

prevent the possible introduction of ectoparasites into the United States.

[52 FR 29502, Aug. 10, 1987, as amended at 57 FR 23049, June 1, 1992. Redesignated at 62 FR 56012, Oct. 28, 1997]

**§ 93.807 Other importations.**

(a) Elephants, hippopotami, rhinoceroses, and tapirs are exempt from the regulations in this part under the following circumstances:

(1) They are imported from Canada and are accompanied by a document signed by a salaried veterinarian of the Canadian Government that states:

(i) They were not imported into Canada during the year preceding their importation into the United States; and

(ii) They did not, during the year preceding their importation into the United States, have physical contact with or share a pen or bedding materials with any elephant, hippopotamus, rhinoceros, or tapir imported into Canada during that year; or

(2) They were exported into Canada from the United States and then imported back into the United States accompanied by a United States health certificate.

(b) Notwithstanding other provisions in this part, the Administrator may in specific cases allow the importation and entry of elephants, hippopotami, rhinoceroses, or tapirs into the United States other than as provided for in this part under such conditions as the Administrator may prescribe to prevent the introduction of ectoparasites into the United States.

(Approved by the Office of Management and Budget under control number 0579-0020)

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**Subpart I—Aquatic Animal Species**

SOURCE: 71 FR 51435, Aug. 30, 2006, unless otherwise noted.

**§ 93.900 Definitions.**

Wherever in this subpart the following terms are used, unless the con-

text otherwise requires, they shall be construed, respectively, to mean:

*Administrator.* The Administrator, Animal and Plant Health Inspection Service, or any person authorized to act for the Administrator.

*Animal and Plant Health Inspection Service.* The Animal and Plant Health Inspection Service of the United States Department of Agriculture (APHIS).

*APHIS representative.* A veterinarian or other individual employed by the Animal and Plant Health Inspection Service, United States Department of Agriculture, who is authorized to perform the services required by this part.

*Certifying official.* An individual authorized by the competent authority of a country to sign health certificates for aquatic animals.

*Competent authority.* The national veterinary services or other authority of a country, having the responsibility and competence for ensuring or supervising the implementation of aquatic animal health measures.

*Container.* A transport receptacle that is specially constructed to facilitate transportation of aquatic animals or aquatic animal products by one or several means of transport.

*Department.* The United States Department of Agriculture (USDA).

*Fertilized egg.* A viable fertilized ovum of an aquatic animal.

*Gamete.* The sperm or unfertilized egg of aquatic animals that is held or transported separately.

*Inspector.* An employee of the Animal and Plant Health Inspection Service authorized to perform duties required under this subpart.

*Person.* Any individual, corporation, company, association, firm, partnership, society or joint stock company.

*Port veterinarian.* A veterinarian employed by the Animal and Plant Health Inspection Service to perform duties required under this subpart at a port of entry.

*Region.* Any defined geographic land area identifiable by geological, political, or surveyed boundaries. A region may consist of any of the following:

- (1) A national entity (country);
- (2) Part of a national entity (zone, county, department, municipality, parish, Province, State, etc.);

(3) Parts of several national entities combined into an area; or

(4) A group of national entities (countries) combined into a single area.

*Spring viremia of carp (SVC).* A disease caused by infection with spring viremia of carp virus, a rhabdovirus capable of infecting several carp species, in addition to some other cyprinid and ictalurid fish species.

*SVC-susceptible species.* Common carp (*Cyprinus carpio*), grass carp (*Ctenopharyngodon idellus*), silver carp (*Hypophthalmichthys molitrix*), bighead carp (*Aristichthys nobilis*), Crucian carp (*Carassius carassius*), goldfish (*Carassius auratus*), tench (*Tinca tinca*), and sheatfish (*Silurus glanis*).

*United States.* All of the States of the United States, the District of Columbia, Guam, Northern Mariana Islands, Puerto Rico, the Virgin Islands of the United States, and all other territories and possessions of the United States.

**§ 93.901 General restrictions; exceptions.**

(a) No live fish, fertilized eggs, or gametes of SVC-susceptible species may be imported into the United States except in accordance with this subpart,<sup>11</sup> nor shall any such live fish, fertilized eggs, or gametes be moved from the port of entry after arrival until released by the port veterinarian; provided that the Administrator may, upon request in specific cases, allow the importation of SVC-susceptible live fish, fertilized eggs, or gametes under conditions other than those set forth in this subpart when the Administrator determines that such movement will not result in the introduction of SVC into the United States.

(b) Other provisions of this subpart relating to the importation of live fish, fertilized eggs, and gametes shall not apply to shipments of SVC-susceptible species of live fish, fertilized eggs, or gametes in transit through the United States if an import permit has been ob-

<sup>11</sup>The importation of live cultures of SVC virus, preserved SVC virus viral RNA or DNA, tissue samples containing viable SVC virus, or other specimens intended for diagnostic or research purposes and which contain viable SVC virus may be imported only under permit in accordance with 9 CFR part 122.

tained under § 93.903 and all conditions of the permit are observed; and if the live fish, fertilized eggs, and gametes are handled as follows:

(1) They are maintained under continuous confinement while in transit through the United States aboard an aircraft, ocean vessel, or other means of conveyance; or

(2) They are unloaded, in the course of such transit, into a holding facility<sup>12</sup> that is provided by the carrier or its agent and has been approved by the Administrator in accordance with paragraph (b)(4) of this section as adequate to prevent the spread within the United States of any finfish disease; they are maintained there under continuous confinement until loaded aboard a means of conveyance for transportation from the United States; and are maintained under continuous confinement aboard such means of conveyance until it leaves the United States.

(3) They are moved in accordance with any additional conditions prescribed in the permit and determined by the Administrator to be necessary to ensure that the live fish, fertilized eggs, or gametes through the United States do not introduce SVC into the United States.

(4) For a holding facility to be approved by the Administrator:

(i) The holding facility must be sufficiently isolated to prevent direct or indirect contact of the live fish, fertilized eggs, or gametes it contains with any other SVC-susceptible species in the United States;

(ii) The holding facility must be constructed to provide adequate protection against environmental conditions and so that it can be adequately cleaned, washed and disinfected;

(iii) Provision must be made for disposal of fish carcasses, shipping water, waste and any associated shipping materials in a manner that will prevent dissemination of disease;

(iv) Provision must be made for adequate sources of feed and water and for attendants for the care and feeding of

<sup>12</sup>Requests for approval of such facilities should be made to the Animal and Plant Health Inspection Service at the address provided in § 93.903 for permit applications.