

§ 93.105

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ceiling required to be established under § 93.101(b)(3)(ix);

(14) That all the ratites and hatching eggs of ratites in the flock from which the ratites come were identified in accordance with § 93.101(b)(3);

(15) Except for ratites imported from Canada in accordance with § 93.107, the number of ratite laying hens in the flock from which the ratites come;

(16) For ratites required to be treated prior to shipment with a pesticide for ectoparasites, the certificate must also state the name, concentration, and date of administration of the pesticide used to treat the ratites;

(17) When ratites intended for importation are zoological birds, only the ratites to be imported must be inspected, and the provisions in paragraphs (c)(3), (c)(4), (c)(5), (c)(6), (c)(7), and (c)(11) that apply to the flock of origin shall apply only to the ratites intended for importation.

(d) *Hatching eggs of ratites.* The certificate for hatching eggs of ratites must state:

(1) That the flock of origin of the hatching eggs has been inspected by the veterinarian issuing the certificate;

(2) That, except when the certificate is for hatching eggs of ratites imported from Canada in accordance with § 93.107, the flock of origin is pen-raised, and the hatching eggs covered by the certificate were produced by that flock;

(3) That no evidence of Newcastle disease, chlamydiosis, or other communicable disease of poultry was found in the flock of origin;

(4) That insofar as has been possible to determine, the flock of origin was not exposed to Newcastle disease, chlamydiosis, or other communicable disease of poultry during the 90 days immediately preceding the exportation of the hatching eggs;

(5) That Newcastle disease did not occur anywhere on the premises where the flock of origin was kept or on adjacent premises during the 90 days immediately preceding the exportation of the hatching eggs;

(6) That neither the premises where the flock of origin was kept nor any adjacent premises were located in any area under quarantine for poultry dis-

eases at any time during the 90 days immediately preceding the exportation of the hatching eggs; and

(7) That the hatching eggs were placed into previously unused containers for shipment to the United States at the premises where the flock of origin was kept.

(8) The number of hatching eggs contained in the shipment;

(9) That the number of ratites and hatching eggs of ratites exported from the flock of origin has not exceeded the ceiling required to be established under § 93.101(b)(3)(ix);

(10) That all the ratites and hatching eggs of ratites in the flock from which the hatching eggs come were identified in accordance with § 93.101(b)(3);

(11) Except for hatching eggs of ratites imported from Canada in accordance with § 93.107, the number of ratite laying hens in the flock from which the hatching eggs come.

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

[56 FR 31866, July 12, 1991; 56 FR 41726, Aug. 22, 1991, as amended at 57 FR 28080, June 24, 1992; 59 FR 10733, March 8, 1994; 59 FR 47235, Sept. 15, 1994; 61 FR 56891, Nov. 5, 1996; 61 FR 68126, Dec. 27, 1996. Redesignated and amended at 62 FR 56012, 56014, Oct. 28, 1997]

§ 93.105 Inspection at the port of entry.

(a) All commercial birds, zoological birds, and research birds, including hatching eggs of ratites, but excluding other ratites, imported into the United States, must be inspected by the port veterinarian at the Customs port of entry, which may be any international airport, or any land-border port within 20 miles of an international airport, serviced by Customs, as well as, for Canadian-origin hatching eggs of ratites, ports listed in § 93.107 (c). However, hatching eggs of ratites may be shipped, in bond, from the port of first arrival to the Customs port of entry at which they will be quarantined, for inspection, at that port.

(b) All pet birds imported from any part of the world, except pet birds from Canada and pet birds meeting the provisions of § 93.101(c)(2), shall be subjected to inspection at the Customs port of entry by a veterinary inspector

of APHIS and such birds shall be permitted entry only at the ports listed in § 93.102(a). Pet birds of Canadian origin and those birds meeting the provisions of § 93.101(c)(2) shall be subject to veterinary inspection at any of the ports of entry listed in § 93.102 and 93.203.

(c) Ratites, other than hatching eggs of ratites, imported from any part of the world must be inspected at the Customs port of entry by a veterinary inspector of APHIS and, except as provided in § 93.107(b) for ratites imported from Canada, shall be permitted entry only at one of the following ports of entry:

(1) Ostriches:

(i) Up to 36 inches in height (as measured from the top of the head to the base of the feet) or 30 pounds in weight: New York, NY; Stewart Airport, Newburgh, NY; and Miami, FL.

(ii) Exceeding 36 inches in height or 30 pounds in weight: New York, NY, and Stewart Airport, Newburgh, NY.

(2) Ratites other than ostriches: New York, NY; Stewart Airport, Newburgh, NY; and Miami, FL.

[55 FR 31495, Aug. 2, 1990, as amended at 56 FR 31867, July 12, 1991; 57 FR 21726, May 22, 1992; 59 FR 36026, July 15, 1994; 59 FR 47069, Sept. 14, 1994; 61 FR 68126, Dec. 27, 1996. Redesignated and amended at 62 FR 56012, 56014, Oct. 28, 1997; 65 FR 38178, June 20, 2000]

§ 93.106 Quarantine requirements.

(a) *Birds other than ratites and hatching eggs of ratites.* Each lot of pet birds, except as provided for in § 93.101(c) of this part; research birds; and commercial birds and zoological birds, except ratites and hatching eggs of ratites, imported into the United States shall be quarantined for a minimum of 30 days, and for such longer period as may be required by the Administrator, in any specific case, on an "all-in, all-out" basis, at a Customs port of entry, at a USDA quarantine facility when arrangements have been made in advance by the importer and approval is granted in the permit described in § 93.103, or in facilities that meet the requirements of paragraph (c) of this section. At a USDA quarantine facility each psittacine bird shall be individually identified by the Department within 7 days of the entry of the bird into the bird quarantine facility with a serially

numbered legband which has been coded to the quarantine facility or by other suitable means of identification. The identification device must be approved by the Administrator, before it shall be used to identify birds under this section. Such means of identification shall be supplied by the Department at cost to the importer. The Department shall make an identification record at the time such bird is so identified containing the species of the bird, including the common and scientific name, and the number of the identification device placed on the bird. The daily log and the identification record shall be maintained for 12 months following the date of the release of the bird from quarantine. Prior to use of a privately owned quarantine facility, a Cooperative and Trust Fund Agreement as set forth in paragraph (c)(5) of this section shall be executed by the importer and the Department and appropriate funds shall be deposited with the Administrator pursuant to the Cooperative and Trust Fund Agreement. If the birds are found free of evidence of communicable diseases of poultry during quarantine, then the port veterinarian shall issue an agriculture release for entry through U.S. Customs. If the birds are found during port of entry inspection or during quarantine, to be infected with or exposed to a communicable disease of poultry, such birds shall be refused entry or shall be held for an additional period in quarantine until determined to be free of evidence of any communicable disease, or shall be otherwise disposed of as directed by the Administrator. See also paragraph (c)(3)(ii)(E) of this section.

(b) *Ratites and hatching eggs of ratites.*

(1) Each lot of ratites imported from any part of the world except as provided in § 93.107, shall be quarantined upon arrival for a minimum of 30 days, and for such longer period as may be required by the Administrator to determine the ratites' freedom from ectoparasites and communicable diseases. Quarantine shall be on an "all-in, all-out" basis, as described in paragraph (c)(3)(ii)(A) of this section, at the New York Animal Import Center at Newburgh, NY, when the port of entry is either New York, NY, or Stewart