

### §71.13

of cattle that reacted to the tuberculin test.

(b) It is absolutely necessary that the solution be applied at a temperature of 60 °F. or over. Whenever the temperature of the building to be disinfected is below 60 °F., as indicated by a wall thermometer, the solution shall be heated to 120 °F. and higher in very cold weather, to insure effective disinfection.

#### §71.13 Inspection of shipments in transit by APHIS representative.

All persons and corporations having control of the interstate transportation of livestock or poultry shall, when directed by an APHIS inspector so to do, stop the same in transit for inspection, and if any of such poultry or other animals are found upon such inspection to be infected with any contagious, infectious, or communicable disease or to have been exposed to such infection, the person or corporation having control of the transportation of such poultry or other animals shall, upon receipt of an order from an APHIS representative so to do, cease the carriage, transportation, or moving of such poultry or other animals unless such carriage, transportation, or moving can be accomplished in accordance with the regulations in this subchapter governing the interstate movement of poultry or other animals infected with or which have been exposed to the infection of such disease, and in all cases after the discovery of such infection or exposure thereto such poultry or other animals shall be handled in accordance with such regulations.

[28 FR 5937, June 13, 1963, as amended at 34 FR 15642, Oct. 9, 1969; 55 FR 11156, Mar. 27, 1990; 55 FR 15320, Apr. 23, 1990; 62 FR 27934, May 22, 1997]

#### §71.14 Slaughter of poultry or other animals to prevent spread of disease; ascertainment of value and compensation.

When, in order to prevent the spread of any contagious, infectious, or communicable disease, it becomes necessary to slaughter any diseased or exposed animals, including poultry, and the purchase of such animals, including poultry, by the United States is authorized by law and an appropriation is

### 9 CFR Ch. I (1-1-05 Edition)

available therefor, the value of the animals, including poultry shall be ascertained and compensation made therefor in accordance with the orders or regulations of the Secretary of Agriculture.

[28 FR 5937, June 13, 1963, as amended at 34 FR 15642, Oct. 9, 1969]

#### §71.15 Movement from quarantined to free area and shipment therefrom; conditions under which permitted.

No livestock or poultry shall be shipped, trailed, driven, or hauled in private conveyance from the quarantined area in any State, Territory, or the District of Columbia to the free area in the same State, Territory, or the District of Columbia and subsequently delivered to a transportation company for shipment or moved to any other State, Territory, or the District of Columbia without complying with all Federal and State regulations pertaining to such movements.

[28 FR 5937, June 13, 1963, as amended at 34 FR 15642, Oct. 9, 1969]

#### §71.16 Inspection and certification of poultry or other animals for interstate movement.

(a) *Assistance and facilities.* When poultry or other animals are to be inspected and certified by an APHIS representative, assistance and proper facilities for restraining them shall be provided in order that a careful inspection may be made, and the representative while making the inspection shall not be interfered with in any manner; otherwise inspection will be immediately discontinued.

(b) *Certificates and other statements to accompany shipments.* Whenever inspection or treatment and the issuance of a certificate, statement, test chart, or other writing showing the performance of such inspection or treatment and the result thereof is required by any of the regulations in this subchapter as a condition precedent to the movement interstate of any poultry or other animal or class of poultry or other animals, or any poultry or other animal or class of poultry or other animals is so required to be accompanied in interstate movement by such certificate, statement, test chart, or other writing, no such poultry or other animal or

poultry or other animals shall be moved interstate unless and until the following requirements are also complied with:

(1) In the case of such movement by a common carrier issuing waybills or other form or forms of billing covering the movement, the said certificate, statement, test chart, or other writing shall be delivered to such carrier at the time the poultry or other animal or poultry or other animals are delivered for shipment, and shall become the property of the carrier, and be by such carrier attached to the billing covering the transportation of such poultry or other animal or poultry or other animals, and accompany such billing to destination, and be filed with such billing for future reference.

(2) In case of such movement otherwise than by common carrier issuing waybills or other form or forms of billing, the said certificate, statement, test chart, or other writing shall accompany the poultry or other animal or poultry or other animals to destination and be delivered to the consignees, or, in case the consignor and consignee is the same person, to the first purchaser purchasing during or after such movement in interstate commerce, or to the person to whom the poultry or other animal or poultry or other animals are delivered.

[28 FR 5937, June 13, 1963, as amended at 34 FR 15642, Oct. 9, 1969; 55 FR 11156, Mar. 27, 1990; 55 FR 15320, Apr. 23, 1990; 62 FR 27934, May 22, 1997]

**§ 71.17 Interstate movement of dead poultry or other animals prohibited in same car with live poultry or other animals.**

No dead poultry or other animals shall be offered or accepted for transportation or transported in the same car with live poultry or other animals from the original point of shipment in any State or Territory or the District of Columbia to or through any other State, Territory, or the District of Columbia.

[28 FR 5937, June 13, 1963, as amended at 34 FR 15642, Oct. 9, 1969]

**§ 71.18 Individual identification of certain cattle 2 years of age or over for movement in interstate commerce.**

(a) No cattle 2 years of age or over, except steers and spayed heifers and cattle of any age which are being moved interstate during the course of normal ranching operations without change of ownership to another premises owned, leased, or rented by the same individual as provided in §§ 78.9(a)(3)(ii), 78.9(b)(3)(iv), and 78.9(c)(3)(iv) of this chapter, shall be moved in interstate commerce other than in accordance with the requirements of this section. Any movement in interstate commerce of any cattle shall also comply with the other applicable provisions in this part and other parts of this subchapter.

(1) When permitted under such other provisions, cattle subject to this section:

(i) May be moved in interstate commerce from any point to any destination, if such cattle, when moved in interstate commerce, are identified by a Department-approved backtag<sup>1</sup> affixed a few inches from the midline and just behind the shoulder of the animal, or by such other means approved by the Administrator, upon request in specific cases, and if except as provided in paragraph (a)(5) of this section such cattle when moved interstate are accompanied by a statement signed by the owner or shipper of the cattle, or other document<sup>2</sup> stating: (A) The point from which the animals are moved interstate; (B) the destination of the animals; (C) the number of animals covered by the statement, or other document; (D) the name and address of the owner at the time of the movement; (E)

<sup>1</sup>Department-approved backtags are available at recognized slaughtering establishments and specifically approved stockyards and from State representatives and APHIS representatives. A list of recognized slaughtering establishments and specifically approved stockyards may be obtained as indicated in § 78.1 of this chapter. The terms "State representative" and "APHIS representative" are defined in § 78.1 of this chapter.

<sup>2</sup>Other document means a shipping permit, an official health certificate, an official brand inspection certificate, a bill of lading, a waybill, or an invoice on which is listed the required information.