

not expose the processing plant to END;

(iii) Equipment used in the establishment is cleaned and disinfected in accordance with part 71 of this chapter at intervals determined by the Administrator to ensure that the equipment cannot transmit END to the eggs, other than hatching eggs, being processed; and

(iv) The eggs are packed either in previously unused flats or cases, or in used plastic flats that were cleaned or disinfected since last being used, in accordance with part 71 of this chapter;

(4) The eggs are moved to a facility where they are examined to ensure they have been cleaned and sanitized in accordance with paragraph (a)(2) of this section; and

(5) Copies of the permit accompanying the eggs interstate are submitted so that a copy is received by both the State animal health official and the veterinarian in charge for the State of destination within 72 hours of the arrival of the eggs at the facility.

(b) Any flats or cases intended for reuse after being used to move eggs interstate to a facility under this section must be cleaned and disinfected in accordance with part 71 of this chapter before being moved to a premises where birds or poultry are kept.

[61 FR 56883, Nov. 5, 1996, as amended at 73 30299, May 27, 2008]

**§ 82.9 Interstate movement of hatching eggs from a quarantined area.**

Hatching eggs from birds or poultry not known to be infected with or exposed to END may be moved interstate from a quarantined area only if:

(a) The hatching eggs are accompanied by a permit obtained in accordance with § 82.11;

(b) Copies of the permit accompanying the hatching eggs are submitted so that a copy is received by both the State animal health official and the veterinarian in charge for the State of destination within 72 hours of the arrival of the hatching eggs at the premises described in paragraph (c) of this section;

(c) The hatching eggs have been kept in accordance with the sanitation practices specified in §§ 147.22 and 147.25 of

the National Poultry Improvement Plan; and

(d) The hatching eggs are held in the State of destination at a premises designated jointly by the veterinarian in charge and the State animal health official from the time of arrival until hatch and the birds and poultry hatched from the eggs are held at the designated premises for not less than 30 days following hatch. During this holding period, the eggs and any birds or poultry hatched from the eggs are subject to any inspections, disinfections, and tests as may be required by the Administrator to determine their freedom from END.

[61 FR 56883, Nov. 5, 1996, as amended at 73 30299, May 27, 2008]

**§ 82.10 Interstate movement of vehicles, cages, coops, containers, troughs, and other equipment from a quarantined area.**

(a) This section does not apply to cages, coops, or other containers or equipment used by or to move pet birds moved interstate in accordance with § 82.5(a).

(b) Vehicles, cages, coops, containers, troughs, and other equipment that have held or that have otherwise been used in a quarantined area in the handling of birds or poultry or their eggs, or for manure generated by or litter used by the birds or poultry, may be moved interstate from a quarantined area only in accordance with the following conditions:

(1) They are made of hard plastic or metal, and the other conditions of this section are met; or

(2) They are made of a disposable material, such as cardboard, fiber, or waxed cardboard, are previously unused, and are disposed of by incineration without being reused after being moved interstate.

(c) Before moving interstate any vehicles, cages, coops, containers, troughs, or other equipment described in paragraph (b)(1) of this section, and after using these items to move birds, poultry, eggs, manure, or litter interstate from a quarantined area, the vehicles, cages, coops, containers, troughs, and other equipment must be cleaned and disinfected in accordance

## § 82.11

## 9 CFR Ch. I (1–1–11 Edition)

with paragraphs (c)(1) through (c)(5) of this section:

(1) Clean and disinfect the vehicles, cages, coops, containers, troughs, and other equipment at the place where the birds, poultry, eggs, manure, and litter are unloaded or where the equipment is used, no more than 2 hours after the birds, poultry, eggs, manure, and litter are unloaded or the equipment is used;

(2) Clean the items in accordance with part 71 of this chapter;

(3) Have a Federal representative or State representative<sup>7</sup> inspect the items after they have been cleaned;

(4) Disinfect the items in the presence of a Federal representative or State representative; and

(5) Disinfect the items in accordance with part 71 of this chapter and by using a disinfectant as specified in part 71 of this chapter.

(d) If the place where the cleaning and disinfection would otherwise be required has no facilities for cleaning and disinfecting, the items may be moved to a place where facilities are available for cleaning and disinfecting, provided a Federal representative or State representative has determined that such movement will not cause a risk of the spread of END.

(e) Vehicles, cages, coops, containers, troughs, and other equipment that are moved interstate under this section must be accompanied by a permit obtained in accordance with § 82.11, and copies of the permit accompanying the vehicles, cages, coops, containers, troughs, and other equipment interstate must be submitted so that a copy is received by the State animal health official and the veterinarian in charge<sup>8</sup> for the State of destination within 72 hours of the arrival of the vehicles, cages, coops, containers, troughs, and other equipment at the destination listed on the permit.

(Approved by the Office of Management and Budget under control number 0579–0116)

### § 82.11 Issuance of permits.

(a) Application for the permits required by this subpart to move interstate from a quarantined area birds, eggs, poultry, or other items requiring

a permit under this part must be in writing. The application must be submitted to a Federal representative or State representative and must include the following:

(1) The applicant's name and mailing address;

(2) The name and mailing address of the person who will receive the birds, eggs, poultry, or other items;

(3) The addresses of both the origin and destination of the birds, eggs, poultry, or other items;

(4) The number and types of birds, poultry, eggs, and other items intended for interstate movement; and

(5) The reason for the interstate movement.

(b) In addition to the information required by paragraph (a) of this section, to obtain permits to move birds, poultry, eggs, manure, litter, cages, coops, containers, troughs, vehicles or other equipment interstate from a quarantined area, an applicant for a permit must submit to a Federal representative or State representative a declaration or affidavit listing the requirements of § 82.5 for live birds or live poultry, § 82.6 for dead birds and dead poultry, § 82.7 for litter or manure, § 82.8 for eggs other than hatching eggs, § 82.9 for hatching eggs, or § 82.10 for cages, coops, containers, troughs, vehicles, and other equipment, and stating that the applicant will move the items interstate only if all of the listed requirements are met.

(Approved by the Office of Management and Budget under control number 0579–0116)

### § 82.12 Other interstate movements and special permits.

(a) A special permit is required for the interstate movement of birds, poultry, or other items whose movement is restricted under this subpart, from a quarantined area in a manner or to a destination other than is specifically prescribed by this subpart, under special conditions determined by the Administrator to be necessary to prevent the dissemination of END. A special permit is required for the disposal of dead birds or dead poultry that are infected with END, or dead birds or dead poultry from flocks infected with END, or manure generated by or eggs from birds or poultry infected with END, in

<sup>7</sup> See footnote 3 to § 82.5.

<sup>8</sup> See footnote 4 of § 82.5.