

paragraph (a)(3) of this section, they are eligible to transit the United States by overland transportation if the requirements of paragraphs (d)(1) through (d)(5) of this section are met:

(1) The person moving the articles must obtain a United States Veterinary Permit for Importation and Transportation of Controlled Materials and Organisms and Vectors by filing a permit application on VS form 16-3.¹⁸

(2) The articles must be sealed in leakproof containers bearing serial numbers during transit. Each container must remain sealed during the entire time that it is in the United States.

(3) The person moving the articles must notify, in writing, the inspector at both the place in the United States where the articles will arrive and the port of export before such transit. The notification must include the:

(i) United States Veterinary Permit for Importation and Transportation of Controlled Materials and Organisms and Vectors permit number;

(ii) Times and dates of arrival in the United States;

(iii) Times and dates of exportation from the United States;

(iv) Mode of transportation; and

(v) Serial numbers of the sealed containers.

(4) The articles must transit the United States in Customs bond.

(5) The commodities must be eligible to enter the United States in accordance with § 94.19 and must be accompanied by the certification required by that section. Additionally, the following conditions must be met:

(i) The shipment must be exported from the United States within 7 days of its entry;

(ii) The commodities may not be transloaded while in the United States, except for direct transloading under the supervision of an authorized inspector, who must break the seals of the national government of the region of origin on the means of conveyance that carried the commodities into the United States and seal the means of

conveyance that will carry the commodities out of the United States with seals of the U.S. Government;

(iii) A copy of the import permit required under paragraph (d)(1) of this section must be presented to the inspector at the port of arrival and the port of export in the United States.

(Approved by the Office of Management and Budget under control number 0579-0015)

[56 FR 63868, Dec. 6, 1991, as amended at 58 FR 65104, Dec. 13, 1993; 59 FR 24638, May 12, 1994; 59 FR 67616, Dec. 30, 1994; 62 FR 18264, Apr. 15, 1997; 62 FR 46181, Sept. 2, 1997; 62 FR 56023, Oct. 28, 1997; 62 FR 61434, Nov. 18, 1997; 62 FR 66000, Dec. 17, 1997; 63 FR 408, Jan. 6, 1998; 63 FR 4347, Jan. 28, 1998; 63 FR 71210, Dec. 24, 1998; 64 FR 38550, July 19, 1999; 65 FR 51519, Aug. 24, 2000; 66 FR 22426, May 4, 2001; 66 FR 29900, June 4, 2001; 66 FR 42600, Aug. 14, 2001; 66 FR 52484, Oct. 16, 2001; 66 FR 54643, Oct. 30, 2001; 66 FR 62914, Dec. 4, 2001; 67 FR 4878, Feb. 1, 2002; 67 FR 12832, 12834, Mar. 20, 2002; 67 FR 44018, July 1, 2002; 67 FR 47244, July 18, 2002; 68 FR 31940, May 29, 2003; 70 FR 550, Jan. 4, 2005; 70 FR 71218, Nov. 28, 2005; 70 FR 73918, Dec. 14, 2005]

§ 94.19 Restrictions on importation from BSE minimal-risk regions of meat and edible products from ruminants.

Except as provided in § 94.18 and this section, the importation of meat, meat products, and edible products other than meat (excluding gelatin that meets the conditions of § 94.18(c), milk, and milk products), from bovines, sheep, or goats that have been in any of the regions listed in § 94.18(a)(3) is prohibited. The commodities listed in paragraphs (a) through (f) of this section may be imported from a region listed in § 94.18(a)(3) if the conditions of this section are met; if (except for commodities described in paragraph (e) of this section) the commodities are accompanied by an original certificate of such compliance 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; and if all other applicable requirements of this part are met.

¹⁸ VS form 16-3 may be obtained from the Animal and Plant Health Inspection Service, Veterinary Services, National Center for Import-Export, 4700 River Road Unit 38, Riverdale, Maryland 20737-1231.

(a) *Meat, meat byproducts, and meat food products from bovines.* The meat, meat byproduct, or meat food product, as defined by FSIS in 9 CFR 301.2—that those terms as applied to bison shall have a meaning comparable to those provided in 9 CFR 301.2 with respect to cattle, sheep, and goats—is derived from bovines that have been subject to a ruminant feed ban equivalent to the requirements established by the U.S. Food and Drug Administration at 21 CFR 589.2000 and meets the following conditions:

(1) The meat, meat byproduct, or meat food product is derived from bovines for which an air-injected stunning process was not used at slaughter; and

(2) The SRMs and small intestine of the bovines were removed at slaughter.

NOTE TO PARAGRAPH (a): The applicability of paragraph (a) to meat, meat byproducts other than liver, and meat food products when such commodities are derived from bovines that were 30 months of age or older when slaughtered is delayed indefinitely.

(b) *Whole or half carcasses of bovines.* The carcasses are derived from bovines for which an air-injected stunning process was not used at slaughter and that meet the following conditions:

(1) The bovines are subject to a ruminant feed ban equivalent to the requirements established by the U.S. Food and Drug Administration at 21 CFR 589.2000; and

(2) The SRMs and small intestine of the bovines were removed at slaughter.

NOTE TO PARAGRAPH (b): The applicability of paragraph (b) to whole or half carcasses derived from bovines that were 30 months of age or older when slaughtered is delayed indefinitely.

(c) *Meat, meat byproducts, and meat food products from sheep or goats or other ovines or caprines.* The meat, meat byproduct, or meat food product, as defined by FSIS in 9 CFR 301.2, is derived from ovines or caprines that are from a flock or herd subject to a ruminant feed ban equivalent to the requirements established by the U.S. Food and Drug Administration at 21 CFR 589.2000, that were less than 12 months of age when slaughtered, and that meet the following conditions:

(1) The animals were slaughtered at a facility that either slaughters only sheep and/or goats or other ovines and caprines less than 12 months of age or complies with a segregation process approved by the national veterinary authority of the region of origin and the Administrator as adequate to prevent contamination or commingling of the meat with products not eligible for importation into the United States;

(2) The animals did not test positive for and were not suspect for a transmissible spongiform encephalopathy;

(3) The animals have not resided in a flock or herd that has been diagnosed with BSE; and

(4) The animals' movement is not restricted within Canada as a result of exposure to a transmissible spongiform encephalopathy.

(d) *Carcasses of ovines and caprines.* The carcasses are derived from ovines or caprines that are from a flock or herd subject to a ruminant feed ban equivalent to the requirements established by the U.S. Food and Drug Administration at 21 CFR 589.2000, that were less than 12 months of age when slaughtered, and that meet the following conditions:

(1) The animals were slaughtered at a facility that either slaughters only sheep and/or goats or other ovines and caprines less than 12 months of age or complies with a segregation process approved by the national veterinary authority of the region of origin and the Administrator as adequate to prevent contamination or commingling of the meat with products not eligible for importation into the United States;

(2) The animals did not test positive for and were not suspect for a transmissible spongiform encephalopathy;

(3) The animals have not resided in a flock or herd that has been diagnosed with BSE; and

(4) The animals' movement is not restricted within Canada as a result of exposure to a transmissible spongiform encephalopathy.

(e) *Meat or dressed carcasses of hunter-harvested wild sheep, goats, or other ruminants other than cervids.* The meat or dressed carcass (eviscerated and the head is removed) is derived from a wild sheep, goat, or other ruminant other

than a cervid and meets the following conditions:

(1) The meat or dressed carcass is derived from an animal that has been legally harvested in the wild, as verified by proof such as a hunting license, tag, or the equivalent that the hunter must show to the United States Customs and Border Protection official; and

(2) The animal from which the meat is derived was harvested within a jurisdiction specified by the Administrator for which the game and wildlife service of the jurisdiction has informed the Administrator either that the jurisdiction conducts no type of game feeding program, or has complied with, and continues to comply with, a ruminant feed ban equivalent to the requirements established by the U.S. Food and Drug Administration at 21 CFR 589.2000.

(f) *Gelatin other than that allowed importation under § 94.18(c).* The gelatin is derived from the bones of bovines subject to a ruminant feed ban equivalent to the requirements established by the U.S. Food and Drug Administration at 21 CFR 589.2000 and from which SRMs and small intestine were removed.

NOTE TO PARAGRAPH (f): The applicability of paragraph (f) to gelatin derived from the bones of bovines that were 30 months of age or older when slaughtered is delayed indefinitely.

(g) *Ports.* All products to be brought into the United States under this section must, if arriving at a land border port, arrive at one of the following ports: Eastport, ID; Houlton, ME; Detroit (Ambassador Bridge), Port Huron, and Sault St. Marie, MI; International Falls, MN; Sweetgrass, MT; Alexandria Bay, Buffalo (Lewiston Bridge and Peace Bridge), and Champlain, NY; Pembina and Portal, ND; Derby Line and Highgate Springs, VT; and Blaine (Pacific Highway and Cargo Ops), Lynden, Oroville, and Sumas (Cargo), WA.

[70 FR 550, Jan. 4, 2005, as amended at 70 FR 12113, Mar. 11, 2005]

§ 94.20 Gelatin derived from horses or swine, or from ruminants that have not been in any region where bovine spongiform encephalopathy exists.

Gelatin derived from horses or swine, or from ruminants that have not been in any region listed in § 94.18(a) of this part, must be accompanied at the time of importation into the United States by an official certificate issued by a veterinarian employed by the national government of the region of origin. The official certificate must state the species of animal from which the gelatin is derived and, if the gelatin is derived from ruminants, certify that the gelatin is not derived from ruminants that have been in any region listed in § 94.18(a).

(Approved by the Office of Management and Budget under control number 0579-0015)

[58 FR 50251, Sept. 27, 1993, as amended at 59 FR 67134, Dec. 29, 1994; 62 FR 56023, Oct. 28, 1997. Redesignated at 70 FR 550, Jan. 4, 2005]

§ 94.21 [Reserved]

§ 94.22 Restrictions on importation of beef from Uruguay.

Notwithstanding any other provisions of this part, fresh (chilled or frozen) beef from Uruguay may be exported to the United States under the following conditions:

(a) The meat is beef from bovines that have been born, raised, and slaughtered in Uruguay.

(b) Foot-and-mouth disease has not been diagnosed in Uruguay within the previous 12 months.

(c) The beef came from bovines that originated from premises where foot-and-mouth disease has not been present during the lifetime of any bovines slaughtered for the export of beef to the United States.

(d) The beef came from bovines that were moved directly from the premises of origin to the slaughtering establishment without any contact with other animals.

(e) The beef came from bovines that received ante-mortem and post-mortem veterinary inspections, paying particular attention to the head and feet, at the slaughtering establishment, with no evidence found of vesicular disease.