

responsibility for controlling animal disease locally;

(2) The cervids must have been members of a herd not known to be infected with or exposed to a transmissible spongiform encephalopathy;

(3) The cervids must have been born after a ban on the feeding of ruminant protein to ruminants was implemented;

(4) The cervids must not have been known to have been fed ruminant protein, other than milk protein, during their lifetime;

(5) The cervids must be 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 states the conditions of paragraphs (e)(1) through (e)(4) of this section have been met;

(6) The cervids must be imported only through a port of entry listed in § 93.403(b) or as provided for in § 93.403(f) and must be moved directly from the port of entry as a group to a recognized slaughtering establishment for slaughter as a group in conveyances that must be sealed with seals of the U.S. Government at the port of entry. The seals may be broken only at the recognized slaughtering establishment by a USDA representative; and

(7) The shipment must be accompanied from the port of entry to the recognized slaughtering establishment by APHIS Form VS 17–33.

**PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), EXOTIC NEWCASTLE DISEASE, AFRICAN SWINE FEVER, CLASSICAL SWINE FEVER, AND BOVINE SPONGIFORM ENCEPHALOPATHY: PROHIBITED AND RESTRICTED IMPORTATIONS**

4. The authority citation for part 94 would continue to read as follows:

**Authority:** 7 U.S.C. 450, 7701–7772, and 8301–8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 42 U.S.C. 4331 and 4332; 7 CFR 2.22, 2.80, and 371.4.

5. Section 94.0 would be amended by adding new definitions of *bovine spongiform encephalopathy (BSE) minimal-risk region*, and *personal use*, in alphabetical order, to read as follows:

**§ 94.0 Definitions.**

\* \* \* \* \*

*Bovine spongiform encephalopathy (BSE) minimal-risk region.* A region that:

(1) Maintains, and, in the case of regions where BSE was detected, had in place prior to the detection of BSE, risk mitigation measures adequate to prevent widespread exposure and/or establishment of the disease. Such measures include the following:

(i) Restrictions on the importation of animals sufficient to minimize the possibility of infected ruminants being imported into the region, and on the importation of animal products and animal feed containing ruminant protein sufficient to minimize the possibility of ruminants in the region being exposed to BSE;

(ii) Surveillance for BSE at levels that meet or exceed OIE recommendations for surveillance for BSE; and

(iii) A ban on the feeding of ruminant protein to ruminants that appears to be an effective barrier to the dissemination of the BSE infectious agent, with no evidence of significant noncompliance with the ban.

(2) In regions where BSE was detected, conducted an epidemiological investigation following detection of BSE sufficient to confirm the adequacy of measures to prevent the further introduction or spread of BSE, and continues to take such measures.

(3) In regions where BSE was detected, took additional risk mitigation measures, as necessary, following the BSE outbreak based on risk analysis of the outbreak, and continues to take such measures.

\* \* \* \* \*

*Personal use.* Only for personal consumption or display and not distributed further or sold.

\* \* \* \* \*

**§ 94.1 [Amended]**

6. In § 94.1, paragraph (b)(4) and the introductory text to paragraph (d) would be amended by removing the reference to “§ 94.21” each time it appears and replacing it with a reference to “§ 94.22”.

7. Section 94.18 would be amended as follows:

a. Paragraph (a)(3) would be redesignated as paragraph (a)(4) and revised to read as set forth below.

b. A new paragraph (a)(3) would be added, and paragraph (b) and the introductory text of paragraph (c) would be revised, to read as set forth below.

**§ 94.18 Restrictions on importation of meat and edible products from ruminants due to bovine spongiform encephalopathy.**

(a) \* \* \*

(3) The following are minimal-risk regions with regard to bovine spongiform encephalopathy: Canada.

(4) A region may request at any time that the Administrator consider its removal from a list in paragraphs (a)(1) or (a)(2) or this section, or its addition to or removal from the list in paragraph (a)(3) of this section, by following the procedures in part 92 of this subchapter.

(b) Except as provided in paragraph (d) of this section or in § 94.19, the importation of fresh (chilled or frozen) meat, meat products, and edible products other than meat (except for gelatin as provided in paragraph (c) of this section, milk, and milk products), from ruminants that have been in any of the regions listed in paragraph (a) of this section is prohibited.

(c) *Gelatin.* The importation of gelatin derived from ruminants that have been in any region listed in paragraph (a) of this section is prohibited unless the following conditions, or the conditions of § 94.19(j), have been met:

\* \* \* \* \*

8. Sections 94.19 through 94.24 would be redesignated as §§ 94.20 through 94.25, respectively.

9. A new § 94.19 would be added to read as follows:

**§ 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 fresh (chilled or frozen) meat, meat products, and edible products other than meat (excluding gelatin, milk, and milk products), from ruminants that have been in any of the regions listed in § 94.18(a)(3) is prohibited. The commodities listed in paragraphs (a) through (j) of this section may be imported from a region listed in § 94.18(a)(3) if the conditions listed are met and if, except for the commodities described in paragraph (g), 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.

(a) *Fresh (chilled or frozen) meat from bovines less than 30 months of age.* The