

**§ 98.36**

**9 CFR Ch. I (1–1–05 Edition)**

be accompanied by a health 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.

(d) The health certificate must state:

- (1) The name and address of the place where the semen was collected;
- (2) The name and address of the veterinarian who supervised the collection of the semen;
- (3) The date of semen collection;
- (4) The identification and breed of the donor animal;
- (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 animal as a condition for importing the semen;
- (7) The seal number on the shipping container;
- (8) The names and addresses of the consignor and consignee; and
- (9) That the semen is being imported into the United States in accordance with subpart C of 9 CFR part 98.

(e) The certificate accompanying sheep or goat semen intended for importation from any part of the world shall, in addition to the statements required by paragraph (d) of this section, state that:

(1) The semen donor has not been in any flock or herd nor had contact with sheep or goats which have been in any flock or herd where scrapie has been diagnosed or suspected during the 5 years prior to the date of collection of the semen;

(2) The semen donor showed no evidence of scrapie at the time the semen was collected; and

(3) The parents of the semen donor are not, nor were not, affected with scrapie.

(f) All shipping containers carrying animal semen for importation into the United States must be sealed with an official seal of the national veterinary service of the region of origin. The health certificate must show the seal number on the shipping container. The semen must remain in the sealed container until arrival in the United States and, at the U.S. port of entry, an inspector determines that either:

(1) The seal numbers on the health certificate and shipping container match; or

(2) The seal numbers on the health certificate and shipping container do not match, but an APHIS representative at the port of entry is satisfied that the shipping container contains the semen described on the health certificate, import permit, declaration, and any other accompanying documents.

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

[55 FR 31558, Aug. 2, 1990. Redesignated at 56 FR 55809, Oct. 30, 1991, as amended at 58 FR 37644, July 13, 1993; 61 FR 15184, Apr. 5, 1996; 61 FR 17242, Apr. 19, 1996; 62 FR 56026, Oct. 28, 1997; 65 FR 56777, Sept. 20, 2000]

**§ 98.36 Animal semen from Canada.**

(a) *General importation requirements for animal semen from Canada.*

If the product is . . .	Then . . .
(1) Equine semen .....	There are no importation requirements under this part.

If the product is . . .	Then . . .
(2) Sheep or goat semen ....	The importer or his agent, in accordance with §§98.34 and 98.35 of this part, must present: (i) An import permit; (ii) Two copies of a declaration; and (iii) A health certificate.
(3) Animal semen other than equine, sheep, or goat semen.	See paragraph (b) of this section.

(b) *Importation requirements for animal semen other than equine, sheep, or goat semen from Canada.*

If the product is offered for entry at a . . .	And . . .	Or . . .	Then . . .
(1) Canadian land border port listed in §98.33(b) of this part.	The donor animal was born in Canada or the United States and has never been in a region other than Canada or the United States.	The donor animal was legally imported into Canada, released to move freely in Canada, and has been released in Canada for no less than 60 days.	The importer or his agent, in accordance with §98.35 of this part, must present: (i) Two copies of a declaration; and (ii) A health certificate.
(2) Canadian land border port listed in §98.33(b) of this part.	The donor animal does not meet the special conditions listed above in paragraph (b)(1) of this table.		The importer or his agent, in accordance with §§98.34 and 98.35 of this part, must present: (i) An import permit; (ii) Two copies of a declaration; and (iii) A health certificate.
(3) Port not listed in §98.33(b) of this part.			The importer or his agent, in accordance with §§98.34 and 98.35 of this part, must present: (i) An import permit; (ii) Two copies of a declaration; and (iii) A health certificate.

[65 FR 56778, Sept. 20, 2000]

**§98.37 Semen from sheep in regions other than Australia, Canada, and New Zealand.**

(a) Except for semen from sheep in Australia, Canada, or New Zealand, semen from sheep may only be imported into the United States if it complies with all applicable provisions of this subpart and one of the following conditions:

(1) The semen is transferred to females in a flock in the United States that participates in the Voluntary Scrapie Flock Certification Program (see 9 CFR part 54, subpart B) and qualifies as a “Certified” flock; or

(2) The semen is transferred to females in a flock in the United States that participates in the Voluntary Scrapie Flock Certification Program (see 9 CFR part 54, subpart B), and the flock owner has agreed, in writing, to maintain the flock, and all first generation progeny resulting from semen imported in accordance with this section, in compliance with all requirements of the Voluntary Scrapie Flock Certification Program until the flock, including all first generation progeny resulting from semen imported in accordance with this section, qualifies as a “Certified” flock.

(b) Sheep semen may be imported under paragraph (a) of this section only if the importer provides the Voluntary Scrapie Flock Certification Program identification number of the receiving flock as part of the application for an import permit.

(c) Sheep semen may be imported under paragraph (a)(1) of this section only if it comes from a donor animal in a flock in the region of origin that participates in a program determined by the Administrator to be equivalent to the Voluntary Scrapie Flock Certification Program, and the flock has been determined by the Administrator to be at a level equivalent to “Certified” in the Voluntary Scrapie Flock Certification Program.

(d) Sheep semen may be imported under paragraph (a)(2) of this section only if it is transferred to animals in a Certifiable Class C flock participating in the Voluntary Scrapie Flock Certifi-

cation Program; except, that if the semen comes from a donor animal whose flock in the region of origin participates in a program determined by the Administrator to be equivalent to the Voluntary Scrapie Flock Certification Program, then the semen may be used in a flock in the United States which would be classified at a level equivalent to or lower (i.e., at greater risk) than the certification level, as determined by the Administrator, of the flock of the donor animal.

(e) The flock to which the sheep semen is transferred pursuant to paragraph (a)(2) of this section must be monitored for scrapie disease until the flock, and all first generation progeny resulting from the semen imported in accordance with this section, qualifies as a “Certified” flock.

(f) Except for sheep semen being placed in Certifiable Class C flocks, the certificate accompanying the sheep semen imported under paragraph (a) of this section must contain the following statement: “The semen identified on this certificate has been collected from a sire that has been monitored by a salaried veterinary officer of [*name of region of origin*], for [*number of months*], in the same source flock which had been determined by the Administrator, APHIS, prior to the exportation of the semen to the United States, to be equivalent to [*certification level*] of the Voluntary Scrapie Flock Certification Program authorized under 9 CFR part 54, subpart B.”

(1) The Administrator will determine, based upon information supplied by the importer, whether the donor animal’s flock participates in a program in the region of origin that is equivalent to the Voluntary Scrapie Flock Certification Program, and if so, at what level the source flock would be classified.

(2) In order for the Administrator to make a determination, the importer must supply the following information with the application for an import permit, no less than 1 month prior to the anticipated date of importation: