

### Importation of Live Ruminants

We believe the categories of ruminants discussed below from BSE minimal-risk regions are unlikely to be a source of infectivity of the BSE agent if the conditions specified below are met, and we propose to allow for such importation under those conditions in a new § 93.436. In each case where we are proposing to allow importation, the animals would have to arrive through a designated port of entry as listed in current § 93.403(b) (designated ports of entry for ruminants from Canada), or through some other port that has been designated as a port of entry by the Administrator under § 93.403(f). If, in the future, we add other countries to the list of BSE minimal-risk regions in § 94.18(a)(3), we would adjust the list of designated ports accordingly.

In those cases where a ruminant is imported into the United States, and subsequently does not meet one of the conditions set forth in § 93.436 (e.g., animals that die before reaching the slaughtering establishment; animals that are moved from a feedlot in this country to slaughter after they are 30 months of age), the regulations would provide that the animal must be disposed of in a manner approved by the Administrator.

#### *Bovines Less Than 30 Months of Age for Immediate Slaughter*

Section 93.436, paragraph (a), would allow the importation of bovines for immediate slaughter under the following conditions:

- The bovines are less than 30 months of age and are moved directly as a group from the port of entry to a recognized slaughtering establishment (the definition of recognized slaughtering establishment is set forth in § 93.400) for immediate slaughter as a group. (Under the definition of *immediate slaughter* in § 93.400, the bovines must be slaughtered within 2 weeks of the date of entry. In § 93.400, we would add a definition of *as a group* to mean collectively, in such a manner that the identity of the animals as a unique group is maintained.)
- The bovines are not known to have been fed ruminant protein, other than milk protein, during their lifetime.
- The bovines are accompanied by a certificate 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, that certifies the above conditions have been met.

- The bovines are moved as a group from the port of entry to the slaughtering establishment in conveyances sealed at the port of entry with seals of the United States Government, which are broken only at the slaughtering establishment by a USDA representative, and the shipment is accompanied by an APHIS Veterinary Services (VS) Form 17–33, *Animals Imported for Immediate Slaughter*.
- At the slaughtering establishment, the bovines are slaughtered as a group and each animal's intestines are removed.
- The intestines removed from the bovines are disposed of in a manner approved by the Administrator.

We believe the conditions described above, combined with the fact the exporting region is one of minimal risk for BSE, make it very unlikely that meat derived from bovines meeting those conditions would contain the BSE agent. The requirement that the bovines imported from a BSE minimal-risk region be less than 30 months of age would make it unlikely they would have infectious levels of the prion protein. The requirements that the bovines be moved to slaughter in a sealed conveyance and be slaughtered as a group are designed to ensure that the animals are not diverted while being moved to slaughter and that the intestines are removed at slaughter from all bovines imported from the minimal-risk region. If any bovines not from the minimal-risk region are commingled with the group of bovines from the minimal-risk region at the slaughtering establishment, then those added animals would be treated as if they were from the minimal-risk region and their intestines would have to be removed and disposed of in accordance with our proposed provisions. The requirement that the bovines be slaughtered at a recognized slaughtering establishment (as defined in § 93.400) would ensure the animals are slaughtered at a facility approved by APHIS where slaughtering operations are regularly carried on under Federal or State inspection. The requirement that the intestines be removed from the animal at slaughter and be disposed of in a manner approved by the Administrator would minimize the possibility that such materials will be fed to ruminants. We believe it is necessary to provide the Administrator discretion in the specific means of disposal used, to allow for the use of different but equally effective methods of disposal.

#### *Bovines Less Than 30 Months of Age Moved to a Designated Feedlot and Then to Slaughter*

We would apply the slaughtering conditions described above to bovines imported for slaughter in the United States after first being contained at a designated feedlot in this country. However, instead of being moved directly from the port of entry to a recognized slaughtering establishment, such animals would first be moved directly, as a group, to a designated feedlot for feeding, and then directly to a recognized slaughtering establishment. In § 93.400, we would define *designated feedlot* to mean a feedlot indicated on the declaration required under § 93.407 as the destination of the ruminants imported into the United States. Under current § 93.407, the importer of ruminants (or the importer's agent) must present a declaration at the port of entry that provides information about the ruminants, their origin, and their destination. For identification purposes, prior to being imported into the United States, each bovine would have to have been tattooed inside one ear with letters identifying the exporting country. Bovines from Canada would have to be tattooed with the letters "CAN."

Therefore, § 93.436(b) would allow the importation of bovines for feeding under the following conditions:

- The bovines are not known to have been fed ruminant protein, other than milk protein, during their lifetime and are less than 30 months of age when imported into the United States.
- The inside of one ear on each animal is permanently and legibly tattooed with letters identifying the exporting country.
- The bovines are accompanied by authorized official certification, as described above, that the above conditions have been met.
- The bovines are moved directly from the port of entry as a group to the designated feedlot and the shipment is accompanied by an APHIS Form VS 1–27, *Permit for Movement of Restricted Animals*.
- The bovines are moved directly from the designated feedlot to a recognized slaughtering establishment for slaughter, where each animal's intestines are removed. The shipment is accompanied by APHIS Form VS 1–27.
- The intestines removed from the bovines are disposed of in a manner approved by the Administrator.
- The bovines are less than 30 months of age when slaughtered.

Unlike the requirement for bovines moved directly to immediate slaughter, we would not require that the animals