

the responsible official if we wish to observe the inactivation of the agents or toxins.

(g) A certificate of registration will be valid for a maximum of 3 years.

**§ 121.8 Denial, revocation, or suspension of registration.**

(a) APHIS may deny an application for registration or revoke registration if:

(1) The Attorney General identifies the responsible official, entity, or individual who owns or controls the entity as within any of the categories described in 18 U.S.C. 175b; or

(2) The Attorney General identifies the responsible official, entity, or individual who owns or controls the entity as reasonably suspected by any Federal law enforcement or intelligence agency of:

(i) Committing a crime set forth in 18 U.S.C. 2332b(g)(5); or

(ii) Knowing involvement with an organization that engages in domestic or international terrorism (as defined in 18 U.S.C. 2331) or with any other organization that engages in intentional crimes of violence; or

(iii) Being an agent of a foreign power as defined in 50 U.S.C. 1801; or

(3) The responsible official does not have a lawful purpose to possess, use, or transfer agents or toxins listed in § 121.3; or

(4) The responsible official is an individual who handles or uses agents or toxins listed in § 121.3 and he/she does not have the necessary training or skills to handle such agents or toxins; or

(5) The entity does not meet the biosafety, containment, and security requirements prescribed by the Administrator;<sup>9</sup> or

(6) There are egregious or repeated violations of the biosafety, containment, or security requirements; or

(7) The Administrator determines that such action is necessary to protect animal or plant health, and animal or plant products.

(b) For overlap agents or toxins, APHIS or CDC shall deny an applica-

tion for registration or revoke registration if the Attorney General identifies the responsible official, entity, or individual who owns or controls the entity as within any of the categories described in 18 U.S.C. 175b. APHIS or CDC may also deny registration or revoke registration for the reasons set forth in paragraphs (a)(2) through (a)(7) of this section.

(c) APHIS may summarily revoke or suspend registration for any of the reasons set forth in paragraphs (a) and (b) of this section.

(d) APHIS will notify the responsible official in writing if an application for registration is denied or a certificate of registration is revoked or suspended. For overlap agents or toxins, APHIS or CDC will notify the responsible official in writing if an application for registration is denied or a certificate of registration is revoked or suspended.

(e) Denial of an application for registration, revocation of registration, and suspension of registration may be appealed under § 121.17.

**§ 121.9 Registration; how to register.**

(a) To apply for a certificate of registration, the responsible official must submit all of the information and documentation required in the registration application package to APHIS, including the name, source, and characterization data for each agent or toxin to be registered. For overlap agents or toxins, the responsible official must submit all of the information and documentation required in the registration package to either APHIS or CDC. The responsible official must submit the registration application package to APHIS in cases where he/she is seeking registration for both animal and overlap agents and toxins.

(b) For animal agents and toxins, the registration application package may be obtained by calling (301) 734-3277 or faxing a request to (301) 734-3652. It is also available on the Internet at <http://www.aphis.usda.gov/vs/ncie.bta.html>. The completed registration application package must be mailed to National Center for Import and Export, VS, APHIS, 4700 River Road Unit 40, Riverdale, MD 20737-1231. Assistance in completing the registration application

<sup>9</sup>If registration is denied for this reason, we may provide technical assistance and guidance.