

slaughter certification is not applicable.

*Person:* Any individual, corporation, company, association, firm, partnership, society, or joint stock company, or any organized group of any of the foregoing.

*Quarantined feedlot:* A confined area under the direct supervision and control of a State livestock official who shall establish procedures for the accounting of all livestock entering or leaving the area. The quarantined feedlot shall be maintained for finish feeding of livestock in drylot with no provision for pasturing and grazing. All livestock leaving such feedlot must only move directly to slaughter in accordance with established procedures for handling quarantined livestock.

*Reactor cattle, bison, and captive cervids.* Cattle and bison are classified as reactors for tuberculosis in accordance with the "Uniform Methods and Rules—Bovine Tuberculosis Eradication," based on a positive response to an official tuberculin test. Captive cervids are classified as reactors for tuberculosis in the same manner as cattle and bison.

*Registered cattle, bison, or captive cervids.* Cattle, bison, or captive cervids for which individual records of ancestry are maintained, and for which individual registration certificates are issued and recorded by a recognized breed association whose purpose is the improvement of the breed.

*State:* Any State, territory, the District of Columbia, or Puerto Rico.

*Tuberculosis:* The contagious, infectious, and communicable disease caused by *Mycobacterium bovis*.

*Veterinarian in Charge:* The veterinary official of APHIS who is assigned by the Administrator to supervise and perform official animal health work of APHIS in the State concerned.

[40 FR 27009, June 26, 1975, as amended at 45 FR 32287, May 16, 1980; 51 FR 33735, Sept. 23, 1986; 52 FR 1317, Jan. 13, 1987; 52 FR 39614, Oct. 23, 1987; 56 FR 36998, Aug. 2, 1991; 58 FR 34698, June 29, 1993; 60 FR 37808, July 24, 1995; 63 FR 34263, June 24, 1998; 63 FR 72122, Dec. 31, 1998]

#### § 50.2 Cooperation with States.

The Administrator cooperates with the proper State authorities in the

eradication of tuberculosis and pays Federal indemnities for the destruction of cattle, bison, captive cervids, or swine affected with or exposed to tuberculosis.

[40 FR 27009, June 26, 1975, as amended at 52 FR 39614, Oct. 23, 1987; 56 FR 36998, Aug. 2, 1991; 60 FR 37809, July 24, 1995; 63 FR 34264, June 24, 1998]

#### § 50.3 Payment to owners for animals destroyed.

(a) *Affected cattle, bison, and captive cervids.* The Department may pay owners an indemnity for cattle, bison, and captive cervids affected with tuberculosis not to exceed \$750 for each animal, but any joint State-Federal indemnity payments, plus salvage, must not exceed the appraised value of each animal.

(b) *Herd depopulation—cattle, bison, and captive cervids.* The Administrator may authorize the payment of Federal indemnity to owners of cattle, bison, and captive cervids destroyed because of tuberculosis, not to exceed \$450 for any animal which is a part of a known affected herd, when it has been determined by the Administrator that the destruction of all the exposed cattle, bison, and captive cervids in the herd will contribute to the Tuberculosis Eradication Program; but, the joint State-Federal indemnity payments, plus salvage, must not exceed the appraised value of each animal.

(c) *Exposed cattle, bison, and captive cervids.* The Administrator may authorize the payment of Federal indemnity to owners of cattle, bison, and captive cervids destroyed because of tuberculosis not to exceed \$450 for any animal which has been classified as exposed to tuberculosis in accordance with § 50.4(b) when it has been determined by the Administrator that the destruction of the exposed cattle, bison, or captive cervids will contribute to the Tuberculosis Eradication Program; but, the joint State-Federal indemnity payments, plus salvage, must not exceed the appraised value of each animal.

(d) *Suspect cattle, bison, and captive cervids.* The Administrator may authorize the payment of Federal indemnity to owners of cattle, bison, and captive

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cervids destroyed because of tuberculosis not to exceed \$450 for any animal that has been classified as a suspect in accordance with § 50.4(c) when it has been determined by the Administrator that the destruction of the suspect cattle, bison, or captive cervids will contribute to the Tuberculosis Eradication Program; but the joint State-Federal indemnity payments, plus salvage, must not exceed the appraised value of each animal: *Provided, however,* that payment of indemnity for the destruction of suspect cattle, bison, and captive cervids will be withheld until the tuberculosis status of the suspect has been determined and, if the cattle, bison, or captive cervid is found to be infected with tuberculosis, all cattle, bison, and captive cervids 2 years of age or over in the claimant's herd have been tested for tuberculosis under APHIS or State supervision.

(e) *Exposed swine.* The Administrator may authorize the payment of Federal indemnity to owners of swine destroyed because of tuberculosis not to exceed \$200 for any animal, when such animals are found by APHIS to be exposed to tuberculosis by reason of association with a herd destroyed under § 50.3(b); but, the joint State-Federal indemnity payments, plus salvage, must not exceed the appraised value of each animal.

(Secs. 3, 4, 5, 11, and 13, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791-792, as amended; sec. 3, 33 Stat. 1265, as amended; sec. 3, 76 Stat. 130; 21 U.S.C. 111-113, 114, 114a, 114a-1, 120, 121, 125, 134b; 7 CFR 2.17, 2.51, and 371.2(d))

[45 FR 32287, May 16, 1980, as amended at 49 FR 28041, July 10, 1984; 49 FR 44273, Nov. 6, 1984; 52 FR 39614, Oct. 23, 1987; 56 FR 36998, Aug. 2, 1991; 60 FR 37809, July 24, 1995; 63 FR 34264, June 24, 1998]

### **§ 50.4 Classification of cattle, bison, and captive cervids as affected, exposed, or suspect.**

(a) Cattle, bison, and captive cervids are classified as affected with tuberculosis on the basis of an intradermal tuberculin test applied by a Federal, State, or an accredited veterinarian or by other diagnostic procedure approved in advance by the Administrator.

(b) Cattle, bison, and captive cervids are classified as exposed to tuberculosis when such cattle, bison, and

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captive cervids (1) are part of a known infected herd, or (2) are found to have moved from an infected herd before the time infection was disclosed in such herd and after the time such herd had apparently become infected, or (3) are found to have been exposed by virtue of nursing a reactor dam: *Provided,* That cattle, bison, and captive cervids classified as exposed to tuberculosis shall be removed direct to slaughter.

(c) Cattle and bison are classified as suspects for tuberculosis based on a positive response to an official tuberculin test, in accordance with the "Uniform Methods and Rules—Bovine Tuberculosis Eradication" (incorporated into the regulations by reference in part 77). Captive cervids are classified as suspects for tuberculosis in the same manner as cattle and bison.

[40 FR 27009, June 26, 1975, as amended at 52 FR 39614, Oct. 23, 1987; 56 FR 36998, Aug. 2, 1991; 60 FR 37809, July 24, 1995; 63 FR 34264, June 24, 1998]

### **§ 50.5 Record of tests.**

When any cattle, bison, or captive cervid in a herd is classified by an APHIS or State representative or accredited veterinarian as a reactor to a test for tuberculosis, a complete test record shall be made for such herd, including the reactor tag number of each reacting animal and the registration name and number of each reacting registered animal. VS Form 6-22 or an equivalent State form shall be used for the record of any herd having any reactor to a tuberculin test. A copy of the applicable test record shall be given to the owner of any such herd, and one copy of each such record shall be furnished to the appropriate State veterinarian's office.

[40 FR 27009, June 26, 1975, as amended at 52 FR 39614, Oct. 23, 1987; 56 FR 36998, Aug. 2, 1991; 60 FR 37809, July 24, 1995; 63 FR 34264, June 24, 1998]

### **§ 50.6 Identification of animals to be destroyed because of tuberculosis.**

Cattle, bison, captive cervids, or swine to be destroyed because of tuberculosis must be identified within 15 days after being classified as reactors or otherwise condemned because of tuberculosis, except that the appropriate