

(3) Parts of several national entities combined into an area; or

(4) A group of national entities (countries) combined into a single area.

*Spring viremia of carp (SVC).* A disease caused by infection with spring viremia of carp virus, a rhabdovirus capable of infecting several carp species, in addition to some other cyprinid and ictalurid fish species.

*SVC-susceptible species.* Common carp (*Cyprinus carpio*), grass carp (*Ctenopharyngodon idellus*), silver carp (*Hypophthalmichthys molitrix*), bighead carp (*Aristichthys nobilis*), Crucian carp (*Carassius carassius*), goldfish (*Carassius auratus*), tench (*Tinca tinca*), and sheatfish (*Silurus glanis*).

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

EFFECTIVE DATE NOTE: At 73 FR 52186, Sept. 9, 2008, §93.900 was amended by adding definitions, 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. For the convenience of the user, the added text is set forth as follows:

**§ 93.900 Definitions.**

\* \* \* \* \*

*Anadromous fish.* Fish that are born and spawn in freshwater, but which spend part of their lifecycle in saltwater.

\* \* \* \* \*

*Approved laboratory.* A laboratory authorized by the competent authority of a country for aquatic animal health to perform assays for the detection of VHS virus.

*Catch-and-release fishing.* Fishing for pleasure or for recreational purposes, including tournaments, organized fishing competitions, fishing derbies, or other types of contests where individuals catch, compare, and release live VHS-regulated fish. This term excludes VHS-regulated fish used, or intended to be used, as live bait.

\* \* \* \* \*

*Cultured fish.* Fish of the same species and age class, originating from the same broodstock and on the same water supply,

whose care is partly or totally managed from the first life stage onwards.

\* \* \* \* \*

*Secure water source.* A biosecure water supply that does not contain pathogens or has not had the opportunity to be contaminated with pathogens. Biosecure water supplies include well, spring, or borehole water; surface water that does not contain fish populations; or water that has been treated to eliminate aquatic animal pathogens.

\* \* \* \* \*

*VHS-regulated fish.* Any fish species listed in accordance with §93.910.

*VHS-regulated region.* Any region listed in accordance with §93.910.

*VHS virus.* Any North American (type IV) strain of VHS virus, a rhabdovirus of fish.

*Viral hemorrhagic septicemia (VHS).* A disease caused by infection with VHS virus.

**GENERAL PROVISIONS FOR SVC-REGULATED FISH SPECIES**

EFFECTIVE DATE NOTE: At 73 FR 52186, Sept. 9, 2008, subpart I was amended by adding an undesignated center heading preceding §93.901, 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.

**§ 93.901 General restrictions; exceptions.**

(a) No live fish, fertilized eggs, or gametes of SVC-susceptible species may be imported into the United States except in accordance with this subpart,<sup>11</sup> nor shall any such live fish, fertilized eggs, or gametes be moved from the port of entry after arrival until released by the port veterinarian; provided that the Administrator may, upon request in specific cases, allow the importation of SVC-susceptible live fish, fertilized eggs, or gametes under conditions other than those set

<sup>11</sup>The importation of live cultures of SVC virus, preserved SVC virus viral RNA or DNA, tissue samples containing viable SVC virus, or other specimens intended for diagnostic or research purposes and which contain viable SVC virus may be imported only under permit in accordance with 9 CFR part 122.

§ 93.902

9 CFR Ch. I (1–13 Edition)

forth in this subpart when the Administrator determines that such movement will not result in the introduction of SVC into the United States.

(b) Other provisions of this subpart relating to the importation of live fish, fertilized eggs, and gametes shall not apply to shipments of SVC-susceptible species of live fish, fertilized eggs, or gametes in transit through the United States if an import permit has been obtained under § 93.903 and all conditions of the permit are observed; and if the live fish, fertilized eggs, and gametes are handled as follows:

(1) They are maintained under continuous confinement while in transit through the United States aboard an aircraft, ocean vessel, or other means of conveyance; or

(2) They are unloaded, in the course of such transit, into a holding facility<sup>12</sup> that is provided by the carrier or its agent and has been approved by the Administrator in accordance with paragraph (b)(4) of this section as adequate to prevent the spread within the United States of any finfish disease; they are maintained there under continuous confinement until loaded aboard a means of conveyance for transportation from the United States; and are maintained under continuous confinement aboard such means of conveyance until it leaves the United States.

(3) They are moved in accordance with any additional conditions prescribed in the permit and determined by the Administrator to be necessary to ensure that the live fish, fertilized eggs, or gametes through the United States do not introduce SVC into the United States.

(4) For a holding facility to be approved by the Administrator:

(i) The holding facility must be sufficiently isolated to prevent direct or indirect contact of the live fish, fertilized eggs, or gametes it contains with any other SVC-susceptible species in the United States;

(ii) The holding facility must be constructed to provide adequate protec-

tion against environmental conditions and so that it can be adequately cleaned, washed and disinfected;

(iii) Provision must be made for disposal of fish carcasses, shipping water, waste and any associated shipping materials in a manner that will prevent dissemination of disease;

(iv) Provision must be made for adequate sources of feed and water and for attendants for the care and feeding of live fish, fertilized eggs, or gametes in the facility;

(v) The holding facility must comply with all applicable local, State and Federal requirements for environmental quality.

(vi) The holding facility must comply with any additional requirements that may be imposed by the Administrator for a particular shipment if necessary to prevent the dissemination of disease.

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

[71 FR 51435, Aug. 30, 2006; 71 FR 54552, Sept. 15, 2006]

**§ 93.902 Ports designated for the importation of live fish, fertilized eggs, and gametes.**

(a) The following ports are designated as ports of entry for live fish, fertilized eggs, and gametes of SVC-susceptible species imported under this subpart:

(1) *Air and ocean ports.* Los Angeles and San Francisco, CA; Miami and Tampa, FL; Atlanta, GA; Honolulu, HI; Chicago, IL; Boston, MA; Newark, NJ; New York, NY; Portland, OR; Dallas-Ft. Worth, TX; and San Juan, PR.

(2) *Canadian border ports.* Detroit, MI; Buffalo-Niagara, NY; and Blaine and Seattle, WA.

(3) *Mexican border ports.* Otay Mesa, CA.

(b) *Designation of other ports.* Other ports may be designated by the Administrator in specific cases with the concurrence of the Secretary of the Department of Homeland Security.

**§ 93.903 Import permits for live fish, fertilized eggs, and gametes.**

(a) Live fish, fertilized eggs, or gametes of SVC-susceptible species imported into the United States must be accompanied by an import permit

<sup>12</sup>Requests for approval of such facilities should be made to the Animal and Plant Health Inspection Service at the address provided in § 93.903 for permit applications.