

(iii) Any available information concerning additions, within the 5 years immediately preceding collection of the embryos, to the flock of the embryos' sire and dam;

(iv) Any available data concerning disease incidence, within the 5 years immediately preceding collection of the embryos, in the flock of the embryos' sire and dam, including, but not limited to, the results of diagnostic tests, especially histopathology tests, conducted on any animals in the flock;

(v) Information concerning the health, within the 5 years immediately preceding collection of the embryos, of other ruminants, flocks, and herds with which the embryos' sire and dam and the flock of the embryos' sire and dam might have had physical contact, and a description of the type and frequency of the physical contact; and

(vi) Any other information requested by the Administrator in specific cases as needed to make a determination.

(g) All first generation progeny resulting from embryos imported under this section are subject to the requirements of 9 CFR part 54 and all other applicable regulations.

(Approved by the Office of Management and Budget under control numbers 0579-0040 and 0579-0101)

[61 FR 17241, Apr. 19, 1996, as amended at 62 FR 56025, Oct. 28, 1997]

### Subpart B—Ruminant and Swine Embryos From Regions Where Rinderpest or Foot-and-Mouth Disease Exists

SOURCE: 56 FR 55809, Oct. 30, 1991, unless otherwise noted.

#### § 98.11 Definitions.

*Animal and Plant Health Inspection Service.* The Animal and Plant Health Inspection Service of the United States Department of Agriculture.

*Collection of embryos.* Embryos removed from a single donor dam in one operation.

*Embryo.* The initial stages of development of an animal, after collection from the natural mother and while it is capable of being transferred to a recipient dam, but not after it has been transferred to a recipient dam.

*Embryo collection unit.* Area or areas where the donor dam will be bred to produce embryos for importation into the United States, and where the embryos will be collected, processed, and stored pending shipment to the United States.

*Foreign Animal Disease Diagnostic Laboratory.* The Foreign Animal Disease Diagnostic Laboratory of the Animal and Plant Health Inspection Service.

*Herd of origin.* The herd in which the donor dam is kept during the 60 days before the donor dam is required to be housed in an embryo collection unit, in accordance with § 98.17(a) of this subpart.

*Import.* To bring into the territorial limits of the United States.

*Inspector.* An employee of the Animal and Plant Health Inspection Service who is authorized to perform the function involved.

*Official veterinarian.* A full-time salaried veterinarian of the national government of the country of origin or a veterinarian employed by the Animal and Plant Health Inspection Service (APHIS), and designated by APHIS to supervise or conduct procedures required by this subpart, and to certify that requirements of this subpart have been met.

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

*Region of origin.* The region in which the embryo is conceived and collected and from which the embryo is imported into the United States.

*Ruminant.* All animals which chew the cud, including cattle, buffaloes, camelids, cervids (deer, elk, moose, and antelope), sheep, goats, and giraffes.

*Swine.* The domestic hog and all varieties of wild hogs.

*United States.* All of the 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.

[56 FR 55809, Oct. 30, 1991, as amended at 61 FR 15183, Apr. 5, 1996; 62 FR 56025, Oct. 28, 1997]

**§ 98.12 General prohibitions.**

(a) Ruminant and swine embryos may not be imported from regions where rinderpest or foot-and-mouth disease exists except in accordance with this subpart.

(b) Ruminant and swine embryos may not be imported into the United States from any region other than the region in which they were conceived and collected.

[56 FR 55809, Oct. 30, 1991, as amended at 61 FR 15183, Apr. 5, 1996; 62 FR 56025, Oct. 28, 1997]

**§ 98.13 Import permit.**

(a) Ruminant and swine embryos and all test samples required by this subpart may be imported into the United States from regions where foot-and-mouth disease or rinderpest exists only if accompanied by import permits issued by the Animal and Plant Health Inspection Service (APHIS).

(b) An application for the import permits must be submitted to the Animal and Plant Health Inspection Service, Veterinary Services, National Center for Import-Export, 4700 River Road Unit 38, Riverdale, Maryland 20737-1231. Application forms also may be obtained at this same address. The application for a permit to import embryos will also serve as the application for a permit to import test samples for those embryos; separate applications are not required. The application must include the following information:

- (1) The name and address of the exporter;
- (2) The name and address of the importer;
- (3) The name and address of the place where the donor dam will be bred and where the embryo(s) will be collected;
- (4) The species, breed, and number of embryos to be imported;
- (5) The purpose of the importation;

- (6) The port of embarkation;
- (7) The mode of transportation;
- (8) The route of travel;
- (9) The port of entry in the United States;
- (10) The proposed date of arrival in the United States; and
- (11) The name and address of the person to whom the embryos will be delivered in the United States.

(Approved by the Office of Management and Budget under control number 0579-0040)

[56 FR 55809, Oct. 30, 1991, as amended at 59 FR 67616, Dec. 30, 1994; 61 FR 15183, Apr. 5, 1996; 62 FR 56025, Oct. 28, 1997]

**§ 98.14 Health certificate.**

(a) Ruminant and swine embryos shall not be imported into the United States unless they are accompanied by a certificate issued by a full-time salaried veterinary officer of the national government of the region of origin, or issued by a veterinarian designated or accredited by the national government of the region of origin and endorsed by a full-time salaried veterinary officer of the national government of the region of origin, representing that the veterinarian issuing the certificate was authorized to do so.

- (b) The health certificate must state:
  - (1) The name and address of the place where the embryos were collected;
  - (2) The name and address of the veterinarian who collected the embryos;
  - (3) The date of embryo collection;
  - (4) The identification and breed of the donor dam and donor sire;
  - (5) The number of ampules or straws covered by the health certificate and the identification number or code on each ampule or straw;
  - (6) The dates, types, and results of all examinations and tests performed on the donor dam and donor sire as a condition for importing the embryos;
  - (7) The dates and results of all tests performed on unfertilized eggs, nontransferrable embryos, and embryo collection and wash fluids;
  - (8) The names and addresses of the consignor and consignee;
  - (9) That the embryos are being imported into the United States in accordance with subpart B of 9 CFR part 98.