of transport. Such an unweaned mammal or bird shall not be transported to the United States for medical treatment unless it is accompanied at all times by and completely accessible to a veterinary attendant.

(c) A sick or injured wild mammal or bird shall be permitted transport to the United States only if the primary purpose of such transport is for needed medical treatment and upon certification in writing by the examining veterinarian that the treatment is necessary and the animal is able to withstand the normal rigors of travel in its present condition. A sick or injured animal shall be accompanied at all times throughout the transport process by a veterinary attendant qualified to care for and treat it, with continuous access to the animal. This individual shall be in possession of or have ready access to all medications to be administered during the transport.

(d) No carrier shall accept any wild mammal or bird for transport to the United States presented by the shipper less than 2 hours or more than 6 hours prior to the scheduled departure of the conveyance on which it is to be transported. The carrier shall notify the crew of the presence of live animal shipments.

§ 14.106 Primary enclosures.

No carrier shall accept for transport to the United States any live wild mammal or bird in a primary enclosure that does not conform to the following requirements:

(a) The Container Requirements of the Live Animal Regulations (LAR), 20th edition, October 1, 1993, published by the International Air Transport Association (IATA) shall be complied with by all parties transporting wild mammals or birds to the United States. The incorporation by reference of the LAR was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from IATA, 2000 Peel St., Montreal, Quebec, Canada H3A 2R4. Copies may be inspected at the U.S. Fish and Wildlife Service, 4401 N. Fairfax Dr., Arlington, VA 22203 or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(b) A primary enclosure shall be constructed so that—

(1) The strength of the enclosure is sufficient to contain the mammal or bird and to withstand the normal effects of transport;

(2) The interior of the enclosure is free from any protrusion that could be injurious to the mammal or bird within;

(3) No part of the animal can extend or protrude outside of the primary enclosure which may result in injury to the contained animal, to nearby persons or animals, or to handlers of the primary enclosure;

(4) Access to the primary enclosure is closed and secured with an animal-proof device designed to prevent accidental opening and release of the mammal or bird;

(5) The opening of the enclosure is easily accessible for either emergency removal or inspection of the mammal or bird by authorized personnel without the risk of escape of the mammal or bird;

(6) The enclosure has sufficient openings to ensure adequate circulation of air at all times.

(7) The material of which the primary enclosure is constructed is not treated with any paint, preservative, or other chemical that is injurious or otherwise harmful to the health or well-being of mammals and birds.

(c) Unless the enclosure is permanently affixed in the conveyance or has an open top for certain large mammals, spacer bars allowing circulation of air around the enclosure shall be fitted to the exterior of its top, sides, and base. Spacer bars on an enclosure need extend no more than 6 inches (15 centimeters) from the surface of the enclosure. Within this 6 inch limit, the spacers on an enclosure containing one animal shall extend a distance equal to at least 10 percent of the longer dimension of the surface to which they are attached, and the spacers on an enclosure containing more than one animal shall extend a distance equal to at
least 20 percent of the longer dimen-
sion of the surface to which they are
attached. Hand-holds may serve as
spacer bars for the sides of the enclo-
sure to which they are attached. A pri-
mary enclosure constructed with one
or more slanted or curved walls con-
taining ventilation openings need not
be fitted with spacer bars on such
walls.

(d) An enclosure that is not perma-
nently affixed within the conveyance
shall have adequate hand-holds or
other devices for lifting by hand or to
facilitate lifting and carrying by ma-
cine. Such hand-holds or other devices
shall be made an integral part of the
enclosure, shall enable it to be lifted
without excessive tipping, and shall be
designed so that the person handling
the enclosure will not come in contact
with the animals contained therein.

(e) An enclosure shall have a solid,
leak-proof bottom or removable, leak-
proof collection tray under a slatted or
wire mesh floor. The slatted or wire
mesh floor shall be designed and con-
structed so that the spaces between the
slats or the holes in the mesh cannot
trap the limbs of animals contained
within the enclosure. An enclosure for
mammals shall contain unused absorb-
ent litter on the solid bottom or in the
leak-proof tray in sufficient quantity
to absorb and cover excreta. This litter
shall be safe and nontoxic and shall not
resemble food normally consumed by
the mammals. An enclosure used to
transport marine mammals in water,
in a waterproof enclosure, a sling, or
on foam is exempt from the require-
ment to contain litter. An enclosure
used to transport birds shall not con-
tain litter, unless it is specified in
writing by the examining veterinarian
as medically necessary.

(f) If an enclosure has been pre-
viously used to transport or store wild
mammals or birds, it shall have been
cleaned and sanitized in a manner that
will destroy pathogenic agents and
pests injurious to the health of mam-
mals and birds before the enclosure can
be re-used.

(g) An enclosure that is not perma-
nently affixed in the conveyance shall
be clearly marked in English on the
outside of the top and one or more
sides of the enclosure, in letters not
less than 2.5 centimeters (1 inch) in
height, “Live Animals” or “Wild Ani-
mals”, “Do Not Tip,” “Only Author-
ized Personnel May Open Container,”
and other appropriate or required in-
structions. All enclosure sides shall
also be conspicuously marked on the
outside with arrows to indicate the
correct upright position of the enclo-
sure. These arrows should extend up
the sides of the enclosure so that the
point of the arrow is visible and clearly
indicates the top of the enclosure.

(h) Food and water instructions as
specified in §14.108, information regard-
ing what constitutes obvious signs of
stress in the species being transported,
and information about any drugs or
medication to be administered by the
accompanying veterinary attendant
shall be securely attached to each en-
closure. Copies of shipping documents
accompanying the shipment shall also
be securely attached to the primary en-
closure. Original documents shall be
carried in the carrier’s pouch or mani-
fest container or by the shipper’s at-
tendant accompanying the wild mam-
mal or bird.

(i) Any food and water troughs shall
be securely attached to the interior of
the enclosure in such a manner that
the troughs can be filled from outside
the enclosure. Any opening providing
access to a trough shall be capable of
being securely closed with an animal-
proof device. A water trough in an en-
closure containing birds shall contain a
foam or sponge insert, a perforated
wooden block, or other suitable device
to prevent spillage or drowning.

(j) When a primary enclosure is per-
manently affixed within a conveyance
so that its front opening is the only
source of ventilation, the opening shall
face the outside of the conveyance or
an unobstructed aisle or passageway
within the conveyance. Such an aisle
or passageway shall be at least 12
inches (30 centimeters) wide. The open-
ing in the primary enclosure shall oc-
cupy at least 90 percent of the total
surface area of the front wall of the en-
closure and be covered with bars or
wire mesh.

[57 FR 27108, June 17, 1992, as amended at 59
FR 36719, July 19, 1994; 69 FR 18803, Apr. 9,
2004]