

*Region of origin.* For meat and meat products, the region in which the animal from which the meat or meat products were derived was born, raised and slaughtered; and for eggs, the region in which the eggs were laid.

*Restricted zone for classical swine fever.* An area, delineated by the relevant competent veterinary authorities of the region in which the area is located, that surrounds and includes the location of an outbreak of classical swine fever in domestic swine or detection of the disease in wild boar, and from which the movement of domestic swine is prohibited.

*Ruminants.* All animals that chew the cud, such as cattle, buffaloes, sheep, goats, deer, antelopes, camels, llamas and giraffes.

*Sentinel bird.* A chicken that has been raised in an environment free of pathogens that cause communicable diseases of poultry and that has not been infected with, exposed to, or immunized with any strain of virus that causes Newcastle disease.

*Specified risk materials (SRMs).* Those bovine parts considered to be at particular risk of containing the bovine spongiform encephalopathy (BSE) agent in infected animals, as listed in the FSIS regulations at 9 CFR 310.22(a).

*State.* Any of the several States of the United States, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands of the United States, or any other territory or possession of the United States.

*Suspect for a transmissible spongiform encephalopathy.* (1) A sheep or goat that has tested positive for a transmissible spongiform encephalopathy or for the proteinase resistant protein associated with a transmissible spongiform encephalopathy, unless the animal is designated as positive for a transmissible spongiform encephalopathy; or

(2) A sheep or goat that exhibits any of the following signs and that has been determined to be suspicious for a transmissible spongiform encephalopathy by a veterinarian: Weight loss despite retention of appetite; behavior abnormalities; pruritus (itching); wool pulling; biting at legs or

side; lip smacking; motor abnormalities such as incoordination, high stepping gait of forelimbs, bunny hop movement of rear legs, or swaying of back end; increased sensitivity to noise and sudden movement; tremor, "star gazing," head pressing, recumbency, or other signs of neurological disease or chronic wasting.

*Temperature indicator device (TID).* A precalibrated temperature-measuring instrument containing a chemical compound activated at a specific temperature (the melting point of the chemical compound) identical to the processing temperature that must be reached by the meat being cooked. The Administrator will approve a TID for use after determining that the chemical compound in the device is activated at the specific temperature required.

*Thoroughly cooked.* Heated sufficiently to inactivate any pathogen that may be present, as indicated by the required TID or pink juice test.

*United States.* All of the States.

*Veterinarian in Charge.* The veterinary official of the Animal and Plant Health Inspection Service, United States Department of Agriculture, who is assigned by the Administrator to supervise and perform the official animal health work of the Animal and Plant Health Inspection Service in the State or area concerned.

*Wild swine.* Any swine which are allowed to roam outside an enclosure.

[52 FR 33801, Sept. 8, 1987, as amended at 53 FR 48520, Dec. 1, 1988; 54 FR 7393, Feb. 21, 1989; 54 FR 14794, Apr. 13, 1989; 54 FR 31504, July 31, 1989; 55 FR 38982, Sept. 24, 1990; 57 FR 43886, Sept. 23, 1992; 59 FR 13185, Mar. 21, 1994; 61 FR 56891, Nov. 5, 1996; 62 FR 56021, Oct. 28, 1997; 67 FR 31937, May 13, 2002; 68 FR 36900, June 20, 2003; 70 FR 549, Jan. 4, 2005; 70 FR 71218, Nov. 28, 2005; 71 FR 29070, May 19, 2006; 71 FR 49317, Aug. 23, 2006]

#### **§ 94.1 Regions where rinderpest or foot-and-mouth disease exists; importations prohibited.**

(a) Notice is hereby given that, in accordance with the Animal Health Protection Act (7 U.S.C. 8301 *et seq.*), it has been determined, and official notice has been given to the Secretary of the Treasury that:

(1) Rinderpest or foot-and-mouth disease exists in all regions of the world,

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except those listed in paragraph (a)(2) or (a)(3) of this section;

(2) The following regions are declared to be free of both rinderpest and foot-and-mouth disease: Australia, Austria, The Bahamas, Barbados, Belgium, Bermuda, British Honduras (Belize), Canada, Channel Islands, Chile, Costa Rica, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Greenland, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Luxembourg, Mexico, Namibia (excluding the region north of the Veterinary Cordon Fence), The Netherlands, New Caledonia, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Poland, Portugal, Spain, Territory of St. Pierre and Miquelon, Sweden, Switzerland, Trinidad and Tobago, Trust Territory of the Pacific Islands, and the United Kingdom.

(3) The following regions are declared to be free of rinderpest: Namibia and the Republic of South Africa.

(b) The importation of any ruminant or swine or any fresh (chilled or frozen) meat of any ruminant or swine<sup>1</sup> that originates in any region where rinderpest or foot-and-mouth disease exists, as designated in paragraph (a) of this section, or that enters a port in or otherwise transits a region in which rinderpest or foot-and-mouth disease exists, is prohibited:

(1) Except as provided in part 93 of this chapter for wild ruminants and wild swine;

(2) Except as provided in paragraph (d) of this section for fresh (chilled or frozen) meat of ruminants or swine that is otherwise eligible for importation under this part but that enters a port or otherwise transits a region where rinderpest or foot-and-mouth disease exists; and

(3) Except as provided in § 94.4 of this part for cooked or cured meat from regions where rinderpest or foot-and-mouth disease exists.

<sup>1</sup>Importation of animals and meat includes bringing the animals or meat within the territorial limits of the United States on a means of conveyance for use as sea stores or for other purposes.

(4) Except as provided in § 94.22 for fresh (chilled or frozen) beef from Uruguay.

(c) The importation of any used farm equipment that originates in any region where rinderpest or foot-and-mouth disease exists, as designated in paragraph (a) of this section, is prohibited, unless the equipment is accompanied by an original certificate signed by an authorized official of the national animal health service of the exporting region that states that the equipment, after its last use and prior to export, was steam-cleaned free of all exposed dirt and other particulate matter. Such farm equipment is subject to APHIS inspection at the port of arrival. If it is found during such inspection to contain any exposed dirt or other particulate matter, it will be denied entry into the United States, unless, in the judgment of the APHIS inspector, the amount of exposed soil is minimal enough to allow cleaning at the port of arrival, and there are adequate facilities and personnel at the port to conduct such cleaning without risk of disease contamination.

(d) Except as otherwise provided in this part, fresh (chilled or frozen) meat of ruminants or swine raised and slaughtered in a region free of foot-and-mouth disease and rinderpest, as designated in paragraph (a)(2) of this section, and fresh (chilled or frozen) beef exported from Uruguay in accordance with § 94.22, which during shipment to the United States enters a port or otherwise transits a region where rinderpest or foot-and-mouth disease exists may be imported provided that all of the following conditions are met:

(1) The meat is accompanied by the foreign meat inspection certificate required by § 327.4 of this title and, upon arrival of the meat in the United States, the foreign meat inspection certificate is presented to an authorized inspector at the port of arrival;

(2) The meat is placed in the transporting carrier in a hold, compartment, or, if the meat is containerized, in a container that which was sealed in the region of origin by an official of such region with serially numbered seals approved by APHIS, so as to prevent contact of the meat with any other cargo,

handling of the meat after the hold, compartment, or container is sealed, and the loading of any cargo into and the removal of any cargo from the sealed hold, compartment, or container en route to the United States;

(3) If any foreign official breaks a seal applied in the region of origin in order to inspect the meat, he or she then reseals the hold, compartment, or container with a new serially numbered seal; and, if any member of a ship's crew breaks a seal, the serial number of the seal, the location of the seal, and the reason for breaking the seal are recorded in the ship's log.

(4) The serial numbers of the seals used to seal the hold, compartment, or container are recorded on the foreign meat inspection certificate which accompanies the meat;

(5) Upon arrival of the carrier in the United States port of arrival, the seals are found by an APHIS representative to be intact, and the representative finds that there is no evidence indicating that any seal has been tampered with; *Provided that*, if the representative finds that any seal has been broken or has a different number than is recorded on the foreign meat inspection certificate, then the meat may remain eligible for entry into the United States only if APHIS personnel are available to inspect the hold, compartment, or container, the packages of meat, and all accompanying documentation; and the importer furnishes additional documentation (either copies of pages from the ship's log signed by the officer-in-charge, or certification from a foreign government that the original seal was removed and the new seal applied by officials of that government) that demonstrates to the satisfaction of the Administrator that the meat was not contaminated or exposed to contamination during movement from the region of origin to the United States; and

(6) The meat is found by an authorized inspector to be as represented on the foreign meat inspection certificate.

(Approved by the Office of Management and Budget under control numbers 0579-0015 and 0579-0195)

[30 FR 12118, Sept. 23, 1965]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 94.1, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

**§ 94.1a Criteria for determining the separate status of a territory or possession as to rinderpest and foot-and-mouth disease.**

(a) The Secretary of Agriculture will make a determination as to whether a territory or possession may be deemed separate from the mother region, in which rinderpest or foot-and-mouth disease has been determined to exist only if:

(1) The official authority of that territory or possession, having responsibility for animal health matters, has declared such territory or possession free of rinderpest and foot-and-mouth disease;

(2) The territory or possession is geographically separate from the mother region and has full autonomy from the mother region in all animal health matters, including import and export;

(3) The territory or possession has a veterinary service which is capable of speedily detecting rinderpest or foot-and-mouth disease and which is comprised of veterinarians who:

(i) Are employed as officials of the government of the territory or possession,

(ii) Are graduates of a recognized school of veterinary medicine, and

(iii) Are assigned in sufficient numbers and are so distributed, with respect to the livestock population, to be able to promptly recognize the existence of rinderpest and foot-and-mouth disease;

(4) A laboratory capable of diagnosing rinderpest and foot-and-mouth disease is available to the veterinary service of the territory or possession;

(5) Vaccinations for foot-and-mouth disease or rinderpest are not permitted in the territory or possession;

(6) The reporting of rinderpest or foot-and-mouth disease to the veterinary authorities of the territory or possession is required by anyone who has notice of the existence of these diseases;

(7) Laws and regulations are in effect and are administered in such manner as to insure against the introduction of