

### §98.3

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

governmental detention at the port of entry.

*Flock.* A herd.

*Herd.* All animals maintained on any single premises; and all animals under common ownership or supervision on two or more premises which are geographically separated, but among which there is an interchange or movement of animals.

*Import (imported, importation) into the United States.* To bring into the territorial limits of the United States.

*Inspector.* An employee of APHIS who is authorized to perform the function involved.

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

*Region.* Any defined geographic land area identifiable by geological, political, or surveyed boundaries. A region may consist of any of the following:

- (1) A national entity (country);
- (2) Part of a national entity (zone, county, department, municipality, parish, Province, State, etc.);
- (3) Parts of several national entities combined into an area; or
- (4) A group of national entities (countries) combined into a single area.

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

[50 FR 43563, Oct. 25, 1985. Redesignated and amended at 56 FR 55808, Oct. 30, 1991; 57 FR 29194, July 1, 1992; 61 FR 17241, Apr. 19, 1996; 62 FR 56025, Oct. 28, 1997]

#### §98.3 General conditions.

Except as provided in subpart B of this part, an animal embryo shall not be imported into the United States unless it is from a region listed in §94.1(a)(2) of this chapter as being free of rinderpest and foot-and-mouth disease, and:

(a) The embryo is exported to the United States from the region in which it was conceived;

(b) The embryo was conceived as a result of artificial insemination with semen collected from a donor sire at an approved artificial insemination cen-

ter, or the embryo as conceived as a result of natural breeding by a donor sire at an approved embryo transfer unit;

(c) If artificially inseminated, the donor dam conceived the embryo after being inseminated in an approved embryo transfer unit with semen collected at an approved artificial insemination center;

(d) At the time of collection of the semen used to conceive the embryo or at the time of natural breeding, the donor sire met all requirements the donor sire would have to meet under part 93 of this chapter for a health certificate required as a condition of importation into the United States;

(e) At the time of collection of the embryo from the donor dam, the donor dam met all requirements the donor dam would have to meet under part 92 of this chapter for a health certificate required as a condition of importation into the United States;

(f) There is no basis for denying an import permit for the donor sire or donor dam under §93.304(a)(2) for horses, §93.404(a)(2) or (3) for ruminants, and §93.504(a)(2) or (3) for swine of this chapter;

(g) The embryo is collected and maintained under conditions determined by the Administrator to be adequate to protect against contamination of the embryo with infectious animal disease organisms; and

(h) The embryo was determined, based on microscopic examination, to have an intact zona pellucida at the time the embryo was placed into its immediate container (straw or ampule) for shipping.

(i) The embryo is contained in a shipping container which at the time of offer for entry is sealed with an official seal which was affixed to the shipping container by a full-time salaried veterinarian of the national animal health service of the region of origin or by a veterinarian authorized to do so by the national animal health service of the region of origin.

[50 FR 43563, Oct. 25, 1985, as amended at 55 FR 31558, Aug. 2, 1990; 56 FR 55809, Oct. 30, 1991; 57 FR 29194, July 1, 1992; 62 FR 56025, Oct. 28, 1997]