

deemed negligible by cooperating State and Federal animal health officials.

[65 FR 63517, Oct. 23, 2000, as amended at 71 FR 24806, Apr. 27, 2006]

§ 77.40 Procedures for and interstate movement to necropsy and slaughter.

(a) *Procedures for necropsy and slaughter.* (1) A necropsy must be performed by or under the supervision of a veterinarian who is employed by USDA or employed by the State in which the captive cervid was classified, and who is trained in tuberculosis necropsy procedures.

(2) If, upon necropsy, a captive cervid is found without evidence of *M. bovis* infection by histopathology and culture, the captive cervid will be considered negative for tuberculosis.

(3) Reactors, suspects, and exposed captive cervids may be slaughtered only at an approved slaughtering establishment, as defined in § 77.20.

(b) *Interstate movement to necropsy or slaughter*—(1) *Permit.* Any reactor, suspect, or exposed captive cervid to be moved interstate to necropsy or slaughter must be accompanied by a permit issued by a representative of APHIS, a State representative, or an accredited veterinarian. The captive cervid must remain on the premises where it was identified as a reactor, suspect, or exposed captive cervid until a permit for its movement is obtained. No stopover or diversion from the destination listed on the permit is allowed. If a change in destination becomes necessary, a new permit must be obtained from a cooperating State or Federal animal health official or an accredited veterinarian before the interstate movement begins. The permit must list:

(i) The classification of the captive cervid (reactor, suspect, or exposed);

(ii) The reactor eartag number or, for suspects and exposed captive cervids, the official eartag or other approved identification number;

(iii) The owner's name and address;

(iv) The origin and destination of the captive cervids;

(v) The number of captive cervids covered by the permit; and

(vi) The purpose of the movement.

(2) *Identification of reactors.* Reactors must be tagged with an official eartag attached to the left ear and bearing a serial number and the inscription "U.S. Reactor," and either:

(i) Branded with the letter "T" high on the left hip near the tailhead and at least 5 by 5 centimeters (2 by 2 inches) in size; or

(ii) Permanently identified by the letters "TB" tattooed legibly in the left ear, sprayed on the left ear with yellow paint, and either accompanied directly to necropsy or slaughter by an APHIS or State representative or moved directly to necropsy or slaughter in a vehicle closed with official seals. Such official seals must be applied and removed by an APHIS representative, State representative, accredited veterinarian, or an individual authorized for this purpose by an APHIS representative.

(3) *Identification of exposed captive cervids.* Exposed captive cervids must be identified by an official eartag or other approved identification and either:

(i) Branded with the letter "S" high on the left hip near the tailhead and at least 5 by 5 centimeters (2 by 2 inches) in size; or

(ii) Either accompanied directly to necropsy or slaughter by an APHIS or State representative or moved directly to necropsy or slaughter in a vehicle closed with official seals. Such official seals must be applied and removed by an APHIS representative, State representative, accredited veterinarian, or an individual authorized for this purpose by an APHIS representative.

§ 77.41 Cleaning and disinfection of premises, conveyances, and materials.

All conveyances and associated equipment, premises, and structures that are used for receiving, holding, shipping, loading, unloading, and delivering captive cervids in connection with their interstate movement and that are determined by cooperating State and Federal animal health officials to be contaminated because of occupation or use by tuberculous or reactor livestock must be cleaned and disinfected under the supervision of the cooperating State or Federal animal

health officials. Such cleaning and disinfecting must be done in accordance with the procedures approved by the cooperating State or Federal animal health officials. Cleaning and disinfection must be completed before the premises, conveyances, or materials may again be used to convey, hold, or in any way come in contact with any livestock.

PART 78—BRUCELLOSIS

Subpart A—General Provisions

Sec.

- 78.1 Definitions.
- 78.2 Handling of certificates, permits, and “S” brand permits for interstate movement of animals.
- 78.3 Handling in transit of cattle and bison moved interstate.
- 78.4 [Reserved]

Subpart B—Restrictions on Interstate Movement of Cattle Because of Brucellosis

- 78.5 General restrictions.
- 78.6 Steers and spayed heifers.
- 78.7 Brucellosis reactor cattle.
- 78.8 Brucellosis exposed cattle.
- 78.9 Cattle from herds not known to be affected.
- 78.10 Official vaccination of cattle moving into and out of Class B and Class C States or areas.
- 78.11 Cattle moved to a specifically approved stockyard not in accordance with this part.
- 78.12 Cattle from quarantined areas.
- 78.13 Other movements.
- 78.14 Rodeo bulls.
- 78.15–78.19 [Reserved]

Subpart C—Restrictions on Interstate Movement of Bison Because of Brucellosis

- 78.20 General restrictions.
- 78.21 Bison steers and spayed heifers.
- 78.22 Brucellosis reactor bison.
- 78.23 Brucellosis exposed bison.
- 78.24 Bison from herds not known to be affected.
- 78.25 Other movements.
- 78.26–78.29 [Reserved]

Subpart D—Restrictions on Interstate Movement of Swine Because of Brucellosis

- 78.30 General restrictions.
- 78.31 Brucellosis reactor swine.
- 78.32 Brucellosis exposed swine.
- 78.33 Sows and boars.
- 78.34 Other movements.
- 78.35–78.39 [Reserved]

Subpart E—Designation of Brucellosis Areas

- 78.40 Designation of States/areas.
- 78.41 State/area classification.
- 78.42 Quarantined areas.
- 78.43 Validated brucellosis-free States.

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

SOURCE: 51 FR 32580, Sept. 12, 1986, unless otherwise noted.

Subpart A—General Provisions

§ 78.1 Definitions.

The following terms are defined in this section:

Accredited veterinarian
 Administrator
 Animals
 Animal and Plant Health Inspection Service
 Animal identification number
 APHIS representative
 Approved brucella vaccine
 Approved individual herd plan
 Approved intermediate handling facility
 Area
 “B” branded
 Boar
 Brucellosis
 Brucellosis exposed
 Brucellosis negative
 Brucellosis reactor
 Brucellosis ring test
 Brucellosis suspect
 Certificate
 Certified brucellosis-free herd
 Class A State or area
 Class B State or area
 Class C State or area
 Class Free State or area
 Complete herd test (CHT)
 Confirmatory test
 Dairy cattle
 Designated epidemiologist
 Directly
 Epidemiologist
 Epidemiology
 Farm of origin
 Feral swine
 Finished fed cattle
 Herd
 Herd blood test
 Herd known to be affected
 Herd not known to be affected
 Herd of origin of swine
 Interstate
 Market cattle identification test cattle
 Market swine test (MST) reactor
 Market swine test swine
 Monitored-negative feral swine population
 Moved
 Moved (movement) in interstate commerce
 Official adult vaccinate