditions that will prevent the introduction of bovine spongiform encephalopathy into the United States. Serum from ruminants imported in accordance with this paragraph must be accompanied by a permit issued by APHIS in accordance with § 104.4 of this chapter, and must be moved and handled as specified on the permit.

(c) Materials that are otherwise prohibited importation into the United States under paragraph (a) of this section may be imported into the United States if the following conditions are met prior to importation:

(1) The material is derived from a nonruminant species, or from a ruminant species if the ruminants have never been in any region listed in § 94.18(a) of this chapter.

(2) In regions listed in § 94.18(a)(1) or (a)(2) of this subchapter as regions in which BSE exists or that present an undue risk of introducing BSE into the United States, all steps of processing and storing the material are carried out in a facility that has not been used for the processing and storage of materials derived from ruminants that have been in any region listed in § 94.18(a) of this subchapter.

(3) In regions listed in § 94.18(a)(3) of this subchapter as BSE minimal-risk regions, all steps of processing and storing the material are carried out in a facility that has not been used for the processing and storage of materials derived from ruminants that have been in any region listed in § 94.18(a)(1) or (a)(2) of this subchapter as a region in which BSE exists or a region that presents an undue risk of introducing BSE into the United States.

(4) The facility demonstrates to APHIS that the materials intended for exportation to the United States were transported to and from the facility in a manner that would prevent cross-contamination by or commingling with prohibited materials.

(5) Except for facilities in regions listed in § 94.18(a)(3) of this subchapter, if the facility processes or handles any material derived from mammals, the facility has entered into a cooperative service agreement executed by the operator of the facility and APHIS. In accordance with the cooperative service agreement, the facility must be current in paying all costs for a veterinarian of APHIS to inspect the facility (it is anticipated that such inspections will occur approximately once per year), including travel, salary, subsistence, administrative overhead, and other incidental expenses (including excess baggage provisions up to 150 pounds). In addition, the facility must have on deposit with APHIS an unobligated amount equal to the cost for APHIS personnel to conduct one inspection. As funds from that amount are obligated, a bill for costs incurred based on official accounting records

will be issued to restore the deposit to the original level, revised as necessary to allow for inflation or other changes in estimated costs. To be current, bills must be paid within 14 days of receipt. In facilities in regions listed in §94.18(a)(3) of this subchapter, the inspections that would otherwise be conducted by APHIS must be conducted at least annually by a representative of the government agency responsible for animal health in the region.

(6) The facility allows periodic APHIS inspection of its facilities, records, and operations.

(7) Each shipment to the United States is accompanied by an original certificate signed by a full-time, salaried veterinarian of the government agency responsible for animal health in the region of export certifying that the conditions of paragraphs (c)(1) through (c)(4) of this section have been met; except that, for shipments of animal feed from a region listed in §94.18(a)(3) of this subchapter, the certificate may be signed by a person authorized to issue such certificates by the veterinary services of the national government of the region of origin.

(8) The person importing the shipment has applied for and obtained from APHIS a United States Veterinary Permit for Importation and Transportation of Controlled Materials and Organisms and Vectors by filing a permit application on VS form 16–3. (VS Form 16–3 may be obtained from APHIS, Veterinary Services, National Center for Import-Export, 4700 River Road Unit 38, Riverdale, MD 20737–1231, or electronically at *http://www.aphis.usda.gov/ncie.*)

(d) Except as provided in paragraph (e) of this section, the importation of serum albumin, serocolostrum, amniotic liquids or extracts, and placental liquids derived from ruminants that have been in any region listed in §94.18(a) of this chapter, and collagen and collagen products that meet any of the conditions listed in paragraphs (a)(1) through (a)(3) of this section, is prohibited unless the following conditions have been met:

(1) The article is imported for use as an ingredient in cosmetics;

(2) The person importing the article has obtained a United States Veterinary Permit for Importation and Transportation of Controlled Materials and Organisms and Vectors by filing a permit application on VS form 16–3 (VS Form 16–3 may be obtained from APHIS, Veterinary Services, National Center for Import-Export, 4700 River Road Unit 38, Riverdale, MD 20737–1231, or electronically at *http://www.aphis.usda.gov/ncie.*); and

(3) The permit application states the intended use of the article and the name and address of the consignee in the United States.

(e) Bovine blood and blood products that are otherwise prohibited importation under paragraph (a)(1) or (d) of this section may be imported into the United States if they meet the following conditions:

(1) For blood collected at slaughter and for products derived from blood collected at slaughter:

(i) The blood was collected in a closed system in which the blood was conveyed directly from the animal in a closed conduit to a closed receptacle, or was collected otherwise in a hygienic manner that prevents contamination of the blood with SRMs.

(ii) The slaughtered animal passed ante-mortem inspection and was not subjected to a pithing process or to a stunning process with a device injecting compressed air or gas into the cranial cavity;

(2) For fetal bovine serum:

(i) The blood from which the fetal bovine serum was derived was collected in a closed system in which the blood was conveyed directly from the animal in a closed conduit to a closed receptacle, or was collected otherwise in a hygienic manner that prevents contamination of the blood with SRMs;

(ii) The dam of the fetal calf passed ante-mortem inspection and was not subjected to a pithing process or to a stunning process with a device injecting compressed air or gas into the cranial cavity;

(iii) The uterus was removed from the dam's abdominal cavity intact and taken to a separate area sufficiently removed from the slaughtering area of the facility to ensure that the fetal blood was not contaminated with SRMs when collected.

(3) For blood collected from live donor bovines and for products derived

from blood collected from live donor bovines:

(i) The blood was collected in a closed system in which the blood was conveyed directly from the animal in a closed conduit to a closed receptacle, or was collected otherwise in a hygienic manner that prevents contamination of the blood with SRMs;

(ii) The donor animal was free of clinical signs of disease.

(4) Each shipment to the United States is accompanied by an original certificate signed by a full-time salaried veterinary officer of the national government of the region of origin, or issued by a veterinarian designated by or accredited by the national government of the region of origin, representing that the veterinarian issuing the certificate was authorized to do so. The certificate must state that the requirements of paragraph (e)(1), (e)(2), or (e)(3) of this section, as applicable, have been met.

(f) Insulin otherwise prohibited from importation into the United States under paragraph (a) of this section is not prohibited from importation under that paragraph if the insulin is for the personal medical use of the person importing it and if the person importing the shipment has applied for and obtained from APHIS a United States Veterinary Permit for Importation and Transportation of Controlled Materials and Organisms and Vectors by filing a permit application on VS form 16–3. (VS Form 16–3 may be obtained from APHIS, Veterinary Services, National Center for Import-Export, 4700 River Road Unit 38, Riverdale, MD 20737–1231, or electronically at *http://www.aphis.usda.gov/ncie*.

NOTE TO PARAGRAPH (f): Insulin that is not prohibited from importation under this paragraph may be prohibited from importation under other Federal laws, including the Federal Food, Drug, and Cosmetic Act, 21 U.S.C, 321 *et seq*.)

(g) Tallow otherwise prohibited importation under paragraph (a)(1) of this section may be imported into the United States if it meets the following conditions:

(1) The tallow is derived from bovines that have not been in a region listed in § 94.18(a)(1) or (a)(2) of this subchapter;

(2) The tallow is composed of a maximum level of insoluble impurities of 0.15 percent in weight;

(3) After processing, the tallow was not exposed to or commingled with any other animal origin material; and

(4) Each shipment to the United States is accompanied by an original certificate signed by a full-time salaried veterinary officer of the national government of the region of origin, or issued by a veterinarian designated by or accredited by the national government of the region of origin and endorsed by a full-time salaried veterinary officer of the national government of the region of origin, representing that the veterinarian issuing the certificate was authorized to do so. The certificate must state that the requirements of paragraphs (f)(1) through (f)(3) of this section have been met; and

(5) The shipment, if arriving at a U.S. land border port, arrives at a port listed in § 94.19(g) of this subchapter.

(h) Offal that is otherwise prohibited importation under paragraph (a)(1) of this section may be imported if the offal is derived from cervids or the offal is derived from bovines, ovines, or caprines from a region listed in § 94.18(a)(3) of this subchapter that have not been in a region listed in § 94.18(a)(1) or (a)(2) of this subchapter, and the following conditions are met:

(1) If the offal is derived from bovines, the offal:

(i) Contains no SRMs and is derived from bovines from which the SRMs were removed;

(ii) Is derived from bovines for which an air-injected stunning process was not used at slaughter; and

(iii) Is derived from bovines that are subject to a ruminant feed ban equivalent to the requirements established by the U.S. Food and Drug Administration at 21 CFR 589.2000;

(2) If the offal is derived from ovines or caprines, the offal:

(i) Is derived from ovines or caprines that were less than 12 months of age when slaughtered and that are from a flock or herd subject to a ruminant feed ban equivalent to the requirements established by the U.S. Food and Drug Administration at 21 CFR 589.2000;

(ii) Is not derived from ovines or caprines that have tested positive for or are suspect for a transmissible spongiform encephalopathy;

(iii) Is not derived from animals that have resided in a flock or herd that has been diagnosed with BSE; and

(iv) Is derived from ovines or caprines whose movement was not restricted in the BSE minimal-risk region as a result of exposure to a transmissible spongiform encephalopathy.

(3) Each shipment to the United States is accompanied by an original certificate signed by a full-time salaried veterinary officer of the national government of the region of origin, or issued by a veterinarian designated by or accredited by the national government of the region of origin and endorsed by a full-time salaried veterinary officer of the national government of the region of origin, representing that the veterinarian issuing the certificate was authorized to do so. The certificate must state that the requirements of paragraph (g)(1) or (g)(2) of this section have been met; and

(4) The shipment, if arriving at a U.S. land border port, arrives at a port listed in §94.19(g) of this subchapter.

(i) *Transit shipment of articles.* Articles that are prohibited importation into the United States in accordance with this section may transit air and ocean ports in the United States for immediate export if the conditions of paragraphs (i)(1) through (i)(3) of this section are met. If such commodities are derived from bovines, sheep, or goats from a region listed in§94.18(a)(3) of this subchapter, they are eligible to transit the United States by overland transportation if the requirements of paragraphs (i)(1) through (i)(4) of this section are met:

(1) The person moving the articles has obtained from APHIS a United States Veterinary Permit for Importation and Transportation of Controlled Materials and Organisms and Vectors by filing a permit application on VS form 16–3. (VS Form 16–3 may be obtained from APHIS, Veterinary Services, National Center for Import-Export, 4700 River Road Unit 38, Riverdale, MD 20737–1231, or electronically at *http://www.aphis.usda.gov/ncie.*)

(2) The articles are sealed in leakproof containers bearing serial numbers during transit. Each container remains sealed during the entire time that it is in the United States.

(3) The person moving the articles notifies, in writing, the inspector at both the place in the United States where the articles will arrive and the port of export before such transit. The notification includes the following:

(i) United States Veterinary Permit for Importation and Transportation of Controlled Materials and Organisms and Vectors permit number;

(ii) Times and dates of arrival in the United States;

(iii) Times and dates of exportation from the United States;

(iv) Mode of transportation; and

(v) Serial numbers of the sealed containers.

(4) The articles are eligible to enter the United States in accordance with this section and are accompanied by the certification required by this section. Additionally, the following conditions must be met:

(i) The shipment is exported from the United States within 7 days of its entry;

(ii) The commodities are not transloaded while in the United States, except for direct transloading under the supervision of an inspector, who must break the seals of the national government of the region of origin on the means of conveyance that carried the commodities into the United States and seal the means of conveyance that will carry the commodities out of the United States with seals of the U.S. Government;

(iii) A copy of the import permit required under paragraph (i)(1) of this section is presented to the inspector at the port of arrival and the port of export in the United States.

(Approved by the Office of Management and Budget under control numbers 0579–0015 and 0579–0183)

[66 FR 42600, Aug. 14, 2001, as amended at 70 FR 552, Jan. 4, 2005; 70 FR 12113, Mar. 11, 2005; 70 FR 71218, Nov. 28, 2005; 71 FR 12998, Mar. 14, 2006; 72 FR 53378, Sept. 18, 2007; 73 FR 3384, Jan. 18, 2008]

§ 95.5 Untanned hides and skins; requirements for unrestricted entry.

Untanned hides and/or skins of cattle, buffalo, sheep, goats, other ruminants, and swine which do not meet the conditions of requirements specified in any one of paragraphs (a) to (e) of this section shall not be imported except subject to handling and treatment in accordance with § 95.6 after arrival at the port of entry:

(a) Hides or skins originating in and shipped directly from a region not declared by the Secretary of Agriculture to be infected with foot-and-mouth disease or rinderpest may be imported without further restriction.

(b) Hides or skins may be imported without other restriction if found upon inspection by an inspector, or by certificate of the shipper or importer satisfactory to said inspector, to be hard dried hides or skins.

(c) Abattoir hides or skins taken from animals slaughtered under national government inspection in a region[1] and in an abattoir in which is maintained an inspection service determined by the Secretary of Agriculture to be adequate to assure that they have been removed from animals found at time of slaughter to be free from anthrax, foot-and-mouth disease, and rinderpest, and to assure further the identity of such materials until loaded upon the transporting vessel, may be imported without other restriction if accompanied by a certificate bearing the seal of the proper department of such national government and signed by an official veterinary inspector of such region showing that the therein described hides or skins were taken from animals slaughtered in such specified abattoir and found free from anthrax, foot-and-mouth disease, and rinderpest.

(d) Hides or skins may be imported without other restriction if shown upon inspection by an inspector, or by certificate of the shipper or importer satisfactory to said inspector, to have been pickled in a solution of salt containing mineral acid and packed in barrels, casks, or tight cases while still wet with such solution.

(e) Hides or skins may be imported without other restriction if shown upon inspection by an inspector, or by certificate of the shipper or importer satisfactory to said inspector, to have been treated with lime in such manner and for such period as to have become dehaired and to have reached the stage of preparation for immediate manufacture into products ordinarily made from rawhide.

(Approved by the Office of Management and Budget under control number 0579–0015)

[28 FR 5981, June 13, 1963, as amended at 48 FR 57472, Dec. 30, 1983; 62 FR 56024, Oct. 28, 1997]

EFFECTIVE DATE NOTE: At 74 FR 66226, Dec. 15, 2009, § 95.5 was revised, effective Jan. 14, 2010. For the convenience of the user, the revised text is set forth as follows:

§ 95.5 Untanned hides and skins and bird trophies; requirements for entry.

Untanned hides and skins and bird trophies[1] may be imported into the United States if they meet the requirements of this section or if they are handled at an approved establishment as set forth in § 95.6.

(a) *Untanned hides and skins.* (1) Except for ruminant hides or skins from Mexico, any untanned hides or skins of ruminants from regions free of foot-and-mouth disease and rinderpest and any untanned hides or skins of swine from regions free of foot-and-mouth disease, rinderpest, and African swine fever may be imported without further restriction.

(2) Untanned ruminant hides or skins may be imported from any region without other restriction if an inspector determines, based on inspection and upon examination of a shipper or importer certificate, that they are hard dried hides or skins.

(3) Except for ruminant hides or skins from Mexico, untanned abattoir hides or skins of ruminants may be imported from any region without other restriction if the following requirements are met:

(i) The ruminants from which the hides or skins were taken have been slaughtered under national government inspection in a region[2] and in an abattoir in which is maintained an inspection service that meets the

[1] Names of regions of this character will be furnished upon request to the Animal and Plant Health Inspection Service, Veterinary Services, National Center for Import-Export, 4700 River Road Unit 38, Riverdale, Maryland 20737–1231.

[1] The importation of bird trophies is also subject to restrictions under § 95.30.

[2] Names of these regions will be furnished upon request to the Animal and Plant Health Inspection Service, Veterinary Services, National Center for Import and Export, 4700

requirements and has been approved pursuant to part 327 of this title; and

(ii) The hides or skins are accompanied by a certificate bearing the seal of the proper department of that national government and signed by an official veterinary inspector of the region in which the ruminants were slaughtered. The certificate must state that the hides or skins were taken from ruminants slaughtered in an abattoir that meets the requirements of paragraph (a)(3)(i) of this section and that the hides or skins are free from anthrax, foot-and-mouth disease, and rinderpest.

(4) Untanned ruminant hides or skins from any region may be imported without other restriction if an inspector determines, based on inspection and upon examination of a shipper or importer certificate, that they have been pickled in a solution of salt containing mineral acid and packed in barrels, casks, or tight cases while still wet with such solution. The solution must be determined by the inspector to have a pH of less than or equal to 5.

(5) Untanned ruminant hides or skins from any region may be imported without other restriction if an inspector determines, based on inspection and upon examination of a shipper or importer certificate, that they have been treated with lime in such manner and for such period as to have obviously been processed, to have become dehaired, and to have reached the stage of preparation for immediate manufacture into products ordinarily made from rawhide.

(b) *Ruminant hides and skins from Mexico.* Ruminant hides and skins from Mexico may enter the United States without other restriction if:

(1) They have been subjected to any one of the treatments specified in paragraphs (a)(2), (a)(4), or (a)(5) of this section; or

(2) They are inspected and found to have been frozen solid for 24 hours by an inspector and are accompanied by a certificate attesting to that fact issued by the shipper or importer that is reviewed by the inspector, and are free from ticks; or

(3) They are free from ticks and are accompanied by a certificate issued by a full-time salaried veterinary officer of the Government of Mexico stating that they have been treated with an acaricide; or

(4) They are bovine hides taken from cattle that were subjected to a tickicidal dip in one of the permitted dips listed in §72.13(b) of this chapter at a Mexican facility 7 to 12 days prior to slaughter, and are free from ticks.

(c) *Bird trophies.* Bird trophies from regions designated in §94.6 of this subchapter as free of exotic Newcastle disease and free of HPAI subtype H5N1 may be imported without further restriction if accompanied by a certificate of origin issued by the national government of the region of export.

(Approved by the Office of Management and Budget under control numbers 0579–0015 and 0579–0307)

§95.6 Untanned hides and skins; importations permitted subject to restrictions.

Hides or skins offered for importation which do not meet the conditions or requirements of §95.5 shall be handled and treated in the following manner after arrival at the port of entry:

(a) They shall be consigned from the coast or border port of arrival to an approved establishment and shall be subject to disinfection by such method or methods as the Deputy Administrator, Veterinary Services may prescribe unless the said establishment discharges drainage into an approved sewerage system or has an approved chlorinating equipment adequate for the proper disinfection of effluents: *Provided, however,* That upon permission of the Deputy Administrator, Veterinary Services such hides or skins may be stored for a temporary period in approved warehouses under bond, and under the supervision of an inspector: *And provided further,* That I. T. or inbound shipments of hides or skins may go forward under customs seals from a coast or border port of arrival, with the approval of an inspector at said port, to another port in the United States for consumption entry subject to the other provisions of this section.

(b) They shall be moved from the coast or border port of arrival or, in case of I. T. or in-bound shipments, from the interior port to the approved establishment in cars or trucks or in vessel compartments with no other materials contained therein, sealed with seals of the Department, which shall not be broken except by inspectors or other persons authorized by the Deputy Administrator, Veterinary Services so to do, or without sealing as aforesaid and with other freight when packed in tight cases or casks acceptable to the inspector in charge at the port of entry.

River Road Unit 38, Riverdale, Maryland 20737-1231.

(c) They shall be handled at the approved establishment under the direction of an inspector in a manner approved by the Deputy Administrator, Veterinary Services to guard against the dissemination of foot-and-mouth disease and rinderpest. They shall not be removed therefrom except upon special permission of the Deputy Administrator, Veterinary Services and upon compliance with all the conditions and requirements of this section relative to the movement of the said hides and skins from the port of arrival to the said establishment.

(Approved by the Office of Management and Budget under control number 0579–0015)

[28 FR 5981, June 13, 1963, as amended by 59 FR 67134, Dec. 29, 1994]

EFFECTIVE DATE NOTE: At 74 FR 66227, Dec. 15, 2009, § 95.6 was amended in the section heading, by removing the words ''and skins'' and adding the words '', skins, and bird trophies'' in their place; in the introductory text, by adding the words ''or bird trophies'' after the word ''skins''; in paragraph (a), by adding the words ''or bird trophies'' after the word ''skins'' each time it appears; in paragraph (c), in the first sentence, by removing the words ''and rinderpest'' and adding the words '', rinderpest, African swine fever, and exotic Newcastle disease'' after the words ''foot-and-mouth disease'' and, in the second sentence, by adding the words ''or bird trophies'' after the word ''skins'', effective Jan. 14, 2010.

§ 95.7 Wool, hair, and bristles; requirements for unrestricted entry.

Wool, hair, or bristles derived from ruminants and/or swine which do not meet the conditions or requirements specified in any one of paragraphs (a) to (d) of this section shall not be imported except subject to handling and treatment in accordance with § 95.8 after their arrival at the port of entry: *Provided, however,* That no bloodstained wool, hair, or bristles shall be imported under any condition:

(a) Such wool, hair, or bristles may be imported without other restriction if originating in and shipped directly from a region not declared by the Secretary of Agriculture to be infected with foot-and-mouth disease or rinderpest.

(b) Wool or hair clipped from live animals or pulled wool or hair may be imported without other restriction if the said wool or hair is reasonably free from animal manure in the form of dung locks or otherwise.

(c) Wool, hair, or bristles taken from sheep, goats, cattle, or swine, when such animals have been slaughtered under national government inspection in a region[1] and in an abattoir in which is maintained an inspection service determined by the Secretary of Agriculture to be adequate to assure that such materials have been removed from animals found at time of slaughter to be free from anthrax, foot-and-mouth disease, and rinderpest, and to assure further the identity of such materials until loaded upon the transporting vessel, may be imported without other restriction if accompanied by a certificate bearing the seal of the proper department of said national government and signed by an official veterinary inspector of such region showing that the therein described wool, hair, or bristles were taken from animals slaughtered in such specified abattoir and found free from anthrax, foot-and-mouth disease, and rinderpest.

(d) Wool, hair, or bristles which have been scoured, thoroughly washed, or dyed may be imported without other restriction.

(Approved by the Office of Management and Budget under control number 0579–0015)

[28 FR 5981, June 13, 1963, as amended at 48 FR 57472, Dec. 30, 1983; 62 FR 56024, Oct. 28, 1997]

EFFECTIVE DATE NOTE: At 74 FR 66226, Dec. 15, 2009, § 95.7 was amended by redesignating footnote 1 as footnote 3 and revising it to read as follows: ''See footnote 2 in § 95.5'', effective Jan. 14, 2010.

§ 95.8 Wool, hair, and bristles; importations permitted subject to restrictions.

Wool, hair, or bristles offered for importation which do not meet the conditions or requirements of § 95.7 shall be handled and treated in the following manner after arrival at the port of entry:

(a) Such wool, hair, or bristles shall be consigned from the coast or border port of arrival to an approved establishment: *Provided, however,* That upon

[1] See footnote 1 to § 95.5.

permission by the Deputy Administrator, Veterinary Services such wool, hair, or bristles may be stored for a temporary period in approved warehouses under bond and under the supervision of an inspector: *And provided further*, That I. T. on in-bond shipments of wool, hair, or bristles may go forward under customs seals from a coast or border port of arrival, with the approval of an inspector at said port, to another port for consumption entry, subject to the other provisions of this section.

(b) Such wool, hair, or bristles shall be moved from the coast or border port of arrival or, in the case of I. T. or in-bond shipments, from the interior port to the establishment in cars or trucks or in vessel compartments with no other materials contained therein, sealed with seals of the Department, which shall not be broken except by inspectors or other persons authorized by the Deputy Administrator, Veterinary Services so to do, or without sealing as aforesaid and with other freight when packed in tight cases acceptable to an inspector.

(c) Such wool, hair, or bristles shall be handled at the establishment under the direction of an inspector in a manner approved by the Deputy Administrator, Veterinary Services to guard against the dissemination of foot-and-mouth disease and rinderpest. Such products shall not be removed therefrom except upon special permission of the Deputy Administrator, Veterinary Services and upon compliance with all the conditions and requirements of this section relative to the movement of the said wool, hair, or bristles from the port of arrival to the said establishment.

(Approved by the Office of Management and Budget under control number 0579–0015)

[28 FR 5981, June 13, 1963, as amended by 59 FR 67134, Dec. 29, 1994]

§95.9 Glue stock; requirements for unrestricted entry.

Glue stock which does not meet the conditions or requirements specified in any one of paragraphs (a) to (c) of this section shall not be imported except subject to handling and treatment in accordance with §95.10 after arrival at the port of entry:

(a) Glue stock originating in and shipped directly from a region not declared by the Secretary of Agriculture to be infected with foot-and-mouth disease or rinderpest may be imported without other restriction.

(b) Glue stock may be imported without other restriction if found upon inspection by an inspector, or by certificate of the shipper or importer satisfactory to said inspector, to have been properly treated by acidulation or by soaking in milk of lime or a lime paste; or to have been dried so as to render each piece of the hardness of a sun-dried hide.

(c) Glue stock taken from cattle, sheep, goats, or swine slaughtered under national government inspection in a region[1] and in an abattoir in which is maintained an inspection service determined by the Secretary of Agriculture to be adequate to assure that such materials have been removed from animals found at time of slaughter to be free from anthrax, foot-and-mouth disease, and rinderpest, and to assure further the identity of such materials until loaded upon the transporting vessel, may be imported without other restriction if accompanied by a certificate bearing the seal of the proper department of said national government and signed by an official veterinary inspector of such region showing that the therein described glue stock was taken from animals slaughtered in such specified abattoir and found free from anthrax foot-and-mouth disease, and rinderpest.

(Approved by the Office of Management and Budget under control number 0579–0015)

[28 FR 5981, June 13, 1963, as amended at 48 FR 57472, Dec. 30, 1983; 62 FR 56024, Oct. 28, 1997]

EFFECTIVE DATE NOTE: At 74 FR 66226, Dec. 15, 2009, §95.9 was amended by redesignating footnote 1 as footnote 4 and revising it to read as follows: ''See footnote 2 in §95.5'', effective Jan. 14, 2010.

§95.10 Glue stock; importations permitted subject to restrictions.

Glue stock offered for importation which does not meet the conditions or requirements of §95.9 shall be handled

[1] See footnote 1 to §95.5.

and treated in the following manner after arrival at the port of entry:

(a) It shall be consigned from the coast or border port of arrival to an approved establishment and shall be subject to disinfection by such method or methods as the Deputy Administrator, Veterinary Services may prescribe unless the said establishment discharges drainage into an approved sewerage system or has an approved chlorinating equipment adequate for the proper disinfection of effluents: *Provided, however,* That upon permission by the Deputy Administrator, Veterinary Services glue stock may be stored for a temporary period in approved warehouses under bond and under the supervision of an inspector: *And provided further,* That I. T. or in-bond shipments of glue stock may go forward under customs seals from a coast or border port of arrival with the approval of an inspector at said port to another port for consumption entry, subject, after arrival at the latter port, to the other provisions of this section.

(b) It shall be moved from the coast or border port of arrival or, in case of I. T. or in-bond shipments, from the interior port to the establishment in cars or trucks or in vessel compartments with no other materials contained therein, sealed with seals of the Department, which shall not be broken except by inspectors or other persons authorized by the Deputy Administrator, Veterinary Services so to do, or without sealing as aforesaid and with other freight when packed in tight cases or casks acceptable to an inspector at port of entry.

(c) It shall be handled at the establishment under the direction of an inspector in a manner approved by the Deputy Administrator, Veterinary Services to guard against the dissemination of foot-and-mouth disease and rinderpest. It shall not be removed therefrom except upon special permission of the Deputy Administrator, Veterinary Services and upon compliance with all the conditions and requirements of this section relative to the movement of the said glue stock from the port of arrival to the said establishment.

(Approved by the Office of Management and Budget under control number 0579–0015)

[28 FR 5981, June 13, 1963, as amended by 59 FR 67134, Dec. 29, 1994]

§ 95.11 Bones, horns, and hoofs for trophies or museums; disinfected hoofs.

(a) Clean, dry bones, horns, and hoofs, that are free from undried pieces of hide, flesh, and sinew and are offered for entry as trophies or for consignment to museums may be imported without other restrictions.

(b) Clean, dry hoofs disinfected in the region of origin may be imported without other restrictions if the following conditions are met:

(1) The hoofs have been disinfected using one of the following methods:

(i) Dry heat at 180°F (82.2°C) for 30 minutes;

(ii) Soaking in boiling water for 20 minutes;

(iii) Soaking in a 0.1 percent chlorine bleach solution for 2 hours;

(iv) Soaking in a 5 percent acetic acid solution for 2 hours; or

(v) Soaking in a 5 percent hydrogen peroxide solution for 2 hours.

(2) The hoofs are accompanied by a certificate issued by the national government of the region of origin and signed by an official veterinary inspector of that region stating that the hoofs have been disinfected and describing the manner in which the disinfection was accomplished.

[28 FR 5981, June 13, 1963, as amended at 59 FR 9400, Feb. 28, 1994; 62 FR 56024, Oct. 28, 1997]

§ 95.12 Bones, horns, and hoofs; importations permitted subject to restrictions.

Bones, horns, and hoofs offered for importation which do not meet the conditions or requirements of § 95.11 shall be handled and treated in the following manner after arrival at the port of entry:

(a) They shall be consigned from the coast or border port of arrival to an approved establishment having facilities for their disinfection or their conversion into products customarily made from bones, horns, or hoofs: *Provided,*

however, That I. T. or in-bond shipments of bones, horns, or hoofs may go forward under customs seals from a coast or border port of arrival, with the approval of an inspector at said port, to another port for consumption entry subject to the other provisions of this section.

(b) They shall be moved from the coast or border port of arrival or, in case of I. T. or in-bond shipments, from the interior port to the establishment in cars or trucks with no other materials contained therein, sealed with seals of the Department, which shall not be broken except by inspectors or other persons authorized by the Deputy Administrator, Veterinary Services so to do, or without sealing as aforesaid and with other freight when packed in tight cases or casks acceptable to an inspector at the port of entry.

(c) They shall be handled at the establishment under the direction of an inspector in a manner to guard against the dissemination of anthrax, foot-and-mouth disease, and rinderpest, and the bags, burlap, or other containers thereof, before leaving the establishment, shall be disinfected by heat or otherwise, as directed by the Deputy Administrator, Veterinary Services or burned at the establishment. They shall not be removed therefrom except upon special permission of the Deputy Administrator, Veterinary Services and upon compliance with all the conditions and requirements of this section relative to the movement of the said bones, horns, and hoofs.

(Approved by the Office of Management and Budget under control number 0579–0015)

[28 FR 5981, June 13, 1963, as amended by 59 FR 67134, Dec. 29, 1994]

§95.13 Bone meal for use as fertilizer or as feed for domestic animals; requirements for entry.

Steamed or degelatinized or special steamed bone meal, which, in the normal process of manufacture, has been prepared by heating bone under a minimum of 20 pounds steam pressure for at least one hour at a temperature of not less than 250 °Fahrenheit (121 °Centigrade), may be imported without further restrictions for use as fertilizer or as feed for domestic animals if such products are free from pieces of bone, hide, flesh, and sinew and contain no more than traces of hair and wool. Bone meal for use as fertilizer or as feed for domestic animals which does not meet these requirements will not be eligible for entry.

§95.14 Blood meal, tankage, meat meal, and similar products, for use as fertilizer or animal feed; requirements for entry.

Dried blood or blood meal, lungs or other organs, tankage, meat meal, wool waste, wool manure, and similar products, for use as fertilizer or as feed for domestic animals, shall not be imported except subject to handling and treatment in accordance with paragraphs (a), (b), and (c) of §95.16, unless:

(a) Such products originated in and were shipped directly from a region not declared by the Secretary of Agriculture to be infected with foot-and-mouth disease or rinderpest; or

(b) The inspector at the port of entry finds that such products have been fully processed by tanking under live steam or by dry rendering.

[28 FR 5981, June 13, 1963, as amended at 62 FR 56024, Oct. 28, 1997]

§95.15 Blood meal, blood albumin, intestines, and other animal byproducts for industrial use; requirements for unrestricted entry.

Blood meal, blood albumin, bone meal, intestines, or other animal materials intended for use in the industrial arts shall not be imported except subject to handling and treatment in accordance with §95.16, unless such products originated in and were shipped directly from a region not declared by the Secretary of Agriculture to be infected with foot-and-mouth disease or rinderpest.

(Approved by the Office of Management and Budget under control number 0579–0015)

[28 FR 5981, June 13, 1963, as amended by 59 FR 67134, Dec. 29, 1994; 62 FR 56024, Oct. 28, 1997]

§95.16 Blood meal, blood albumin, intestines, and other animal byproducts for industrial use; importations permitted subject to restrictions.

Blood meal, blood albumin, bone meal, intestines, or other animal materials intended for use in the industrial

arts, which do not meet the conditions or requirements of § 95.15 shall be handled and treated in the following manner after arrival at the port of entry.

(a) They shall be consigned from the coast or border port of arrival to an approved establishment: *Provided, however*, That upon permission by the Deputy Administrator, Veterinary Services they may be stored for a temporary period in approved warehouses under bond and under the supervision of an inspector: *And provided further*, That I. T. or in-bond shipments of such products may go forward under customs seals from a coast or border port of arrival, with the approval of an inspector at said port, to another port of consumption entry, subject after arrival at the latter port to the other provisions of this section.

(b) They shall be moved from the coast or border port of arrival or, in the case of I. T. or in-bond shipments, from the interior port to the establishment in cars or trucks or in vessel compartments with no other materials contained therein, sealed with seals of the Department, which shall not be broken except by Veterinary Services inspectors or other persons authorized by the Deputy Administrator, Veterinary Services so to do, or without sealing as aforesaid and with other freight when packed in tight cases or casks acceptable to an inspector at the port of entry.

(c) They shall be handled at the establishment under the direction of an inspector in a manner to guard against the dissemination of foot-and-mouth disease and rinderpest. They shall not be removed therefrom except upon special permission of the Deputy Administrator, Veterinary Services and upon compliance with all the conditions and requirements of this section relative to the movement of the said products from the port of arrival to the said establishment.

(Approved by the Office of Management and Budget under control number 0579–0015)

[28 FR 5981, June 13, 1963, as amended by 59 FR 67134, Dec. 29, 1994]

§ 95.17 Glands, organs, ox gall, and like materials; requirements for unrestricted entry.

Glands, organs, ox gall or bile, bone marrow, and various like materials derived from domestic ruminants or swine, intended for use in the manufacture of pharmaceutical products shall not be imported except subject to handling and treatment in accordance with § 95.18, unless such glands, organs, or materials originated in and were shipped directly from a region not declared by the Secretary of Agriculture to be infected with foot-and-mouth disease or rinderpest.

[28 FR 5981, June 13, 1963, as amended at 62 FR 56024, Oct. 28, 1997]

§ 95.18 Glands, organs, ox gall, and like materials; importations permitted subject to restrictions.

Glands, organs, ox gall or bile, bone marrow, and various like materials derived from domestic ruminants or swine, which do not meet the requirements of § 95.17 may be imported for pharmaceutical purposes if in tight containers and consigned to an approved establishment: *Provided, however*, That upon special permission of the Deputy Administrator, Veterinary Services they may be stored for a temporary period in approved warehouses under bond and under the supervision of an inspector. They shall be handled and processed at the said establishment in a manner approved by the Deputy Administrator, Veterinary Services and the containers shall be destroyed or disinfected as prescribed by him. They shall not be removed therefrom except upon special permission of the Deputy Administrator, Veterinary Services and upon compliance with all the conditions and requirements of this section relative to the movement of the said glands, organs, ox gall, and like materials from the port of arrival to the said establishment.

(Approved by the Office of Management and Budget under control number 0579–0015)

[28 FR 5981, June 13, 1963, as amended at 59 FR 67134, Dec. 29, 1994]

§ 95.19 Animal stomachs.

Stomachs or portions of the stomachs of ruminants or swine, other than

those imported for food purposes under the meat-inspection regulations of the Department, shall not be imported without permission from the Deputy Administrator, Veterinary Services. Importations permitted shall be subject to such restrictions as the Deputy Administrator, Veterinary Services may deem necessary in each instance.

(Approved by the Office of Management and Budget under control number 0579–0015)

[28 FR 5981, June 13, 1963, as amended by 59 FR 67134, Dec. 29, 1994]

§95.20 Animal manure.

Manure of horses, cattle, sheep, other ruminants, and swine shall not be imported except upon permission from the Deputy Administrator, Veterinary Services. Importations permitted shall be subject to such restrictions as he may deem necessary in each instance: *Provided, however,* That manure produced by animals while in transit to the United States shall be subject only to the requirements of the Department regulations governing the importation of domestic livestock and other animals.

(Approved by the Office of Management and Budget under control number 0579–0015)

[28 FR 5981, June 13, 1963, as amended by 59 FR 67134, Dec. 29, 1994]

§95.21 Hay and straw; requirements for unrestricted entry.

Except as provided in §95.28, hay or straw shall not be imported except subject to handling and treatment in accordance with §95.22 after arrival at the port of entry, unless such hay or straw originated in and was shipped directly from a region not declared by the Secretary of Agriculture to be infected with foot-and-mouth disease or rinderpest.

[28 FR 5981, June 13, 1963, as amended at 62 FR 56024, Oct. 28, 1997]

§95.22 Hay and straw; importations permitted subject to restrictions.

Except as provided in §95.28, hay or straw which does not meet the conditions or requirements of §95.21 shall be handled and treated in the following manner upon arrival at the port of entry:

(a) Hay or straw packing materials shall be burned or disinfected at the expense of the importer or consignee in the manner and at the time directed by the Deputy Administrator, Veterinary Services.

(b) Hay or straw for use as feeding material, bedding, or similar purposes shall be stored and held in quarantine for a period of not less than 90 days in an approved warehouse at the port of entry and shall be otherwise handled as directed by the Deputy Administrator, Veterinary Services.

§95.23 Previously used meat covers; importations permitted subject to restrictions.

Cloth or burlap which has been used to cover fresh or frozen meats originating in any region designated in §94.1 of this subchapter as a region in which rinderpest or foot-and-mouth disease exists, shall not be imported except under the following conditions:

(a) The cloth or burlap shall be consigned from the coast or border port of arrival to an establishment specifically approved for the purpose by the Deputy Administrator, Veterinary Services.

(b) The cloth or burlap shall be immediately moved from the coast or border port of arrival, or in case of I. T. or in-bond shipments from the interior port, to the establishment, in railroad cars or trucks, or in vessel compartments, with no other material contained therein, sealed with seals of the Department, which shall not be broken except by inspectors or other persons authorized by the Deputy Administrator, Veterinary Services: *Provided, however,* That upon permission of the Deputy Administrator, Veterinary Services, such cloth or burlap may be stored for a temporary period in approved warehouses at the port of arrival under bond and under the supervision of an inspector.

(c) The material shall be disinfected and otherwise handled at the establishment under the direction of an inspector in a manner approved by the Deputy Administrator, Veterinary Services to guard against the dissemination of foot-and-mouth disease and rinderpest, and the material shall not be removed therefrom, except upon special

permission of the Deputy Administrator, Veterinary Services, until all of the conditions and requirements of this section have been complied with.

(Approved by the Office of Management and Budget under control number 0579–0015)

[28 FR 5981, June 13, 1963, as amended by 59 FR 67134, Dec. 29, 1994; 62 FR 56024, Oct. 28, 1997]

§ 95.24 Methods for disinfection of hides, skins, and other materials.

Hides, skins, and other materials required by the regulations in this part to be disinfected shall be subjected to disinfection by methods found satisfactory and approved from time to time by the Deputy Administrator, Veterinary Services.

§ 95.25 Transportation of restricted import products; placarding cars and marking billing; unloading enroute.

(a) Transportation companies or other operators of cars, trucks or other vehicles carrying import products or materials moving under restriction, other than those in tight cases or casks, shall affix to and maintain on both sides of all such vehicles durable placards not less than 5½ by 6 inches in size, on which shall be printed with permanent black ink and in boldface letters not less than 1½ inches in height the words ''Restricted import product.'' These placards shall also bear the words ''Clean and disinfect this car or truck.'' Each of the waybills, conductors' manifests, memoranda, and bills of lading pertaining to such shipments shall have the words ''Restricted import product, clean and disinfect car or truck,'' plainly written or stamped upon its face. If for any reason the placards required by this section have not been affixed to each car, or the billing has not been marked by the initial or the connecting carrier, or the placards have been removed, destroyed, or rendered illegible, the placards shall be immediately affixed or replaced and the billing marked by the initial or connecting carrier, the intention being that the billing accompanying the shipment shall be marked and each car, truck or other vehicle placarded as specified in this section from the time such shipment leaves the port of entry until it is unloaded at final destination and the cars, trucks or other vehicles are cleaned and disinfected as required by § 95.26.

(b) If it is necessary to unload enroute any of the materials or products transported in a placarded car, truck or other vehicle as provided in this section, the car, truck or other vehicle from which the transfer is made and any part of the premises in or upon which the product or material may have been placed in the course of unloading or reloading shall be cleaned and disinfected by the carrier, in accordance with the provisions of § 95.26, and the said carrier shall immediately report the matter, by telegraph, to the Deputy Administrator, Veterinary Services, Washington, DC 20251. Such report shall include the following information: Nature of emergency; place where product or material was unloaded; original points of shipment and destination; number and materials of the original car or truck; and number and initials of the car, truck or other vehicle into which the product or material is reloaded in case the original car or truck is not used.

(Approved by the Office of Management and Budget under control number 0579–0015)

[28 FR 5981, June 13, 1963, as amended at 48 FR 57472, Dec. 30, 1983]

§ 95.26 Railroad cars, trucks, boats, aircraft and other means of conveyance, equipment or containers, yards, and premises; cleaning and disinfection.

Railroad cars, trucks, boats, aircraft and other means of conveyance, equipment or containers, yards, and premises which have been used in the transportation, handling, or storing of restricted import products or materials, other than those contained in leak proof cases or casks, shall be cleaned and disinfected with a disinfectant approved for use in this part under the supervision of the division at the time and in the manner provided in this section. Except as provided in paragraph (a) of this section, such railroad cars, trucks, boats, aircraft and other means of conveyance, equipment or containers, shall not be moved in interstate or foreign commerce until they have been so treated.

(a) *Cars to be cleaned and disinfected by final carrier at destination.* Cars required by this part to be cleaned and disinfected shall be so treated by the final carrier at destination as soon as possible after unloading and before the same are moved from such final destination for any purpose: *Provided, however,* That when the products or materials are destined to points at which an inspector or other duly authorized representative of Veterinary Services is not maintained or where proper facilities cannot be provided, the transportation company shall seal, bill, and forward the cars in which the products or materials were transported to a point to be agreed upon between the transportation company and Veterinary Services, and the transportation company shall there clean and disinfect the said cars under the supervision of Veterinary Services.

(b) *Methods of cleaning and disinfecting.* (1) Railroad cars, trucks, aircraft and means of conveyance other than boats, equipment or containers, required by this part to be cleaned and disinfected shall be treated in the following manner: Collect all litter and other refuse therefrom and destroy by burning or other approved method, clean the exterior and interior of the cars or trucks, and the areas of the aircraft or other means of conveyance, equipment or containers that may have been contaminated, and saturate the entire surface with a permitted disinfectant approved for use in this part.

(2) Boats required by this part to be cleaned and disinfected shall be treated in the following manner: Collect all litter and other refuse from the decks, compartments, and all other parts of the boat used for the transportation of the products or materials covered by this part, and from the portable chutes or other appliances, fixtures or areas used in loading and unloading same, and destroy the litter and other refuse by burning or by other approved methods, and saturate the entire surface of the said decks, compartments, and other parts of the boat with a permitted disinfectant approved for use in this part.

(3) Buildings, sheds, and premises required by this part to be disinfected shall be treated in the following manner: Collect all litter and other refuse therefrom and destroy the same by burning or other approved methods, and saturate the entire surface of the fencing, chutes, floors, walls, and other parts with a permitted disinfectant approved for use in this part.

(c) *Permitted disinfectants.* The disinfectants permitted for use in disinfecting railroad cars, trucks, boats, aircraft and other means of conveyance, equipment or containers, yards, and premises against infection of foot-and-mouth disease and rinderpest are freshly prepared solutions of:

(1) Sodium carbonate (4 percent) in the proportion of 1 pound to 3 gallons of water.

(2) Sodium carbonate (4 percent) plus sodium silicate (0.1 percent) in the proportion of 1 pound of sodium carbonate plus sodium silicate to 3 gallons of water.

(3) Sodium hydroxide (Lye) prepared in a fresh solution in the proportion of not less than 1 pound avoirdupois of sodium hydroxide of not less than 95 percent purity to 6 gallons of water, or one 13½-ounce can to 5 gallons of water.[2]

(d) *Permitted disinfectants against ticks.* The disinfectants permitted for use against tick infestation are liquefied phenol (U. S. P. strength 87 percent phenol) in the proportion of at least 6 fluid ounces to one gallon of water; or chlorinated lime (U. S. P. strength 30 percent available chlorine) in the proportion of one pound to three gallons of water; or any one of the cresylic disinfectants permitted by the Animal and Plant Health Inspection Service in the proportion of at least four fluid ounces to one gallon of water; or through application of boiling water if the treatment is against rinder-pest or foot-and-mouth disease and tick infestation; or other disinfectants or treatments approved by the

[2] Due to the extreme caustic nature of sodium hydroxide solution, precautionary measures such as the wearing of rubber gloves, boots, raincoat and goggles should be observed. An acid solution such as vinegar shall be kept readily available in case any of the sodium hydroxide solution should come in contact with the body.

Deputy Administrator, Veterinary Services.

[28 FR 5981, June 13, 1963, as amended at 32 FR 19157, Dec. 20, 1967]

EFFECTIVE DATE NOTE: At 74 FR 66226, Dec. 15, 2009, § 95.26 was amended by redesignating footnote 2 as footnote 5, effective Jan. 14, 2010.

§ 95.27 Regulations applicable to products from Territorial possessions.

The regulations in this part shall be applicable to all the products and materials specified in this part which are offered for entry into the United States from any place under the jurisdiction of the United States to which the animal-quarantine laws of this country do not apply.

§ 95.28 Hay or straw and similar material from tick-infested areas.

Hay or straw, grass, or similar material from tick-infested pastures, ranges, or premises may disseminate the contagion of splenetic, Southern or Texas fever when imported for animal feed or bedding; therefore, such hay or straw, grass, or similar materials shall not be imported unless such material is first disinfected with a disinfectant specified in § 95.26(d).

§ 95.29 Certification for certain materials.

(a) In addition to meeting any other certification or permit requirements of this chapter, the following articles may be imported into the United States from any region not listed in § 94.18(a) only if they are accompanied by a certificate, as described in paragraph (b) of this section:

(1) Processed animal protein, tankage, offal, and tallow other than tallow derivatives, unless, in the opinion of the Administrator, the tallow cannot be used in feed, regardless of the animal species from which the material is derived;

(2) Glands and unprocessed fat tissue derived from ruminants;

(3) Processed fats and oils, and derivatives of processed animal protein, tankage, and offal, regardless of the animal species from which the material is derived;

(4) Derivatives of glands from ruminants; and

(5) Any product containing any of the materials listed in paragraphs (a)(1) through (a)(4) of this section.

(b) The certificate required by paragraph (a) of this section must be an original official certificate, signed by a full-time, salaried veterinarian of the agency responsible for animal health in the exporting region, that states the following:

(1) The animal species from which the material was derived;

(2) The region in which any facility where the material was processed is located;

(3) That the material was derived only from animals that have never been in any region listed in § 94.18(a) of this chapter, with the regions listed in § 94.18(a) specifically named;

(4) That the material did not originate in, and was never stored in, rendered or processed in, or otherwise associated with a facility in a region listed in § 94.18(a); and

(5) The material was never associated with any of the materials listed in paragraph (a) of this section that have been in a region listed in § 94.18(a).

(c) The certification required by paragraph (a) of this section must clearly correspond to the shipment by means of an invoice number, shipping marks, lot number, or other method of identification.

(Approved by the Office of Management and Budget under control number 0579–0183)

[66 FR 42601, Aug. 14, 2001]

§ 95.30 Restrictions on entry of products and byproducts of poultry, game birds, or other birds from regions where highly pathogenic avian influenza (HPAI) subtype H5N1 exists.

(a) Products or byproducts, including feathers, birds' nests, and bird trophies, of poultry, game birds, or other birds may be imported from a region listed in § 94.6(d) of this subchapter as a region where HPAI subtype H5N1 exists only if the Administrator has determined that the importation can be made under conditions that will prevent the introduction of HPAI subtype H5N1 into the United States. The articles must be accompanied by a permit

obtained from APHIS prior to the importation in accordance with paragraph (b) of this section, and they must be moved and handled as specified on the permit to prevent the introduction of HPAI subtype H5N1 into the United States.

(b) To apply for a permit, contact the Animal and Plant Health Inspection Service, Veterinary Services, National Center for Import and Export, 4700 River Road Unit 38, Riverdale, Maryland 20737–1231.

(Approved by the Office of Management and Budget under control number 0579–0245)

[69 FR 25826, May 10, 2004]

PART 96—RESTRICTION OF IMPORTATIONS OF FOREIGN ANIMAL CASINGS OFFERED FOR ENTRY INTO THE UNITED STATES

Sec.

96.1 Definitions.
96.2 Prohibition of casings due to African swine fever and bovine spongiform encephalopathy.
96.3 Certificate for animal casings.
96.4 Uncertified animal casings; disposition.
96.5 Instructions regarding handling certified animal casings.
96.6 Certified foreign animal casings arriving at seaboard or border port.
96.7 Dried bladders, weasands, and casings.
96.8 Uncertified casings; disinfection at seaboard port.
96.9 Casings admitted on disinfection; sealing; transfer and disinfection.
96.10 Uncertified casings; transportation for disinfection; original shipping containers; disposition of salt.
96.11 Disinfecting plant and equipment for uncertified casings.
96.12 Uncertified casings not disinfected in 30 days; disposition.
96.13 Uncertified casings; disinfection with hydrochloric acid.
96.14 Uncertified casings; disinfection with saturated brine solution.

AUTHORITY: 7 U.S.C. 8301–8317; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.4.

SOURCE: 28 FR 5986, June 13, 1963, unless otherwise noted.

§96.1 Definitions.

Administrator. The Administrator, Animal and Plant Health Inspector 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 or Service).

Animal casings. Intestines, stomachs, esophagi, and urinary bladders from cattle, sheep, swine, or goats that are used to encase processed meats in foods such as sausage.

APHIS representative. An individual employed by APHIS who is authorized to perform the function involved.

Authorized inspector. Any individual authorized by the Administrator of APHIS or the Commissioner of Customs and Border Protection, Department of Homeland Security, to enforce the regulations in this subpart.

Department. The United States Department of Agriculture.

Food and Drug Administration. The Food and Drug Administration of the United States Department of Health and Human Services.

Food Safety and Inspection Service. The Food Safety and Inspection Service of the United States Department of Agriculture.

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

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.

United States. All of the States of the United States, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico, the Virgin Islands of the United States, American Samoa, and the territories and possessions of the United States.

(Approved by the Office of Management and Budget under control number 0579–0015)

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