

for sheep or goats. The standards covering quarantine facilities for sheep or goats were first implemented in 1988 (53 FR 21794–21809, Docket No. 88–057, published June 10, 1988), based on considerable interest at that time in importing large numbers of sheep into the United States from New Zealand. Since then, privately operated quarantine facilities have been used from time to time for the importation of sheep and goats into the United States.

APHIS has recently received requests from livestock importers who wish to import cattle into the United States through private quarantine facilities. Because there are no approved privately operated quarantine facilities for cattle in operation at the present time, imported cattle subject to quarantine must enter the United States through facilities maintained by APHIS.

Given the interest in establishing private quarantine facilities for cattle, we are proposing specific standards for the approval, operation, and APHIS oversight of such facilities. The requirements contained in this proposed rule are designed to ensure that the health of the U.S. livestock population is not jeopardized by the release of unhealthy animals or communicable disease agents from quarantine facilities. We would refer to these facilities as “privately owned” instead of “privately operated” to underscore that these facilities are privately owned, operated, and financed, but subject to APHIS approval and oversight.

For purposes of consistency, we are proposing that these standards apply not only to privately owned quarantine facilities for imported cattle, but also to privately owned facilities that wish to handle other imported ruminants. Therefore, we would remove from our regulations the existing standards applicable to privately operated quarantine facilities for sheep or goats.

In this time of shrinking Federal resources, we believe that it is appropriate to allow the establishment of privately owned quarantine facilities for ruminants so long as inspection and other activities related to the quarantine are subject to APHIS oversight and direction. We further believe that these facilities, if carefully regulated and monitored by APHIS, would provide an effective and efficient means of bringing ruminants into the United States without compromising our ability to protect against the introduction of communicable animal diseases. The full text of the proposed regulations appears in the rule portion of this document. Our discussion of the proposed provisions follows.

Definitions

We are proposing to add to § 93.400 definitions for the terms *area veterinarian in charge (AVIC)*, *Federal veterinarian*, *lot*, *lot-holding area*, *nonquarantine area*, *Office International des Epizooties (OIE)*, *operator*, *privately owned medium security quarantine facility (medium security facility)*, *privately owned minimum security quarantine facility (minimum security facility)*, *quarantine area*, *State veterinarian*, and *temporary inspection facility*. We also would make several minor technical changes to the definitions of *immediate slaughter* and *recognized slaughtering establishment*.

The *area veterinarian in charge (AVIC)* would refer to the veterinary official of APHIS who is assigned by the Administrator to supervise and perform the official animal health work of APHIS in a particular State.

A *Federal veterinarian* would be defined as a veterinarian employed and authorized by the Federal Government to perform the tasks required by the regulations.

The term *lot* would be defined as a group of ruminants that, while held on a conveyance or premises, has opportunity for physical contact with each other or with each other's excrement or discharges at any time between arrival at the quarantine facility and 60 days prior to export to the United States. A *lot-holding area* would describe that area in a privately owned medium or minimum security quarantine facility in which a single lot of ruminants is held at one time.

The *nonquarantine area* would refer to that area of a privately owned medium or minimum security quarantine facility that includes offices, storage areas, and other areas outside the quarantine area, and that is off limits to ruminants, samples taken from ruminants, and any other objects or substances that have been in the quarantine area during the quarantine of ruminants.

The *Office International des Epizooties (OIE)* would refer to the international organization recognized by the World Trade Organization for setting animal health standards, reporting global animal situations and disease status, and presenting guidelines and recommendations on sanitary measures related to animal health.

We would define an *operator* as a person other than the Federal Government who owns or operates, subject to APHIS' approval and oversight, a privately owned medium or minimum security quarantine facility.

A *privately owned medium security quarantine facility (medium security facility)* would refer to a facility that:

- Is owned, operated, and financed by a person other than the Federal Government;
- Is subject to the strict oversight of APHIS representatives;
- Is constructed, operated, and maintained in accordance with the requirements for medium security facilities in § 93.412(d); and
- Provides the necessary level of quarantine services for the holding of ruminants in an indoor, vector-proof environment prior to the animals' entry into the United States. Quarantine services must include testing or observation for any OIE list A diseases and other livestock diseases exotic to the United States, as well as any other diseases, as necessary, to be determined by the Administrator.

A *privately owned minimum security quarantine facility (minimum security facility)* would refer to a facility that:

- Is owned, operated, and financed by a person other than the Federal Government;
- Is subject to the strict oversight of APHIS representatives;
- Is constructed, operated, and maintained in accordance with the requirements for minimum security facilities in § 93.412(d);
- Is used for the quarantine of ruminants that pose no significant risk, as determined by the Administrator, of introducing or transmitting to the U.S. livestock population any livestock disease that is biologically transmissible by vectors; and
- Provides the necessary level of quarantine services for the outdoor holding of ruminants, prior to the animals' entry into the United States. Quarantine services must include testing or observation for any OIE list A diseases and other livestock diseases exotic to the United States, as well as any other diseases, as necessary, to be determined by the Administrator.

The term *quarantine area* would refer to that area of a privately owned medium or minimum security quarantine facility that comprises all of the lot-holding areas in the facility and any other areas in the facility that ruminants have access to, including loading docks for receiving and releasing ruminants. The *quarantine area* also would include any areas in the facility that are used to conduct examinations of ruminants and take samples, as well as areas where samples are processed or examined.

A *State veterinarian* would be defined as a veterinarian employed and authorized by a State or political