

§ 72.8 Interstate movement of cattle from free premises upon inspection and certification by APHIS inspector.

Cattle located in areas where tick eradication is being conducted in cooperation with the State authorities, and which are on premises shown by the official records of tick eradication to be free from ticks, may, upon inspection and certification by an APHIS inspector, be shipped or transported interstate for any purpose without dipping upon compliance with the requirements set forth under §§ 72.9, 72.10, 72.12.

[28 FR 5940, June 13, 1963, as amended at 56 FR 51975, Oct. 17, 1991]

§ 72.9 Interstate movements of cattle; inspection and certification by APHIS inspector required.

All interstate movements of inspected and certified and dipped and certified cattle shall be accompanied to final destination by a certificate of an APHIS inspector (which certificate shall show that the cattle so being moved have been dipped as required by § 72.6 or by § 72.7 and are free of ticks, or have been inspected as required by § 72.8 and are free of ticks); all such certificates shall be handled, delivered, kept, and preserved in accordance with the provisions of § 72.16; and all such cattle shall be handled through noninfectious pens, alleys, and chutes, and when shipped shall be loaded into clean and disinfected cars or trucks, and shall not be unloaded in the quarantined area except at such points reserved for noninfested cattle as may from time to time be authorized by APHIS.

[28 FR 5940, June 13, 1963, as amended at 56 FR 51975, Oct. 17, 1991]

§ 72.10 Inspected or dipped and certified cattle subject to restrictions of State of destination.

All such interstate movements of inspected or dipped and certified cattle are subject to such restrictions, which are not inconsistent with the regulations in this subchapter, as may be imposed at destination by the officials of the State, Territory, or the District of Columbia.

§ 72.11 Quarantined area; cattle considered infested; requirements for placing in noninfectious pens or premises.

Cattle of the quarantined area shall be considered infested and shall not be placed in noninfectious pens or premises until after the final inspection or dipping.

§ 72.12 Cattle; exposure to tick infestation after treatment or inspection prohibited.

The cattle shall not be exposed to tick infestation after treatment and/or inspection.

§ 72.13 Permitted dips and procedures.

(a) *Dipping requirements; facilities; handling.* The dipping of cattle for interstate movement shall be done only with a permitted dip and at places where proper equipment is provided for dipping and for handling the cattle in a manner to prevent exposure to infection after the final dipping. Cattle which are to be dipped shall be given an opportunity to drink sufficient water to quench their thirst prior to dipping, be carefully handled, and not dipped while they are in a heated or exhausted condition. Dipped cattle shall not be loaded for shipment until dry.⁴

(b) *Permitted dips.* The dips at present permitted by the Department in official dipping for interstate movement are:

(1) Approved proprietary brands of a Dioxathion (Delnav®) emulsifiable concentrate used at a concentration of 0.125 to 0.150 percent.⁴

(2) Approved proprietary brands of coumaphos (Co-Ral®), 25 percent wettable powder or flowable form labeled for use as a 0.25 percent dip and used at a concentration of 0.125 to 0.250.⁴

⁴Care is required when treating animals and in maintaining the required concentration of chemicals in dipping baths. Detailed information concerning the use of, criteria for, and names of proprietary brands of permitted dips—as well the use of compressed air, vat management techniques, and other information—is available from the Animal and Plant Health Inspection Service, Veterinary Services, National Animal Health Programs, 4700 River Road Unit 43, Riverdale, MD 20737-1231.

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(3) Approved proprietary brands of organophosphorous insecticides (Prolate®) if used in a Prolate-water bath where the concentration level is at least 0.15 percent and if used in accordance with the EPA approved label.

(4) Approved proprietary brands of organophosphorous insecticides (Ciodrin®) if used in a concentration of 0.44 to 0.54 percent and if used in accordance with the EPA approved label.

(c) *Approval of dips.* Proprietary brands of dips are permitted to be used for purposes of this part only when approved by the Administrator, APHIS. Before a dip will be specifically approved as a permitted dip for the eradication of ticks, APHIS will require that the product be registered under the provisions of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (7 U.S.C. 135 *et seq.*); that its efficacy and stability have been demonstrated; that trials have been conducted to determine that its concentration can be maintained and that under actual field conditions the dipping of cattle with a solution of definite strength will effectually eradicate ticks without injury to the animals dipped.

(d) *Tissue residues; restriction on slaughter.* Tissue residues are created following use of certain dips. Animals treated with such dips should not be slaughtered for food purposes until the expiration of such period as may be required under the Federal Meat Inspection Act (21 U.S.C. 601 *et seq.*). The length of this period shall be specified on each certificate issued by the inspector who supervises the dipping.

[33 FR 18089, Dec. 5, 1968, as amended at 34 FR 12214, July 24, 1969; 36 FR 19157, Sept. 30, 1971; 36 FR 19972, Oct. 14, 1971; 37 FR 13529, July 11, 1972; 38 FR 19012, July 17, 1973; 40 FR 12768, Mar. 21, 1975; 42 FR 19854, Apr. 15, 1977; 47 FR 11002, Mar. 15, 1982; 49 FR 19799, May 10, 1984; 49 FR 32540, Aug. 15, 1984; 50 FR 430, 431, Jan. 4, 1985; 56 FR 51974, Oct. 17, 1991; 66 FR 21062, Apr. 27, 2001]

§ 72.14 [Reserved]

§ 72.15 Owners assume responsibility; must execute agreement prior to dipping or treatment waiving all claims against United States.

When the cattle are to be dipped under APHIS supervision the owner of

the cattle, offered for shipment, or his agent duly authorized thereto, shall first execute and deliver to an APHIS inspector an application for inspection and supervised dipping wherein he shall agree to waive all claims against the United States for any loss or damage to said cattle occasioned by or resulting from dipping or other treatment under this part, or resulting from any subsequent treatment prior to their interstate shipment, or resulting from the fact that they are later found to be still tick infested, and also for all subsequent loss or damage to any other cattle in the possession or control of such owner which may come into contact with the cattle so dipped or treated.

[28 FR 5940, June 13, 1963, as amended at 56 FR 51975, Oct. 17, 1991]

§ 72.16 Designated dipping stations to be approved by the Administrator, APHIS on recommendations of State authorities; facilities.

When deemed advisable and upon recommendation by the proper livestock sanitary authorities, designated dipping stations may be approved by the Administrator, APHIS as points at which cattle of the quarantined area of the State in which said station is located may be inspected, dipped, and certified for interstate movement. The facilities furnished shall include proper dipping equipment, noninfectious pens constructed in accordance with § 72.17 and a roofed or covered section of pens of sufficient size to protect all dipped animals from exposure to rain or hot sun. All alleys, chutes, and pens shall be paved or properly floored.

[28 FR 5940, June 13, 1963, as amended at 50 FR 430, Jan. 4, 1985; 56 FR 51974, Oct. 17, 1991]

§ 72.17 Unloading noninfected cattle for rest, feed, and water only, permitted in authorized pens for such purpose.

(a) *Specifications for construction and maintenance.* Cattle of the free area, and cattle of the quarantined area when properly dipped, inspected, and certified in accordance with this part, which are transported interstate by rail through the quarantined area shall not be unloaded therein for rest, feed, and water unless they are unloaded