

## §71.1

## 9 CFR Ch. I (1-1-01 Edition)

- 71.12 Sodium orthophenylphenate as permitted disinfectant for premises infected with tuberculosis.
- 71.13 Inspection of shipments in transit by APHIS representative.
- 71.14 Slaughter of poultry or other animals to prevent spread of disease; ascertainment of value and compensation.
- 71.15 Movement from quarantined to free area and shipment therefrom; conditions under which permitted.
- 71.16 Inspection and certification of poultry or other animals for interstate movement.
- 71.17 Interstate movement of dead poultry or other animals prohibited in same car with live poultry or other animals.
- 71.18 Individual identification of certain cattle 2 years of age or over for movement in interstate commerce.
- 71.19 Identification of swine in interstate commerce.
- 71.20 Approval of livestock facilities.

AUTHORITY: 21 U.S.C. 111-113, 114a, 114a-1, 115-117, 120-126, 134b, and 134f; 7 CFR 2.22, 2.80, and 371.2(d).

SOURCE: 28 FR 5937, June 13, 1963, unless otherwise noted.

### §71.1 Definitions.

As used in this part, the following terms shall have the meanings set forth in this section.

*Accredited Veterinarian.* A veterinarian who is approved by the Administrator, in accordance with part 161 of this chapter, to perform official animal health work of the Animal and Plant Health Inspection Service specified in subchapters A, B, C, and D of this chapter; and to perform work required by cooperative state-federal disease control and eradication programs.

*Administrator.* The Administrator, Animal and Plant Health Inspection Service, or any person 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 (APHIS).

*APHIS representative.* An individual employed by APHIS who is authorized to perform the function involved.

*Approved livestock facility.* A stockyard, livestock market, buying station, concentration point, or any other premises under State or Federal veterinary supervision where livestock are assembled and that has been approved under §71.20.

*Area Veterinarian in Charge.* The veterinary official of APHIS, 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 concerned.

*Breeder swine.* Sexually intact swine over 6 months of age.

*Commingleing.* The mixing or assembling of swine from one premises with swine from any other premises, including, but not limited to, loading swine from more than one premises on the same truck, trailer, vessel, or railroad car, unless swine from different premises are kept separate on the means of conveyance by dividers.

*Department.* The United States Department of Agriculture.

*Feeder swine.* Swine under 6 months of age that are not slaughter swine.

*Free area.* The States, Territories, or the District of Columbia or portions thereof not quarantined by the Secretary of Agriculture for the specific contagious, infectious, or communicable animal disease mentioned in each part.

*Horses.* Horses, asses, mules, ponies, and zebras.

*Interstate.* From one State into or through any other State.

*Interstate commerce.* Trade, traffic, transportation, or other commerce between a place in a state and any place outside of that state, or between points within a state but through any place outside of that state.

*Livestock.* Horses, cattle, bison, sheep, and swine.

*Livestock market.* A stockyard, buying station, concentration point, or any other premises where livestock are assembled for sale or sale purposes.

*Moved (movement) in interstate commerce.* Moved from the point of origin of the interstate movement to the animals' final destination, such as a slaughtering establishment or a farm for breeding or raising, and including any temporary stops along the way, such as at a stockyard or dealer premises for feed, water, rest, or sale.

*Official Brand Inspection Agency.* The duly constituted body elected, appointed, or delegated or granted authority by a State or governmental subdivision thereof, to administer laws,

regulations, ordinances or rules pertaining to the brand identification of livestock.

*Official brand inspection certificate.* A certificate issued by an official brand inspection agency in any State in which such certificates are required for movement of livestock.

*Official eartag.* An identification eartag approved by APHIS as being tamper-resistant and providing unique identification for each animal. An official eartag may conform to the alpha-numeric National Uniform Eartagging System, or it may bear a valid premises identification number that is used in conjunction with the producer's livestock production numbering system to provide a unique identification number.

*Official swine tattoo.* A tattoo, conforming to the six-character alpha-numeric National Tattoo System, that provides a unique identification for each herd or lot of swine.

*Person.* Any individual, corporation, company, association, firm, partnership, society, or joint stock company, or other legal entity.

*Premises identification number.* A unique number assigned by the State animal health official to a livestock production unit that is, in the judgment of the State animal health official or area veterinarian in charge, epidemiologically distinct from other livestock production units. A premises identification number shall consist of the State's two-letter postal abbreviation followed by the premises' assigned number. A premises identification number may be used in conjunction with a producer's own livestock production numbering system to provide a unique identification number for an animal.

*Purebred registry association.* A swine breed association formed and perpetuated for the maintenance of records of purebreeding of swine species for a specific breed whose characteristics are set forth in constitutions, by-laws, and other rules of the association.

*Quarantined area.* The States, Territories, or the District of Columbia or portions thereof quarantined by the Secretary of Agriculture for the specific contagious, infectious, or commu-

nicable animal disease mentioned in each part.

*Slaughter swine.* Swine being sold or moved for slaughter purposes only.

*State.* Any of the 50 states, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the District of Columbia, and any territories and possessions of the United States.

*State animal health official.* The state official responsible for livestock and poultry disease control and eradication programs.

*State representative.* An individual employed in animal health work by a state or a political subdivision thereof and authorized by such state or political subdivision to perform the function involved.

*Tick infested.* Infested with the ticks *Boophilus annulatus* (Margaropus annulatus), *Boophilus microplus*, or *Rhipicephalus evertsi evertsi*.

*United States Department of Agriculture backtag.* A backtag issued by APHIS that conforms to the eight-character alpha-numeric National Backtagging System, and that provides unique identification for each animal.

[28 FR 5937, June 13, 1963, as amended at 29 FR 14489, Oct. 22, 1964; 35 FR 14197, Sept. 9, 1970; 38 FR 18011, July 6, 1973; 50 FR 45987, Nov. 6, 1985; 51 FR 32599, Sept. 12, 1986, 53 FR 40385, Oct. 14, 1988; 55 FR 11155, 11156, Mar. 27, 1990; 55 FR 15320, Apr. 23, 1990; 62 FR 27933, May 22, 1997; 62 FR 54758, Oct. 22, 1997]

**§ 71.2 Secretary to issue rule governing quarantine and interstate movement of diseased animals, including poultry.**

When the Secretary of Agriculture shall determine the fact that poultry or other animals in any State, Territory, or the District of Columbia are affected with any contagious, infectious, or communicable disease of livestock or poultry for which, in his opinion, a quarantine should be established or that other basis for a quarantine exists, notice will be given of that fact, and a rule will be issued accordingly, placing in quarantine such State, Territory, or the District of Columbia, or specified portion thereof. This rule will either absolutely forbid the interstate movement of the quarantined animals