

## §81.4

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of the movement determined by the Administrator to be necessary to prevent the dissemination of CWD. The Administrator may, at his or her discretion, issue the permit if he or she determines that the destination facility has adequate biosecurity and that the movement authorized will not result in the interstate dissemination of CWD.

(1) To apply for a research animal permit, contact an APHIS employee or State representative and provide the following information:

(i) The name and address of the person to whom the special permit is issued, the address at which the research cervids to be moved interstate are being held, and the name and address of the person receiving the cervids to be moved interstate;

(ii) The number and type of cervids to be moved interstate;

(iii) The reason for the interstate movement;

(iv) Any safeguards in place to prevent transmission of CWD during movement or at the receiving location; and

(v) The date on which movement will occur.

(2) A copy of the research animal permit must accompany the cervids moved, and copies must be submitted so that a copy is received by the State animal health official and the veterinarian in charge for the State of destination at least 72 hours prior to the arrival of the cervids at the destination listed on the research animal permit.

(e) *Interstate movements approved by the Administrator.* Notwithstanding any other provision of this part, interstate movement of farmed or captive deer, elk, and moose may be allowed on a case-by-case basis when the Administrator determines that adequate survey and mitigation procedures are in place to prevent dissemination of CWD and issues a permit for the movement.

### §81.4 Issuance of certificates.

(a) *Information required on certificates.* A certificate must show any official animal identification numbers of each animal to be moved. A certificate must also show the number of animals covered by the certificate; the purpose for which the animals are to be moved; the

points of origin and destination; the consignor; and the consignee. The certificate must include a statement by the issuing accredited veterinarian, State veterinarian, or Federal veterinarian that the animals were not exhibiting clinical signs associated with CWD at the time of examination. The certificate must also include a statement that the animals are from a herd that has achieved Certified status in the CWD Herd Certification Program, and must provide the herd's program status, with the following exceptions:

(1) Certificates issued for animals captured from a wild population for interstate movement and release do not need to state that the animals are from a herd that has achieved Certified status in the CWD Herd Certification Program but must include the statement required in §81.3(b); and

(2) Certificates issued for animals moved directly to slaughter do not need to state that the animals are from a herd that has achieved Certified status in the CWD Herd Certification Program and must state that an APHIS employee or State representative has been notified in advance of the date the animals are being moved to slaughter.

(b) *Animal identification documents attached to certificates.* As an alternative to typing or writing individual animal identification on a certificate, another document may be used to provide this information, but only under the following conditions:

(1) The document must be a State form or APHIS form that requires individual identification of animals;

(2) A legible copy of the document must be stapled to the original and each copy of the certificate;

(3) Each copy of the document must identify each animal to be moved with the certificate, but any information pertaining to other animals, and any unused space on the document for recording animal identification, must be crossed out in ink; and

(4) The following information must be typed or written in ink in the identification column on the original and each copy of the certificate and must be circled or boxed, also in ink, so that no additional information can be added:

(i) The name of the document; and

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(ii) Either the serial number on the document or, if the document is not imprinted with a serial number, both the name of the person who issued the document and the date the document was issued.

(Approved by the Office of Management and Budget under control number 0579-0237)

### § 81.5 Movement of deer, elk, or moose through a State to another State.

Farmed or captive deer, elk, or moose may be moved through a State or locality whose laws or regulations on the movement of those animals are more restrictive than this part to another State under the following conditions:

(a) The farmed or captive deer, elk, or moose must be eligible to move interstate under § 81.3.

(b) The farmed or captive deer, elk, or moose must meet the entry requirements of the destination State listed on the certificate or permit accompanying the animal.

(c) Except in emergencies, the farmed or captive deer, elk, or moose must not be unloaded until their arrival at their destination.

### § 81.6 Federal preemption of State and local laws and regulations with respect to CWD.

State and local laws and regulations on farmed or captive deer, elk, or moose with respect to CWD that are more restrictive than the regulations in this part are not preempted by this part, except as described in § 81.5.

## PART 82—NEWCASTLE DISEASE AND CHLAMYDIOSIS

### Subpart A—Newcastle Disease

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- 82.1 Definitions.
- 82.2 Criteria for determining birds or poultry to be infected with, exposed to, or free from Newcastle disease.
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- 82.5 Interstate movement of live birds and live poultry from a quarantined area.
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82.8 Interstate movement of eggs, other than hatching eggs, from a quarantined area.

82.9 Interstate movement of hatching eggs from a quarantined area.

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

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82.15 Replacement birds and poultry.

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### Subpart B—Chlamydia in Poultry

82.19 Definitions.

82.20 General restrictions.

82.21 Vehicles, cages, coops, containers, troughs, and other equipment used for infected poultry.

82.22 Cleaning and disinfecting premises.

82.23 Issuance of permits.

82.24 Other interstate movements and special permits.

82.25 Denial and withdrawal of permits and special permits.

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

SOURCE: 61 FR 56883, Nov. 5, 1996, unless otherwise noted.

### Subpart A—Newcastle Disease

EDITORIAL NOTE: Nomenclature changes to subpart A of part 82 appear at 78 FR 19083, Mar. 29, 2013.

#### § 82.1 Definitions.

As used in connection with this subpart, the following terms shall have the meaning set forth in this section.

*Administrator.* The Administrator of the Animal and Plant Health Inspection Service or any individual 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.

*Bird.* Any member of the class *aves* other than poultry.

*Commercial birds.* Birds that are moved or kept for resale, breeding, public display, or any other purpose, except pet birds.