

§ 78.12

9 CFR Ch. I (1–1–05 Edition)

stockyard may be moved from the specifically approved stockyard only as follows:

(a) With the concurrence of the State animal health officials of the State of origin and State of destination, directly back to the farm of origin accompanied by a permit; or

(b) Directly to an approved intermediate handling facility and then directly to a recognized slaughtering establishment or directly to an approved intermediate handling facility and then directly to a quarantined feedlot and then directly to a recognized slaughtering establishment if such cattle are “S” branded and accompanied by an “S” brand permit; or

(c) Directly to a recognized slaughtering establishment if such cattle are (1) “S” branded and accompanied by an “S” brand permit; or

(2) Accompanied by an “S” brand permit and moved in vehicles closed with official seals applied and removed by an APHIS representative, State representative, an accredited veterinarian, or an individual authorized for this purpose by an APHIS representative.

The official seal numbers must be recorded on the “S” brand permit; or

(d) Directly to a quarantined feedlot if such cattle are “S” branded and accompanied by an “S” brand permit.

(Approved by the Office of Management and Budget under control number 0579-0047)

[51 FR 32580, Sept. 12, 1986, as amended at 56 FR 54534, Oct. 22, 1991; 56 FR 58638, 58639, Nov. 21, 1991]

**§ 78.12 Cattle from quarantined areas.**

Notwithstanding any provisions in the regulations to the contrary, cattle may be moved interstate from a quarantined area only in accordance with § 78.10 and this section.

(a) *Steers and spayed heifers.* Steers and spayed heifers may be moved interstate without restriction under this section.

(b) *Brucellosis reactor cattle.* Brucellosis reactor cattle may be moved interstate in accordance with § 78.7.

(c) *Brucellosis exposed cattle.* Brucellosis exposed cattle may be moved interstate in accordance with § 78.8(a) or (b).

(d) *Movement from qualified herds.* Cattle from qualified herds in any quarantined area may be moved interstate only as follows:

(1) *Movement to recognized slaughtering establishments.* (i) Cattle from qualified herds in a quarantined area may be moved interstate from a farm of origin directly to a recognized slaughtering establishment or directly to a specifically approved stockyard and then directly to a recognized slaughtering establishment if they are negative to an official test within 30 days prior to such interstate movement and are accompanied by a certificate or “S” brand permit which states, in addition to the items specified in § 78.1, the test dates and results of the official tests; or

(ii) Cattle from qualified herds in a quarantined area may be moved interstate from a farm of origin directly to an approved intermediate handling facility and then directly to a recognized slaughtering establishment or directly to an approved intermediate handling facility and then directly to a quarantined feedlot and then directly to a recognized slaughtering establishment if they are negative to an official test within 30 days prior to such interstate movement and are accompanied by an “S” brand permit which states, in addition to the items specified in § 78.1, the test dates and results of the official tests; or

(iii) Cattle from qualified herds in a quarantined area may be moved interstate from a farm of origin directly to a specifically approved stockyard and then directly to an approved intermediate handling facility and then directly to a quarantined feedlot and then directly to a recognized slaughtering establishment if they are negative to an official test within 30 days prior to such interstate movement and are accompanied by a permit or “S” brand permit which states, in addition to the items specified in § 78.1, the test dates and results of the official tests; or

(iv) Cattle from qualified herds in a quarantined area may be moved interstate in accordance with § 78.8(a).

(2) *Movement to quarantined feedlots.*

(i) Cattle from qualified herds in a quarantined area may be moved interstate from a farm of origin directly to a quarantined feedlot, or directly to a specifically approved stockyard and then directly to a quarantined feedlot, or directly to an approved intermediate handling facility and then directly to a quarantined feedlot if the cattle are negative to an official test within 30 days prior to such interstate movement and are accompanied by a certificate which states, in addition to the items specified in § 78.1 of this part, the test dates and results of the official tests; or

(ii) Cattle from qualified herds in a quarantined area may be moved in accordance with § 78.8(b).

(3) *Movement other than in accordance with paragraph (d)(1) or (2) of this section.* Cattle from qualified herds in a quarantined area may be moved interstate other than in accordance with paragraph (d)(1) or (2) of this section, either directly from a farm of origin or from a farm of origin through no more than one specifically approved stockyard if

(i) The cattle, except official vaccinates less than 1 year of age and cattle less than 6 months of age, are negative to an official test within 30 days prior to such interstate movement; and

(ii) The cattle are accompanied interstate by a certificate which states, in addition to the items specified in § 78.1, the test dates and results of the official tests when such tests are required.

(e) *Movement from herds which are not qualified.* Cattle from herds known to be affected or from herds which are not qualified in any quarantined area may be moved interstate only in accordance with § 78.8(a) or (b).<sup>5</sup>

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[51 FR 32580, Sept. 12, 1986, as amended at 56 FR 58638, Nov. 21, 1991; 59 FR 67133, Dec. 29, 1994]

<sup>5</sup>A herd which is not qualified in a quarantined area may become a qualified herd upon compliance with the provisions set forth in § 78.1 in the definition of "qualified herd."

§ 78.13 **Other movements.**

The Administrator may, upon request in specific cases, permit the interstate movement of cattle not otherwise provided for in this subpart, under such conditions as the Administrator may prescribe in each case to prevent the spread of brucellosis. The Administrator shall promptly notify the State animal health officials of the States involved of any such action.

[51 FR 32580, Sept. 12, 1986, as amended at 56 FR 54534, Oct. 22, 1991]

§ 78.14 **Rodeo bulls.**

(a) A rodeo bull that is test-eligible and that is from a herd not known to be affected may be moved interstate if:

(1) The bull is classified as brucellosis negative based upon an official test conducted less than 365 days before the date of interstate movement: *Provided, however,* That the official test is not required for a bull that is moved only between Class Free States;

(2) The bull is identified with an official eartag or any other official identification device or method approved by the Administrator;

(3) There is no change of ownership since the date of the last official test;

(4) A certificate accompanies each interstate movement of the bull; and

(5) A permit for entry is issued for each interstate movement of the bull.

(b) A bull that would qualify as a rodeo bull, but that is used for breeding purposes during the 365 days following the date of being tested, may be moved interstate only if the bull meets the requirements for cattle in this subpart.

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[56 FR 58639, Nov. 21, 1991, as amended at 67 FR 70310, Nov. 22, 2002; 69 FR 64650, Nov. 8, 2004]

## §§ 78.15–78.19 [Reserved]

**Subpart C—Restrictions on Interstate Movement of Bison Because of Brucellosis**§ 78.20 **General restrictions.**

Bison may not be moved interstate except in compliance with this subpart.