

(2) Two copies of a declaration that lists the port of entry, the name and address of the importer, the name and address of the broker, the origin of the live fish, fertilized eggs, or gametes, the number, species, and the purpose of the importation, the name of the person to whom the fish will be delivered, and the location of the place to which such delivery will be made.

(b) [Reserved]

(Approved by the Office of Management and Budget under control number 0579-0301)

§ 93.906 Inspection at the port of entry.

(a) All live fish, fertilized eggs, and gametes of SVC-susceptible species imported from any part of the world must be presented for inspection at a port of entry designated under § 93.902. The APHIS port veterinarian must be notified at least 72 hours in advance of the arrival in the United States of a shipment of live fish, fertilized eggs, or gametes of SVC-susceptible species. Any shipment of live SVC-susceptible fish species that the port veterinarian determines to exhibit clinical signs consistent with SVCV infection or disease, or any shipments of live fish, fertilized eggs, and gametes of SVC-susceptible species that otherwise do not meet the requirements of this subpart, shall be refused entry.

(b) Shipments refused entry, unless exported within a time fixed in each case by the Administrator, and in accordance with other provisions he or she may require in each case for their handling, shall be disposed of as the Administrator may direct.

(Approved by the Office of Management and Budget under control number 0579-0301)

§§ 93.907-93.909 [Reserved]

EFFECTIVE DATE NOTE: At 73 FR 52186, Sept. 9, 2008, §§ 93.907 through 93.909 were added and reserved, effective Nov. 10, 2008. At 73 FR 63867, Oct. 28, 2008, the effective date was delayed until Jan. 9, 2009. At 74 FR 1, Jan. 2, 2009, the effective date was delayed indefinitely.

GENERAL PROVISIONS FOR VHS-REGULATED FISH SPECIES

SOURCE: 73 FR 52186, Sept. 9, 2008, unless otherwise noted.

EFFECTIVE DATE NOTE: At 73 FR 52186, Sept. 9, 2008, an undesignated center heading and new §§ 93.910 through 93.916 were added to subpart I after the newly reserved §§ 93.907 through 93.909, effective Nov. 10, 2008. At 73 FR 63867, Oct. 28, 2008, the effective date was delayed until Jan. 9, 2009. At 74 FR 1, Jan. 2, 2009, the effective date was delayed indefinitely.

§ 93.910 General restrictions; exceptions.

(a) No live VHS-regulated species of fish may be imported into the United States from VHS-regulated regions except in accordance with this subpart or the regulations of the U.S. Fish and Wildlife Service (FWS) in 50 CFR 16.13(a)(3) and 16.13(b), nor may such live VHS-regulated fish be moved from the port of entry after arrival until released by an APHIS representative or FWS official; *Provided*, that the Administrator may, upon request in specific cases, allow the importation of live VHS-regulated fish into the United States under conditions other than those specifically set forth in this subpart when the Administrator determines that such movement will not result in the further introduction of VHS into the United States.

(b)(1) APHIS will list as a VHS-regulated fish any fish species found in freshwater to be susceptible to the North American (type IV) strain of VHS virus under natural (*i.e.*, non-controlled) conditions of exposure and from which VHS virus has been isolated in cell culture or other assay determined by the competent authority to be adequate to detect VHS virus, with confirmation of strain identity through genetic sequencing. Anadromous fish species that have migrated into freshwater and from which VHS strain type IV(a) has been isolated will not be considered VHS-regulated fish.

(2) If APHIS determines that, in accordance with the criteria in paragraph (b)(1) of this section, a species should be added to the list of VHS-regulated species, APHIS will publish a notice in the FEDERAL REGISTER announcing that determination.

(c)(1) APHIS will list as a VHS-regulated region any region in which VHS virus has been officially reported to the World Health Organization for Animal