

SUBCHAPTER D—EXPORTATION AND IMPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 91—INSPECTION AND HANDLING OF LIVESTOCK FOR EXPORTATION

SOURCE: 42 FR 28990, June 7, 1977, unless otherwise noted.

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Subpart A—General Provisions

§91.1 Definitions.

Whenever in the regulations in this part the following terms are used, they shall be construed as follows:

Accredited veterinarian. A veterinarian approved by the Administrator in accordance with the provisions of part 161 of this title to perform functions specified in parts 1, 2, 3, and 11 of subchapter A, and subchapters B, C, and D of this chapter, and to perform functions required by cooperative State-Federal disease control and eradication programs.

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 or Service).

Animals. Horses, cattle (including American bison), sheep, swine, and goats.

APHIS representative. An individual employed by APHIS who is authorized to perform the function involved.

Department. The United States Department of Agriculture.

Horses. Horses, mules, and asses.

Inspector. An inspector of the Animal and Plant Health Inspection Service.

Miniature swine. Swine bred and raised as pets or for laboratory testing purposes that do not weigh more than 100 pounds at maturity.

Official brucellosis vaccinate. A female bovine animal vaccinated against brucellosis in accordance with the provisions prescribed in the Recommended brucellosis Eradication Uniform Methods and Rules, chapter 1, part I-H, I, and J. The provisions of the Uniform Methods and Rules are hereby incorporated by reference.

Origin health certificate. An official document issued by an APHIS representative or an accredited veterinarian at the point of origin of a shipment of animals to be moved under this part, which shows the identification tag, tattoo, or registration number or similar identification of each animal to be moved, the number, breed, sex, and approximate age of the animals covered by the document, the date and place of issuance, the points of origin and destination, the consignor, and the consignee, and which states that the animal or animals identified on the certificate meet the export health requirements.

Premises of origin. The farm or other premises where the animals intended for export are being raised or assembled, or both, immediately before movement for export.

Roofing paper. Any saturated roofing paper of a grade known to the trade as 30-pound roofing paper.

State of origin. The State in which the premises of origin is located.

Veterinary Services. The Veterinary Services, Animal and Plant Health Inspection Service of the Department.

[42 FR 28990, June 7, 1977, as amended at 53 FR 51746, Dec. 23, 1988; 57 FR 23047, June 1, 1992; 57 FR 39353, Aug. 31, 1992]

§ 91.2 Animals to be handled in compliance with regulations.

No animals covered by the regulations in this part shall be exported to a foreign country except in compliance with the provisions in this part.

§ 91.3 General export requirements.

(a) All animals intended for exportation to a foreign country, except animals intended for exportation by land to Mexico or Canada, shall be accompanied from the State of origin of the export movement to the port of embarkation by an origin health certificate. All animals intended for exportation by land to Mexico or Canada shall be accompanied from the State of origin of the export movement to the border of the United States by an origin health certificate. The origin health certificate shall certify that the animals were inspected within the 30 days prior to the date of the movement of the animals for export, and were found

to be healthy and free from evidence of communicable disease and exposure thereto. The origin health certificate shall be endorsed by an authorized APHIS veterinarian in the State of origin, and shall include any test results added by such authorized APHIS veterinarian pursuant to § 161.3(k) of this chapter (any added test results shall be initialed by such authorized APHIS veterinarian). The origin health certificate shall individually identify the animals in the shipment as to species, breed, sex, and age, and, if applicable, shall also show registration name and number, tattoo markings, or other natural or acquired markings. The origin health certificate shall include all test results, certifications, or other statements required by the foreign country of destination.

(b) *Inspection.* All animals in each export shipment, except animals intended for export by land to Mexico or Canada, shall have been inspected, tested, or treated in the manner prescribed in this part prior to the movement of the export shipment to the export inspection facility. All animals in each export shipment intended for export by land to Mexico or Canada shall have been inspected, tested, or treated in the manner prescribed in this part prior to the movement of the animals from the State of origin. The Administrator may, upon request of the appropriate animal health official of the country of destination, waive the tuberculosis and brucellosis tests referred to in §§ 91.5(a) and (b), 91.6(a)(1) and (2), and 91.9(a) of this part when he finds such tests are not necessary to prevent the exportation of diseased animals from the United States.

(c) *Testing.* All samples for tests required by §§ 91.5 through 91.13 for exportation of animals under this section shall be taken by an inspector or an accredited veterinarian in the State of origin of the export movement. Such samples shall be taken and tests made within the 30 days prior to the date of movement of the animals for export from the premises of origin, except that the Administrator may permit such sampling or tests to be made more than 30 days prior to the date of export, if required by the receiving country

and the tuberculin test may be conducted within the 90 days prior to the date of the movement of the animals for export. The test for brucellosis shall be conducted in a cooperating State-Federal laboratory¹ in accordance with the Recommended Brucellosis Eradication Uniform Methods and Rules.

(d) *Movement in cleaned and disinfected carriers or containers.* The origin health certificate accompanying animals shall be accompanied by a statement from the issuing accredited veterinarian or inspector that the means of conveyance or container has been cleaned and disinfected since last used for animals with a disinfectant approved under § 71.10 of this chapter, prior to loading, or that the carrier or container has not previously been used in transporting animals.

(e) *Clean and disinfected facilities for unloading animals.* Animals intended for exportation to Mexico or Canada or enroute to a port of embarkation shall be unloaded only into a facility which shall have been cleaned and disinfected with a disinfectant approved under § 71.10 of this chapter, under the supervision of an inspector or an accredited veterinarian prior to such unloading. A statement certifying to such action shall be attached to the origin health certificate by the supervising inspector or accredited veterinarian.

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

[42 FR 28990, June 7, 1977, as amended at 44 FR 28298, May 15, 1979. Redesignated and amended at 45 FR 86412, Dec. 31, 1980; 48 FR 57472, Dec. 30, 1983; 57 FR 23047, 23048, June 1, 1992; 59 FR 48994, Sept. 26, 1994; 59 FR 67613, Dec. 30, 1994; 60 FR 4536, Jan. 24, 1995; 60 FR 9611, Feb. 21, 1995; 60 FR 13898, Mar. 15, 1995]

§ 91.4 Other movements and conditions.

The Administrator may, upon request in specific cases, permit the exportation of livestock not otherwise provided for in this part under such

¹A list of cooperating State-Federal laboratories may be obtained from the Administrator, Animal and Plant Health Inspection Service, Veterinary Services, National Center for Import-Export, 4700 River Road, Unit 38, Riverdale, Maryland 20737-1231.

conditions as he may prescribe in each specific case to prevent the spread of livestock diseases and to insure the humane treatment of the animals while in transit.

[43 FR 27171, June 23, 1978. Redesignated at 45 FR 86412, Dec. 31, 1980, and amended at 57 FR 23047, June 1, 1992]

Subpart B—Diagnostic Tests, Treatments

SOURCE: 45 FR 86412, Dec. 31, 1980, unless otherwise noted.

§ 91.5 Cattle.

In order to be eligible for export, cattle shall be tested with results as specified in this section, and the origin health certificate shall specify the type of tests conducted, the dates of the tests, and the results of the tests.

(a) *Tuberculosis.* All cattle over 1 month of age shall be negative to a caudal intradermal tuberculin test using 0.1 ml. of tuberculin with a reading obtained 72 hours (plus or minus six hours) after injection as prescribed in Veterinary Services Memorandum 552.15 "Instructions and Procedures for Conducting Tuberculin Tests in Cattle," section VIII A.²

(1) *Provided that*, such tests are not required for any of the following:

(i) Cattle exported directly to slaughter in a country that the Administrator has determined has an acceptable tuberculosis surveillance system at slaughter plants and that agrees to share any findings of tuberculosis in U.S. origin cattle with APHIS; or

(ii) Cattle exported directly to slaughter from a State designated as an Accredited-Free State in 9 CFR 77.1.

(2) The Administrator has determined that the following countries have an acceptable tuberculosis surveillance system at slaughter plants: Canada and Mexico.

(b) *Brucellosis.* All cattle over 6 months of age shall be negative to a test for brucellosis conducted as prescribed in "Standard Agglutination

²Copies of this publication may be obtained from the Animal and Plant Health Inspection Service, Veterinary Services, National Center for Import-Export, 4700 River Road, Riverdale, Maryland 20737-1231.

Test Procedures for the Diagnosis of Brucellosis”² or “Supplemental Test Procedures for the Diagnosis of Brucellosis.”²

(1) *Provided that*, such tests are not required for any of the following:

- (i) Official vaccinates of dairy breeds under 20 months of age;
- (ii) Official vaccinates of beef breeds under 24 months of age;
- (iii) Steers and spayed heifers;
- (iv) Cattle exported directly to slaughter in a country that the Administrator has determined has an acceptable brucellosis surveillance system at slaughter plants and that agrees to share any findings of brucellosis in U.S. origin cattle with APHIS; or
- (v) Cattle exported directly to slaughter from a State designated as a Class Free State in 9 CFR 78.41.

(2) The Administrator has determined that the following country has an acceptable brucellosis surveillance system at slaughter plants: Canada.

(c) *Treatment for ectoparasites.* All cattle, except those found free of ectoparasites or those intended for exportation for slaughter purposes to any foreign country, shall be treated for ectoparasites within 30 days preceding the date of export. Such treatment shall be made using a pesticide registered by the Environmental Protection Agency for use in treating animals infested with the ectoparasite involved in accordance with the label requirements. Treatment shall be personally supervised and certified on the origin health certificate by an accredited veterinarian who shall be ready to apply an antidote if adverse side effects occur following treatment.

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[45 FR 86412, Dec. 31, 1980, as amended at 48 FR 57472, Dec. 30, 1983; 55 FR 12634, Apr. 5, 1990; 56 FR 366, Jan. 4, 1991; 57 FR 23047, June 1, 1992; 59 FR 67614, Dec. 30, 1994; 60 FR 4536, Jan. 24, 1995; 60 FR 13898, Mar. 15, 1995; 61 FR 6918, Feb. 23, 1996; 62 FR 3446, Jan. 23, 1997]

§91.6 Goats.

(a) In order to be eligible for export, goats shall be tested with results as specified in this section, and the origin health certificate for such animals shall specify the type of test con-

ducted, the date of the tests, and the results of the tests.

(1) *Tuberculosis.* All goats over 1 month of age shall be negative to a caudal intradermal tuberculin test using 0.1 ml. of tuberculin with a reading obtained 72 hours (plus or minus 6 hours) after injection as prescribed in Veterinary Services Memorandum 552.15.

(2) *Brucellosis.* Dairy and breeding goats shall be negative to a plate or tube agglutination test for brucellosis as prescribed in “Standard Agglutination Test Procedures for the Diagnosis of Brucellosis.”²

(3) No goat shall be exported if it is a scrapie-positive animal or an exposed animal, as defined in 9 CFR parts 54 and 79, or if it has ever been in an infected flock, source flock, or trace flock, as defined in 9 CFR parts 54 and 79; or if it is the progeny, parent, or sibling of any scrapie-positive animal.

(4) Goats exported for immediate slaughter need not comply with the requirements of paragraphs (a)(1), (2), (3), and (5) of this section.

(5) All goats intended for export shall be identified by ear tags or tattoos approved by the Administrator, except that goats for export to Canada or Mexico for immediate slaughter may be identified by flock brands.

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[45 FR 86412, Dec. 31, 1980, as amended at 48 FR 57472, Dec. 30, 1983; 57 FR 23048, June 1, 1992; 59 FR 48994, Sept. 26, 1994; 60 FR 4536, Jan. 24, 1995]

§91.7 [Reserved]

§91.8 Sheep.

(a) No sheep shall be exported if it is a scrapie-positive animal or an exposed animal, as defined in 9 CFR parts 54 and 79, or if it has ever been in an infected flock, source flock, or trace flock, as defined in 9 CFR parts 54 and 79; or if it is the progeny, parent, or sibling of any scrapie-positive animal.

(1) Sheep exported for immediate slaughter need not comply with the requirements of paragraph (a)(2) of this section.

²See footnote 2 to §91.5.

(2) All sheep intended for export shall be identified by ear tags or tattoos approved by the Administrator.³ except that sheep for export to Canada or Mexico for immediate slaughter may be identified by flock brands.

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[45 FR 86412, Dec. 31, 1980, as amended at 57 FR 23047, 23048, June 1, 1992; 59 FR 48994, Sept. 26, 1994; 59 FR 67133, Dec. 29, 1994; 59 FR 67614, Dec. 30, 1994; 61 FR 6918, Feb. 23, 1996]

§ 91.9 Swine.

(a) No swine shall be exported if they were fed garbage at any time. The swine shall be accompanied by a certification from the owner stating that they were not fed garbage, and that any additions to the herd made within the 30 days immediately preceding the export shipment, have been maintained isolated from the swine to be exported. All breeding swine shall be tested for and show negative test results to brucellosis by a test prescribed in "Standard Agglutination Test Procedures for the Diagnosis of Brucellosis" or "Supplemental Test Procedures for the Diagnosis of Brucellosis". The test results shall be classified negative in accordance with the provisions prescribed in the Recommended Brucellosis Eradication Uniform Methods and Rules, chapter 2, part II, G, 1, 2, and 3.

(b) [Reserved]

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

[45 FR 86412, Dec. 31, 1980, as amended at 59 FR 67133, Dec. 29, 1994]

Subpart C—Ports of Embarkation, Facilities, Health Certification

§ 91.14 Ports of embarkation and export inspection facilities.

(a) The following ports which have export inspection facilities which satisfy the requirements of paragraph (c) of this section are hereby designated as

³Information concerning ear tags or tattoos approved by the Administrator may be obtained, upon request, from the Animal and Plant Health Inspection Service, Veterinary Services, National Center for Import-Export, 4700 River Road Unit 38, Riverdale, Maryland 20737-1231.

ports of embarkation. All animals, except animals being exported by land to Mexico or Canada, shall be exported through said ports or through ports designated in special cases under paragraph (b) of this section:

(1) *California.*

(i) Los Angeles—airport and ocean port.

(A) Jet Pets, Inc., 9014 Pershing Drive, Plaza del Rey, CA 90291, (213) 823-8901.

(B) Valley Livestock, 14380 South Euclid Avenue, Chino, CA 91710, (909) 597-1756.

(ii) San Francisco—airport and ocean port.

(A) Cow Palace, P.O. Box 34206, San Francisco, CA 94134, (415) 469-6000.

(B) Petair, 145 Bel Air Road, P.O. Box 2431, South San Francisco, CA 94080, (415) 877-0200.

(2) *Florida.*

(i) Miami—airport and ocean port.

(A) USDA Import-Export Center, 6300 NW. 36th Street, P.O. Box 523054, Miami, FL 33152, (305) 526-2828.

(ii) Tampa—ocean port.

(A) Tampa Port Authority, 2703 E. 7th Avenue, Tampa, FL 33605, (813) 248-1924.

(3) *Georgia.*

(i) Atlanta Hartsfield International Airport.

(A) Atlanta Equine Complex, 1270 Woolman Place, Atlanta, GA 30354, (404) 767-1700.

(B) Tumbleweed Farm (horses only), 1677 Buckner Road, Mableton, GA 30059, (770) 948-3556.

(C) Southern Cross Ranch (horses only), 1670 Bethany Church Road, Madison, GA 30650, (706) 342-8027.

(4) *Hawaii.*

(i) Honolulu—airport and ocean port.

(A) Hawaii State Quarantine Station, 99-762 Moanalua Road, Aiea, Hawaii 96701, (808) 487-5351.

(5) *Illinois.*

(i) Chicago—airport only.

(A) C&R Midwest Quarantine Facilities, Ltd., Box 470, Route 31, Dundee, IL 60118, (312) 426-5009.

(B) Knief Quarantine Facility, 11 N 470 Chapman Road, Box 305, Burlington, Illinois 60109, (312) 683-3873.

(6) *Kentucky.*

(i) Greater Cincinnati Airport, Covington; and Standiford Field Airport, Louisville—airport only.

(A) Newton Paddocks (horses only), Barn No. 8, Newton Pike, Lexington, KY 40511, (606) 253-3456.

(7) *Louisiana.*

(i) New Iberia—airport only.

(A) Acadiana Regional Airport, Star R-3, Box 390-H (ARA), New Iberia, LA 70560, (318) 365-7204.

(8) *Massachusetts.* (i) Boston—airport only.

(A) Logan International Airport (miniature swine only), East Boston, Massachusetts 02128, (617) 565-4649.

(9) *Minnesota.*

(i) Minneapolis/St. Paul—airport only.

(A) American Livestock Export Company, 25789 Northfield Blvd., Hampton, MN 55031, (612) 831-3873.

(B) Cannon Export Center, 2870 Rochester Blvd., Cannon Falls, MN 55009, (507) 263-3064.

(10) *Missouri.*

(i) Kansas City—airport only.

(A) KCI Multipurpose Export Facility, 12600 NW Prairie View Road, Kansas City, MO 64195, (314) 751-4338 (mailing address: P.O. Box 20462, Kansas City, MO 64195-0462).

(11) *New Jersey.*

(i) Salem—ocean port.

(A) Deep Hollow Farm (horses only), RD 2, P.O. Box 360, Haines Neck Road, Woodstown, NJ 08098, (609) 769-0993.

(12) *New York.*

(i) New York—airport and ocean port.

(A) Vetport, Inc., Bldg. 189, J. F. Kennedy International Airport (Cargo Area), Jamaica, NY 11430, (212) 656-6042.

(13) *Ohio.*

(i) Wilmington—airport only.

(A) Airborne Express Animal Export Facility, 145 Hunter Drive, Wilmington, Ohio 96701, (513) 382-5591.

(14) *Pennsylvania.*

(i) Harrisburg—airport only.

(A) Penn. Holstein Farm Export Inspection Facility, R.D. #1, Middletown, PA 17057, (717) 944-1374.

(15) *Puerto Rico.*

(i) San Juan—airport.

(A) El Comandante Race Track (Horses Only), P.O. Box 1304, Rio Piedras, PR 00929, (809) 724-6060.

(16) *Texas.*

(i) Brownsville—airport, ocean port, and border port.

(A) Texas Department of Agriculture, Livestock Inspection Facility, International Airport, Brownsville, TX 78520, (512) 546-5135.

(ii) Dallas/Fort Worth International Airport.

(A) DFW Quarantine (horses only), 1010 A Chinn Chapel Road, Lewisville, TX 75067, (214) 317-6861.

(B) [Reserved]

(iii) Del Rio—border port.

(A) Texas Department of Agriculture, Livestock Export Facility, Box 1046, Del Rio, TX 78840, (512) 775-1518.

(iv) Eagle Pass—border port.

(A) Texas Department of Agriculture, Livestock Export Facility, Box 1164, Eagle Pass, TX 78852, (512) 773-2359.

(v) El Paso—border port.

(A) Texas Department of Agriculture, Livestock Export Facility, 10800 Socorro Drive, El Paso, TX 79927, (915) 543-7419.

(vi) Houston—airport and ocean port.

(A) Texas Department of Agriculture, Livestock Export Facility, Box 60107, AMF, Houston, TX 77205, (713) 443-2447.

(vii) Laredo—airport and border port.

(A) El Primero Equine Export Facility (horses only), Route 7, Box 305, Laredo, TX 78041, (512) 723-5436.

(B) Texas Department of Agriculture, Livestock Export Facility, Route 1, Box 67-P, Laredo, TX 78040, (512) 722-6308.

(17) *Virginia.*

(i) Richmond—airport and ocean port.

(A) American Marketing Services, Inc., 1301 Hermitage Road, Richmond, VA 23220, (804) 359-4433.

(18) *Washington.*

(i) Moses Lake—airport only.

(A) Port of Moses Lake, Grant County Airport, Terminal Bldg., Moses Lake, WA 98837, (509) 762-5363.

(ii) Seattle—airport and ocean port.

(A) Stevedoring Service of America, 3415 11th Avenue SW., Seattle, WA 98134, (800) 422-3505.

(iii) Olympia—ocean port.

(A) Port of Olympia Animal Export Facility, 915 Washington Street NE., Olympia, Washington 98507-0827, (206) 586-6150.

(iv) Tacoma—airport and ocean port.

(A) Pacific Rim Livestock Quarantine, 17835 Highway 507 SE., Yelm, WA 98507, (206) 458-1762.

(b) In special cases, other ports may be designated as ports of embarkation by the Administrator, with the concurrence of the Director of Customs, when the exporter can show to the satisfaction of the Administrator that the animals to be exported would suffer undue hardship if they are required to be moved to a port of embarkation listed in §91.14(a). Such ports shall be designated only if the inspection facilities are approved as meeting the requirements of paragraph (c) of this section.

(c) *Standards for export inspection facilities.* Inspection facilities located at ports of embarkation designated under paragraph (a) of this section, and inspection facilities designated in special cases under paragraph (b) of this section, shall meet the following requirements:

(1) *Materials.* Floors of pens, alleys, and chutes shall be made of impervious materials and finished so as to be skid-resistant. Impervious floors are those constructed of a material that resists the absorption of fluids. Such materials include concrete, asphalt, brick, metal, or other synthetic material that may be cleaned and disinfected. Fences, gates, and other parts of the facility shall be constructed of wood, metal, or other material that will securely restrain the animals in a safe and humane manner. The facility shall have a roof adequate to protect the animals from inclement weather over at least three-fourths of the pens and alleys and over all of the inspection area.

(2) *Size.* The facility shall be large enough to accommodate all the animals in a single export shipment at one time. A minimum space twice the rate required per animal in §91.25(b) shall be provided for each animal. Facilities that inspect horses must have ceilings at least 12 feet high in any areas where horses are inspected.

(3) *Inspection implements.* The facility shall have a separate area available for inspection and identification of the animals. Pens and animal restraining devices shall be provided in this area which are sufficient for the inspection and identification of each animal. Pens

or yards shall be provided for appropriate segregation, treatment, or both, of animals of questionable health status apart from animals qualified for exportation under this part.

(4) *Cleaning and disinfection.* The facility and equipment shall be cleaned and disinfected with a disinfectant permitted under §71.10 of this chapter under the supervision of a Federal inspector prior to entry of each export shipment into the export inspection facility. Personnel tending the animals shall, if they come in contact with animals outside of the facility, be required to change or sanitize their outer clothing and footwear. All facilities must have running water available to wash and disinfect the facilities. On and after March 23, 1995, facilities to be approved must have a drainage system; and, on and after March 23, 1997, every facility approved before March 23, 1995, must have a drainage system. The drainage system must control surface drainage into or from the facility in a manner that prevents any significant risk of livestock diseases being spread into or from the facility.

(5) *Feed and water.* An ample supply of running, potable water shall be made available to the animals intended for export, and in cold weather such water shall be kept free of ice. Feed and feeding facilities appropriate for the animals intended for export shall be provided.

(6) *Access; approval of arrangements.* Access to all parts of the facility shall be allowed to an inspector at all times, day or night, and the arrangement for handling the animals shall be subject to the approval of the inspector. Approval shall be granted by the inspector if he finds that such arrangements will not permit the dissemination of communicable diseases of livestock to the animals in the export shipment.

(7) *Testing and treatment.* Testing and treatment of animals in export inspection facilities shall be performed by an accredited veterinarian under the supervision of an APHIS veterinarian. Tests related to APHIS animal disease programs shall be performed in accordance with the Recommended Brucellosis Eradication Uniform Methods and Rules.

(8) *Location.* The arrangement and location of the facilities shall provide for the isolation of all animals in the facility from contact with any other animals. Isolation of separate export shipments in the facility shall be at the discretion of the inspector.

(9) *Disposal of animal wastes.* The application for approval of an export inspection facility shall be accompanied by a certification from the authorities having jurisdiction over environmental affairs in the locality of the facility stating that the facility complies with the applicable State and local regulations or ordinances and the requirements, if any, of the United States Environmental Protection Agency, regarding disposal of animal wastes.

(10) *Lighting.* The facility shall be equipped with artificial lighting to provide not less than 70 foot candle power in the inspection area and not less than 40 foot candle power in the remainder of the facility.

(11) *Office and rest room.* A suitable office and adequate rest room facilities shall be provided at the export inspection facility site for use of the inspectors. The facility must have a working telephone.

(12) *Walkways.* Facilities where horses are inspected must have walkways in front of horse stalls wide enough to allow APHIS personnel to safely remove horses from the stalls for inspection, if necessary.

(d) *Approval and denial, revocation, or suspension of approval.* Approval of each export inspection facility for designation under paragraph (a) of this section and in special cases under paragraph (b) of this section, shall be obtained from the Administrator. Approval of an export inspection facility under paragraph (a) or (b) will be denied or revoked for failure to meet the standards in paragraph (c) of this section. A written notice at least 60 days prior to the date of any proposed revocation and a written notice of any proposed denial shall be given to the operator of the facility and he will be given an opportunity to present his views thereon. Such notice shall list in detail the deficiencies concerned. Pending a final determination, approval of any facility may be denied or suspended by the Administrator when he has reason to be-

lieve that the facility does not meet such standards. Approval of a port of embarkation in connection with the designation of an export inspection facility in a special case shall be limited to the special case for which the designation was made.

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

[42 FR 28990, June 7, 1977]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 91.14, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 91.15 Inspection of animals for export.

(a) All animals offered for exportation to any foreign country, except by land to Mexico or Canada, shall be inspected within 24 hours of embarkation by an APHIS veterinarian at an export inspection facility at a port designated in § 91.14(a), or at a port or inspection facility designated by the Administrator in a special case under § 91.14(b).

(b) Such animals shall be held for a period of not less than 5 hours at the port of embarkation or export inspection facility during which time the animals shall be given a careful visual health inspection. Sorting, grouping, identification, or other handling of the animals by the exporter may be before or after this period of time. If individual clinical inspection of an animal is deemed necessary by an APHIS veterinarian for the purpose of determining its health status, such inspection may be made during this period of time or thereafter.

(c) *Feed and water.* All animals shall be allowed a period of at least 5 hours for rest at the export inspection facility, with adequate feed and water available, before movement to an ocean vessel or aircraft for loading for export. (This may be the same period required by paragraph (b) for health inspection.) However, feed and water will not be required if the animals were transported to the export inspection facility in a carrier in which adequate feed and water were provided and if sufficient evidence is presented to an APHIS veterinarian that the animals, if under 30 days of age, will arrive in

the country of destination within 24 hours after they were last fed and watered, in the United States, or in the case of other animals within 36 hours after they were last fed and watered in the United States

[42 FR 28990, June 7, 1977, as amended at 44 FR 28299, May 15, 1979. Redesignated at 45 FR 86413, Dec. 31, 1980, and amended at 57 FR 23048, June 1, 1992; 60 FR 4536, Jan. 24, 1995; 60 FR 9611, Feb. 21, 1995]

§91.16 Certification of animals for export.

If, upon inspection by an APHIS veterinarian at the export inspection facility, the animals offered for export are found to be sound, healthy, and free from evidence of communicable disease or exposure thereto, an export certificate, VS Form 17-37, shall be issued by said APHIS veterinarian and shall contain a statement to that effect.

[42 FR 28990, June 7, 1977. Redesignated at 45 FR 86413, Dec. 31, 1980, as amended at 57 FR 23047, 23048, June 1, 1992]

Subpart D—Inspection of Vessels and Accommodations

§91.17 Accommodations for humane treatment of animals on ocean vessels.

(a) The owner or operator of an ocean vessel carrying animals from the United States to a foreign country shall provide, for such animals, feed and water, space, ventilation, fittings, and other facilities aboard the carrier as set forth in this part. For animals embarked for a voyage which will be of more than 36 hours duration, there shall be provided to the satisfaction of the inspector sufficient amounts of suitable feed and fresh water, and proper accommodations shall be provided on board for storage and distribution of the water and feed. The feed shall not be exposed to the weather at sea. However, such feed and water shall not be required if it is determined by the APHIS veterinarian that the animals, if under 30 days of age will arrive in the country of destination within 24 hours after they were last fed and watered in the United States, or, in the case of other animals, within 36 hours after

they were last fed and watered in the United States.

(b) Owners masters, or operators of such vessels shall not accept for transportation any animal that in the judgment of the APHIS veterinarian is in an unfit condition to withstand the rigors of such transportation. Further, no animal intended for export shall be placed aboard any ocean vessel, unless in the opinion of the inspector the loading arrangements, fittings, ventilation systems, and the arrangements provided by the vessel for their use reasonably assure arrival of a viable animal in the country of destination. Halters, ropes, or other suitable equipment provided for the handling and tying of horses shall be found to be satisfactory by the APHIS veterinarian to assure humane treatment of the animals.

[42 FR 28990, June 7, 1977. Redesignated at 45 FR 86413, Dec. 31, 1980, as amended at 57 FR 23047, June 1, 1992]

§91.18 Cleaning and disinfection of transport carriers for export.

All fittings, utensils and equipment, unless new, to be used in the loading, stowing, or other handling of animals aboard surface vessels under the provisions of this part, shall first be cleaned and disinfected under the supervision of an inspector before being used for, or in connection with, the transportation of animals from any United States port. Such disinfection of halters, ropes, and similar equipment used in handling and tying of animals shall be by immersion in an approved disinfectant. When the surface vessel has last been used to carry livestock to or from a foot-and-mouth disease infected country, the approved disinfectant shall be a freshly prepared solution of:

(a) Sodium carbonate (4 percent) in the proportion of 1 pound to 3 gallons of water.

(b) 4 percent sodium carbonate plus 0.1 percent sodium silicate.

(c) Sodium hydroxide (Lye) prepared in a fresh solution in the proportion of not less than 1 pound avoirdupois of sodium hydroxide of not less than 95 percent purity to 6 gallons of water, or

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one 13½-ounce can to 5 gallons of water.⁷

For carriers returning from other foreign countries, the approved disinfectant shall be a disinfectant permitted for use under § 71.10, part 71 of this chapter.

[42 FR 28990, June 7, 1977. Redesignated and amended at 45 FR 86413, Dec. 31, 1980; 53 FR 51746, Dec. 23, 1988]

§ 91.19 Inspection of ocean vessels prior to loading.

It shall be the responsibility of the owners or the masters of an ocean vessel intended for use in exporting livestock to present the vessel to an inspector at a United States port of embarkation or at the discretion of the Administrator, upon request of the exporter, transporting company, or their agent, at a foreign port, for an inspection to determine if the fittings aboard the vessel are in compliance with the provisions of this part. A notarized statement from an engineering concern shall be required to certify to the rate of air exchange in each compartment. Such notarized statement shall be required upon first use of such vessel: *Provided*, That such notarized statement may again be required by the Administrator if substantive changes in fittings aboard the vessel have been made since the vessel was last certified.

[42 FR 28990, June 7, 1977. Redesignated at 45 FR 86413, Dec. 31, 1980, and amended at 57 FR 23047, 23048, June 1, 1992]

§ 91.20 General construction.

A variety of construction materials such as wood, metal plate, or pipe may be used for stalls, crates, or pens aboard ocean vessels. Pipe fittings have the advantage of smooth surfaces, easy maintenance, long range economy and spaces between pipe rails to allow for feeding, watering, cleaning and better ventilation. Material used for

⁷Due to the extreme caustic nature of sodium hydroxide solution, precautionary measures such as the wearing of rubber gloves, boots, raincoat, and goggles should be observed. An acid solution such as vinegar shall be kept readily available in case any of the sodium hydroxide solution should come in contact with the body.

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stalls, crates, or pens shall be properly formed, closely fitted, and rigidly secured in place. Special care shall be taken to design and finish all edges, welds, and hardware that are accessible to animals. A combination of wood and steel pipe or other steel profile construction may be accepted if the construction complies with the regulations in this part. Where the sides of pens are adjacent to the ship's sides which have steel casing, frames, stays or similar fittings, the carrier shall cover these profiles with wooden battens of at least 2 inch thick lumber or plywood of similar strength to prevent animals from injury.

[42 FR 28990, June 7, 1977. Redesignated at 45 FR 86413, Dec. 31, 1980]

§ 91.21 Ventilation.

Each underdeck compartment on which animals are being transported aboard an ocean vessel shall be equipped with a system of mechanical ventilation that will furnish a complete change of air in each compartment every 2 minutes when deck height⁸ is less than 8 feet and every 2½ minutes when the deck height⁸ exceeds 8 feet. Spare motors and fans shall be available on board, for replacement or repair of the ventilation system during the voyage. A spare motor and fan of an approved type in working order shall be aboard the vessel for each type of motor or fan used. Net pen space in any compartment shall not exceed 80 percent of the deck area.

[42 FR 28990, June 7, 1977. Redesignated at 45 FR 86413, Dec 31, 1980]

§ 91.22 Protection from heat of boilers and engines.

No animals shall be stowed along the alleyways leading to the engine or boiler rooms unless the sides of said engine or boiler rooms are covered by a tongue and groove tight sheathing producing a 3-inch-wide air space except that on ships powered with internal combustion engines this sheathing may not be

⁸Deck height is the height from the ceiling to the floor.

required at the discretion of the inspector.

[42 FR 28990, June 7, 1977. Redesignated at 45 FR 86413, Dec. 31, 1980]

§91.23 Loading ramps and doors.

(a) Ramps connecting one deck of a ship to another shall have a clear width of 3 feet and a clear height of not less than 6 feet 6 inches. The incline of the ramps shall not exceed 1:2 (26½°) between the ramps and the horizontal plane. The ramps shall be fitted with footlocks of approximately 2" x 2" lumber and spaced no more than one foot apart. The ramps shall have side fencing not less than 5 feet in height. Side doors in ship's shell plating through which livestock are to be loaded shall have a height of not less than 6 feet for cattle and 6 feet 6 inches for horses.

(b) Alleyways running fore and aft on the ocean vessel that are used for feeding, watering, and loading animals, including horses in box stalls, shall have a minimum width of 3 feet. However, for a distance not to exceed 8 feet at the end of alleyways in the bow and the stern of ship, and where obstructions of less than 3 feet in length occur, the width may be reduced to a minimum of 24 inches. A sufficient number of athwartship alleyways at least 24 inches in width shall be provided to afford ready access to scuppers and to ends of alleyways running fore and aft. However, on exposed decks where scuppers and the end of fore and aft alleyways are readily accessible athwartship alleyways are not required and if the alleyways are to be used for feeding or watering livestock, but not for loading or unloading of livestock, such alleyways shall have a minimum width of 28 inches.

[42 FR 28990, June 7, 1977. Redesignated at 45 FR 86413, Dec. 31, 1980]

§91.24 Attendants.

It shall be the responsibility of the captain of the ocean vessel to carry at least three men on board the vessel who are experienced in the handling of the kind/kinds of livestock to be carried, and a sufficient number of attendants, satisfactory to the inspector or the APHIS veterinarian at the port embarkation to insure proper care of the

animals: *Provided, however,* That only one person experienced in the handling of the kind/kinds of livestock to be carried and a sufficient number of attendants, satisfactory to the APHIS veterinarian at the port of embarkation, to insure proper care of the animals must be carried on board the ocean vessel if less than 800 head of livestock are carried.

[42 FR 28990, June 7, 1977, as amended at 43 FR 27171, June 23, 1978. Redesignated at 45 FR 86413, Dec. 31, 1980, and amended at 57 FR 23047, June 1, 1992]

§91.25 Space requirements for animals on ocean vessels.

(a) *General requirements.* A general space requirement for any individual animal in stalls or crates on ocean vessels shall be six inches more in height, depth, and width than the measurements of the animal concerned. The number of animals in each stall, pen or other container, the cubic inches of air available for each animal, and the ventilation capability of the transporting carrier are other criteria used to determine final space requirements for each animal. Guidelines of space requirements for storage of animals in pens are listed in paragraphs (b) and (c) of this section. Final determination of space needed and manner of loading of animals for export shipment will be made by the inspector or the APHIS veterinarian at the port of embarkation, based upon the size and type of animals presented, weather, destination, route, and means of transportation employed for the export shipment.

(b) *Space guidelines:*

Animal weight, pounds:	Space in square feet allowed per animal—
100	4.0
150	5.0
200	6.0
250	6.9
300	7.9
350	8.9
400	9.9
450	10.9
500	11.8
550	12.5
600	13.2
650	13.9
700	14.6
750	15.3

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	Space in square feet allowed per animal—
800	15.9
850	16.6
900	17.3
950	17.8
1,000	18.4
1,050	18.9
1,100	19.4
1,150	19.9
1,200	20.4
1,250	21.0
1,300	21.5
1,350	22.0
1,400	22.7
1,450	23.3
1,500	24.0
1,550	24.6
1,600	25.3
1,650	25.9
1,700	26.6
1,750	27.2
1,800	27.8

ocean vessels measure 8 feet in width outside but vary from 7 feet 3 inches to 7 feet 9 inches in width inside and from 17 feet to 40 feet in length. For such containers the space requirements and minimum pen widths shown in the following charts shall be used whenever the length of the animal exceeds the width of the container. For ready measurement of dairy cattle only, the distance from the withers to the pin bone multiplied by 1.65 gives the approximate total length. Length of other cattle and large animals will require measurement of their total length. Other animals larger than those shown in the following charts shall be stowed subject to the approval of the inspector or the APHIS veterinarian at the port of embarkation. Maximum inside length of container pens shall be 12 feet 9 inches.

(c) *Space guidelines for containers.* Containers used aboard containerized

Weight	Square feet per head	3 head		4 head	
		Square feet	Width	Square feet	Width
CONTAINERS 7'9" IN WIDTH					
800	18.5	.....	.....	74.0	9'7"
850	19.5	.....	.....	78.0	10'1"
900	20.4	61.2	7'11"	81.6	10'6"
950	21.4	64.2	8'4"	85.6	11'1"
1,000	22.4	67.5	8'9"	90.6	11'7"
1,050	23.4	70.2	9'1"	93.6	12'1"
1,100	24.5	73.5	9'6"	98.0	12'8"
1,150	25.5	76.2	9'10"	.....	.....
1,200	26.5	79.5	10'3"	.....	.....
1,250	27.4	82.2	10'6"	.....	.....
1,300	28.4	85.2	11'0"	.....	.....
1,350	29.6	88.8	11'6"	.....	.....
1,400	30.8	92.4	12'0"	.....	.....
1,450	31.9	95.7	12'4"	.....	.....
1,500	32.9	98.7	12'9"	.....	.....
CONTAINERS 7'3" IN WIDTH					
700	16.3	.....	.....	65.2	9'9"
750	17.5	52.2	7'3"	70.0	9'8"
800	18.9	56.7	7'9"	75.6	10'5"
850	20.1	60.3	8'3"	80.4	11'1"
900	21.3	63.9	8'9"	85.2	11'9"
950	22.3	66.9	9'2"	89.2	12'4"
1,000	23.7	71.1	9'8"	.....	.....
1,050	24.8	74.1	10'1"	.....	.....
1,100	26.0	78.6	10'9"	.....	.....
1,150	27.1	81.3	11'3"	.....	.....
1,200	28.4	85.5	11'10"	.....	.....
1,250	29.6	88.8	12'3"	.....	.....
1,300	30.9	92.7	12'9"	.....	.....

(d) *Special requirements.* If an animal to be loaded on an ocean vessel is in the third trimester of pregnancy or the route of the carrier will be into or through a tropical area,⁹ the space required for each animal shall be increased by 10 percent. If the animal to be exported is in the third trimester of pregnancy and the route of the vessel will be into or through such area, the space required for such animal shall be increased by 20 percent. (See also paragraph (g). In addition, hospital pens measuring not less than 3 feet by 8 feet for each animal shall be provided at the rate of 3 such pens for each 100 head loaded, except as provided for horses in paragraph (e) of this section.

(e) *Size of stalls or pens for horses on ocean vessels.* Space for horses in pens on ocean vessels shall not be less than 6 feet 6 inches from roof or beams overhead to floor underfoot. Space containing up to 120 square feet may be used for stowage of horses and shall be at least 8 feet but not more than 9 feet in width (thwartship) except that upon approval of the inspector or the APHIS veterinarian at the port of embarkation, pens 7 feet wide may be allowed for medium-sized horses. Single stalls shall be not less than 2½ feet wide. Mares in foal shall be shipped only in separate stalls which shall be not less than 8 feet long by 3 feet wide and for mares due to foal en route and for stallions, stalls shall not be less than 8 feet long by 5 feet wide and shall be readily accessible to ship personnel. Extra stalls suitably located shall be provided in each compartment or on decks where horses are carried so that adequate hospital space can be made available for any horses that become sick or disabled aboard ship. The number of such stalls shall be as follows: One for the first 4 to 10 horses shipped, another for any number in excess of 10 up to and including 25, and still another for each additional 25 horses or fraction thereof.

(f)(1) Except as provided in paragraph (c) of this section, space in pens on ocean vessels for cattle weighing 1000 pounds or more shall be no less than 8 feet in width and 6 feet 3 inches from

roof or beams overhead to flooring underfoot, except that when floors are raised over pipes and similar obstructions, a height of not less than 6 feet may be permitted at the discretion of the inspector. Pens for cattle weighing less than 1,100 pounds may not exceed 226 square feet. Pens for cattle weighing 1,100 pounds or more may not exceed 610 square feet. When any such pen includes stanchions, sounding tubes, ventilators, and other obstructions, 20 percent more space for each animal shall be required.

(2) Single stalls in ocean vessels for cattle weighing 1000 pounds or more shall be not less than 8 feet in length by 3 feet in width.

(3) Calves and yearlings may be stowed in pens or stalls at the discretion of the inspector or the APHIS veterinarian at the port of embarkation.

(g) *Space for sheep, goats, and swine on ocean vessels.* Space for sheep, goats, and swine on ocean vessels shall not be less than 3 feet in height and the length and width of pens shall not exceed 15 x 8 feet. An increase of 50 percent square footage shall be required for animals in the third trimester of pregnancy, notwithstanding other provisions in paragraph (d).

[42 FR 28990, June 7, 1977. Redesignated and amended at 45 FR 86413, Dec. 31, 1980; 53 FR 40407, Oct. 17, 1988; 57 FR 23047, June 1, 1992]

§ 91.26 Concrete flooring.

(a) Pens aboard an ocean vessel shall have a 3 inch concrete pavement, proportioned and mixed to give 2000 psi. compressive strength in 28 days. The pavement shall have a broom or rough finish. Steel angle bars may be used for footlocks if they are mounted into the flooring in such a way that, at the same time, the bars serve as gutterways. The angle bars shall not be less than 2 inches by 2 inches and ¼ inches in thickness, and spaced on 12 inch centers running for and aft on the vessel.

(b)(1) *Horses and cattle.* Flooring shall be laid athwartship and secured by placing ends beneath the under side of foot and rump boards or under a 2" x 4" strip nailed along these boards. Floors may be either of two types, flush or

⁹The area situated between the Tropic of Cancer and the Tropic of Capricorn.

raised. The flush type shall be constructed of not less than 1" thick lumber laid flat on the deck. The raised type shall be constructed of not less than 2" thick lumber nailed to scantlings of at least 2" x 3" dimensions laid 2 feet 6 inches apart. If desired, flooring may be laid in portable sections. Flooring will not be required on ships with wooden decks provided footlocks are secured to the decks. Cement or composite material diagonally scored one-half inch deep may be used on iron decks instead of wooden flooring if the footlocks are molded in the same and bolted to the deck.

(2) *Sheep, goats, and swine.* Flooring for sheep, goats, and swine shall be the same as prescribed in this section for horses and cattle, except that the raised flooring need not be greater than 12 inch in thickness.

(3) *Drainage.* Provisions shall be made for drainage of urine and surface water from all parts of the vessel used for carriage of animals including sufficient scuppers. A walkway shall provide easy access to the scuppers.

(c)(1) *Horses and cattle.* In pens for horses or cattle, there shall be four footlocks of 1" x 4" lumber laid fore and aft with flat side down, and so placed as to provide in-between spaces of 12, 14, 26, and 14 inches, beginning at inside of the footboard. Additional footlocks shall be added at 14 inch intervals in pens having a depth of 9 feet or more. They shall be well secured with nails of a length that will permit 1 inch clinch in 1 inch flooring and 2 inch penetration in 2 inch flooring.

(2) *Sheep, goats, and swine.* Footlocks in pens for sheep, goats, and swine shall be of not less than 1" x 2" lumber, four to each pen, equally distributed and laid in the manner prescribed in paragraph (c)(1) of this section for horses and cattle.

[42 FR 28990, June 7, 1977. Redesignated at 45 FR 86413, Dec. 31, 1980, and amended at 57 FR 23047, June 1, 1992]

§91.27 Troughs and hayracks.

All stalls and pens aboard an ocean vessel shall be equipped with proper troughs for feeding and watering animals as provided in this section. Racks or nets furnished for feeding hay shall be of a type acceptable to the inspec-

tor. The feeding of hay to the animals on ocean vessels may be by means of dispensing the hay from racks or nets or by placing the hay on the floor of the pens in which the animals are confined.

(a) *Horses and cattle.* Troughs may be constructed of metal or wood and may be either removable or fixed. The space between the first footlock and footboard may be utilized for feeding cattle, provided a 2" x 4" piece of lumber is affixed along the top surface of said footlock so that it, together with the footboard and the battens, will form an enclosure. If wooden troughs are used for feeding, an adequate supply of buckets or other metal containers shall be provided for the proper watering of the animals.

(b) *Sheep, goats, and swine.* Pens for these animals shall have feed troughs not less than 8 inches wide and shall be equipped with proper receptacles for watering. Pens for sheep and goats shall also have ample hayracks suitable for these animals.

[42 FR 28990, June 7, 1977. Redesignated at 45 FR 86413, Dec. 31, 1980]

§91.28 Stanchions and rails.

(a)(1) Pipes used for stanchions and rails for pens aboard an ocean vessel shall be made of zinc coated, galvanized, extra strong, medium carbon steel. Steel pipes or other steel profiles shall consist of not less than 4 pipes or profiles, the upper one to have 3 inch diameter and the others a diameter of not less than 2½ inches. Stanchions shall not be of less than 3½ inches diameter; shall not be of less than 5/16 inch thickness and shall not be placed more than 8 feet apart center to center.

(2) Threaded pipe connections shall not be used. All parts shall be cut from factory fabricated, seamless pipe.

(3) Bolt and pin holes shall not be drilled to more than 1/32 inch oversize. Holes shall be properly located and centered on pipe.

(4) Pipe shall not be deformed or weakened by welding such items as reinforcing rods or hinges thereto. Welding shall be used for such attachment to be exposed in the finished work. Pins, plates, and parts other than pipe shall be made of galvanized steel. All areas where galvanizing of the steel

has eroded or has been damaged shall be finished with a rust preventative.

(5) Pipe rails shall be placed in proper alignment with tops of all gates at the same height.

(b) All gates of animal pens aboard an ocean vessel shall have smooth finished surfaces and the pivot-pins shall have a minimum diameter of $\frac{3}{4}$ inch.

(c) Animals may be carried on upper decks of an ocean vessel in space abutting the outside rails or bulwarks only if such rails or bulwarks are 3 feet or more in height from the deck and are of sufficient strength to hold the necessary fittings securely or if the space available is sufficient to permit securing the required fittings to provide the necessary strength. When animals are carried on upper decks, bulkheads shall be erected at all unprotected ends of stalls.

(d)(1) *Cattle and horses.* Rail stanchions for pens aboard an ocean vessel for cattle or horses shall be constructed of not less than 4" or 6" lumber set 5 feet apart on centers secured to the ship's rail or bulwark with $\frac{5}{8}$ inch or larger bolts or collars and with heels riced to the sheer streak or waterway. Inboard stanchions of 4" x 6" lumber shall be set in line with the rail stanchions and properly braced: *Provided, however,* That the method of securing and bracing of stanchions may be modified as approved by the underwriter of the cargo bureau, and the inspector. Information concerning the modifications shall be made available to APHIS, at its request. On open rail ships, spaces between the rails shall be blocked out to permit the affixing of outside planking. If supplementary stanchions are required for rump boards, these shall not be less than 3" x 4" in size and shall be secured to beams and decks as outlined above. On upper deck fittings at ends of unprotected stalls, a stanchion not less than 3" x 4" in size shall be similarly spaced and secured to beams and decks and properly braced. Stanchions on underdecks shall be constructed, spaced, and secured in the same manner as upper deck fittings.

(2) *Sheep, goats, and swine.* Stanchions for single or double tier pens for sheep, goats, and swine shall be constructed of not less 3" x 4" lumber set at

not greater distance than 5 feet on centers and secured as outlined in paragraph (d)(1).

(e) For all animals, two beams of 2" x 6" lumber shall be bolted on each side of the stanchions using $\frac{5}{8}$ inch bolts, nuts, and washers. Beams shall extend from outside planking to at least 2 feet beyond the line of the breast boards unless the beams butt on the ship's deck fittings. Two beams of 2" x 6" lumber shall be used to support the roof of single tier pens on exposed decks and the floor of double tier pens on all decks.

(f) All pens for carrying animals on exposed decks aboard an ocean vessel shall be roofed with not less than 1 inch thick, watertight lumber extending from outside planking to at least 2 feet beyond the line of breast boards: *Provided,* That, if tongue and grooved lumber is used, it must be caulked or covered so that it is watertight or if square edged lumber is used it shall be covered with a saturated roofing paper known to the trade as 30 pound roofing paper and shall be securely battened.

(g) All pens for carrying animals on exposed decks shall be provided with outside planking of not less than 1½ inch tongue and groove lumber, laid fore and aft of ship, driven tightly together and securely nailed to backs of stanchions in a manner to cover all open spaces properly. However, during warm weather the top course planking may be left off in order to allow a free circulation of air. On vessels with closed bulwarks, the outside planking shall extend not less than 6 inches below the upper edge of the bulwark.

(h)(1) *Horses.* All stalls and pens for horses shall be equipped with breast boards of no less than 2" x 10" dressed lumber with the top edge placed 3 feet 10 inches from the floor and securely nailed to the stanchions. Where butting occurs, the joints are to be on the stanchions and shall be covered with metal plates 3 inches square or 5 inches in diameter and not less than $\frac{1}{4}$ inch in thickness. A $\frac{5}{8}$ inch bolt shall then be passed through the plate, joint, and stanchion and securely fastened with a nut. All breast boards shall have 1 inch holes bored through them at proper distances for tying animals. An occasional pen shall be provided with

a removable breast board in order that animals may be loaded into and removed from the stalls and pens. All stalls and pens shall be provided with foot boards of not less than 2" x 10" lumber securely nailed or bolted to the stanchions. At the discretion of the inspector, small ponies, asses, small mules, mares with foal at foot, young unbroken horses or gentle horses of any size may be stowed loose in pens. In these cases, a sufficient number of finished 2" x 10" lumber shall be placed between the breast and foot boards to effectively contain the animals.

(2) *Cattle*. All stalls and pens for cattle shall be provided with boards as required for horses in paragraph (a), except that the front or breast boards shall be constructed in sets of three or more boards of 2" x 10" dressed lumber separated by 3 inch spacers and placed on the foot board so that the front of the pen extends 48 inches or more in height from the floor. One or more of the breast boards may be left off if feed or water troughs are to be mounted externally.

(3) *Sheep, goats, and swine*. Front boards in pens for sheep, goats, and swine shall be of not less than 1" x 6" pieces of lumber approximately spaced and extending to the proper height for these species of animals. Provision shall be made for removing a section of front boards to allow entry of animals into pens or removal therefrom and for feeding or watering.

(i)(1) *Horses and cattle*. Rump boards in pens for horses or cattle shall form a solid wall at least 4 feet high for cattle and 4 feet 6 inches high for horses and shall be of lumber not less than 1½ inches thick if tongued and grooved or 2 inches thick if square edged or of plywood of the same strength. Where the deck is clear of obstructions, rump boards may be set on the inside of the rail stanchions. When this is not possible, sections so affected may be brought forward to clear such obstructions and shall be fastened by stanchions provided for this purpose. On lower decks where the ship's construction so justifies, rump boards may be affixed to 2" x 6" wooden pieces set the same as prescribed for stanchions. Rump boards may be formed by filling spaces between cargo battens. Rump

boards in stalls or pens built alongside hatches need be carried down only to the coaming line.

(2) *Sheep, goats, and swine*. Pens for sheep, goats, and swine on all exposed decks shall be provided with rump boards of the specified size built to a height of 2 feet 6 inches.

(j)(1) *Horses and cattle*. Division boards in pens for horses and cattle shall be used to separate all stalls and pens and to close the sides thereof at the ends of rows. They shall be used in sets of four boards of 2" x 10" dressed lumber separated by 3 inch spacers, shall extend from the rump boards to the inboard stanchions, and shall be fitted into appropriate channels or slots at both ends in a manner that will permit their ready removal.

(2) *Sheep, goats, and swine*. Division boards and those forming ends of pens for sheep, goats, and swine shall be the same as prescribed for rump boards for these animals in paragraph (i) of this section.

[45 FR 28990, June 7, 1977. Redesignated at 45 FR 86413, Dec. 31, 1980, and amended at 57 FR 23047, June 1, 1992]

§ 91.29 Hatches.

(a) Animals may be placed on hatches on exposed decks on an ocean vessel if the pens or stalls are securely lashed down.

(b) Animals may be placed on hatches on underdecks on an ocean vessel provided the height requirements of § 91.25 (e) and (f) are met and sufficient space shall be left clear on such hatches for passageway across ship.

(c) On all hatches on which animals are carried and under which hay and feed or animals are stowed, sufficient space shall be left clear for the proper removal and handling of such hay and feed and animal carcasses. Such hatches shall be watertight.

[42 FR 28990, June 7, 1977. Redesignated at 45 FR 86413, Dec. 31, 1980]

§ 91.30 Defective fittings.

If previously used fittings aboard an ocean vessel are employed, any portion thereof found by the inspector to be

worn, decayed, unsound, or otherwise defective shall be replaced.

[42 FR 28990, June 7, 1977. Redesignated at 45 FR 86413, Dec. 31, 1980]

Subpart E—Cleaning and Disinfecting of Aircraft

§91.41 Cleaning and disinfecting of aircraft.

Prior to loading of animals, the stowage area of aircraft to be used to export animals under the provisions of this part shall, under the supervision of an inspector, be cleaned and then disinfected using a freshly prepared solution of 4 percent sodium carbonate plus 0.1 percent sodium silicate. In addition, all loading ramps, fittings, and equipment to be used in loading the animals on the aircraft shall be cleaned and disinfected using an approved disinfectant listed in §71.10 of this chapter. The time at which the cleaning and disinfection is performed must be approved by the inspector, who will give approval only if he or she determines that the cleaning and disinfection will be effective up to the projected time of loading of animals. If the animals are not loaded by the projected time, the inspector shall determine whether further cleaning and disinfection are necessary. The cleaning must remove all garbage, soil, manure, plant materials, insects, paper, and other debris from the stowage area. The disinfectant solution must be applied with a device that creates an aerosol or mist that covers 100 percent of the surfaces in the stowage area, except for any loaded cargo and deck surface under it that, in the opinion of the inspector, do not contain materials that may contain animal disease pathogens such as garbage, soil, manure, plant materials, insects, waste paper, or debris. After cleaning and disinfection is performed, the inspector shall sign and deliver to the captain of the aircraft or other responsible official of the airline involved, a document stating that the aircraft has been properly cleaned and disinfected, and stating further the date, the carrier, the flight number, and the name of the airport and the city and state in which it is located. If an aircraft is cleaned and disinfected at one airport, then flies to a subse-

quent airport, with or without stops en route, to load animals for export, the inspector at the subsequent airport will determine, based on examination of the cleaning and disinfection documents, whether the previous cleaning and disinfection is adequate or whether to order a new cleaning and disinfection. If the aircraft has loaded any cargo in addition to animals, the inspector at the subsequent airport will determine whether to order a new cleaning and disinfection based on both examination of the cleaning and disinfection documents and inspection of the stowage area for materials that may contain animal disease pathogens such as garbage, soil, manure, plant materials, insects, waste paper, or debris.

[53 FR 51747, Dec. 23, 1988]

PART 92—IMPORTATION OF ANIMALS AND ANIMAL PRODUCTS: PROCEDURES FOR REQUESTING RECOGNITION OF REGIONS

Sec.

92.1 Definitions.

92.2 Application for recognition of the animal health status of a region.

AUTHORITY: 7 U.S.C. 1622; 19 U.S.C. 1306; 21 U.S.C. 102–105, 111, 114a, 134a, 134b, 134c, 134d, 134f, 135, 136, and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.2(d).

SOURCE: 62 FR 56012, Oct. 28, 1997, unless otherwise noted.

§92.1 Definitions.

Active surveillance. Sample collection using a systematic or statistically designed survey methodology to actively seek out and find cases of animals with a restricted disease agent, or to determine the prevalence of the restricted disease agent in the population.

Adjacent region. Any geographic land area, whether or not identifiable by geological, political or surveyed boundaries, that shares common boundaries with any region.

Administrator. The Administrator of the Animal and Plant Health Inspection Service or any other employee of the Animal and Plant Health Inspection Service, United States Department of Agriculture, delegated to act in the Administrator's stead.