

authorized to issue the foreign meat inspection certificate required by § 327.4 of this title, stating that the applicable provisions of paragraphs (a)(1) through (a)(4) of this section have been met.<sup>19</sup>

(b) *Live swine.* In addition to meeting all other applicable provisions of this title, live swine imported from the APHIS-defined EU CSF region must meet the following conditions:

(1) The swine must be breeding swine.

(2) The swine must not have been in any of the following regions or zones, unless the swine are exported to the United States after the periods described:

(i) Any region when the region was classified in §§ 94.9(a) and 94.10(a) as one in which classical swine fever is known to exist, except for the APHIS-defined EU CSF region;

(ii) A restricted zone in the APHIS-defined EU CSF region established because of the detection of classical swine fever in domestic swine, from the time of detection until the designation of the zone as a restricted zone is removed by the competent veterinary authority of the Member State or until 6 months following depopulation of the swine on affected premises in the restricted zone and the cleaning and disinfection of the last affected premises in the zone, whichever is later; or

(iii) A restricted zone in the APHIS-defined EU CSF region established because of the detection of classical swine fever in wild boar, from the time of detection until the designation of the zone as a restricted zone is removed by the competent veterinary authority of the Member State.

(3) The swine must not have been commingled with other swine that have at any time been in any of the regions or zones described in paragraphs (b)(2)(i) through (b)(2)(iii) of this section, unless the swine are exported after the periods described.

(4) The swine must not have transited any region or zone described in paragraphs (b)(2)(i) through (b)(2)(iii) of this section, unless the swine were moved directly through the region or zone in a sealed means of con-

veyance with the seal determined to be intact upon arrival at the point of destination, or unless the swine are exported after the periods described;

(5) No equipment or materials used in transporting the swine may have been used previously for transporting swine that do not meet the requirements of this section, unless the equipment and materials have first been cleaned and disinfected.

(6) The swine must be accompanied by a certificate issued by a salaried veterinary officer of the competent veterinary authority of the APHIS-defined EU CSF region Member State, stating that the conditions of paragraphs (b)(1) through (b)(5) of this section have been met.<sup>20</sup>

(c) The certificates required by paragraphs (a)(5) and (b)(6) of this section must be presented by the importer to an authorized inspector at the port of arrival, upon arrival of the swine, pork, or pork products at the port.

(Approved by the Office of Management and Budget under control numbers 0579–0218 and 0579–0265).

[71 FR 29071, May 19, 2006. Redesignated at 71 FR 31070, June 1, 2006, as amended at 72 FR 67232, Nov. 28, 2007; 74 FR 18288, Apr. 22, 2009]

**§ 94.25 Restrictions on the importation of live swine, pork, or pork products from certain regions free of classical swine fever.**

The regions listed in paragraph (a) of this section are recognized as free of classical swine fever (CSF) in §§ 94.9(a) and 94.10(a) but either supplement their pork supplies with fresh (chilled or frozen) pork imported from regions considered to be affected by CSF, or supplement their pork supplies with pork from CSF-affected regions that is not processed in accordance with the requirements of this part, or share a common land border with CSF-affected regions, or import live swine from CSF-affected regions under conditions less restrictive than would be acceptable for importation into the United States. Thus, there exists a possibility that live swine, pork, or pork products from

<sup>19</sup>The certification required may be placed on the foreign meat inspection certificate required by § 327.4 of this title or may be contained in a separate document.

<sup>20</sup>The certification required may be placed on the certificate required by § 93.505(a) of this chapter or may be contained in a separate document

the CSF-free regions listed in paragraph (a) of this section may be commingled with live swine, pork, or pork products from CSF-affected regions, resulting in a risk of CSF introduction into the United States. Therefore, live swine, pork, or pork products and shipstores, airplane meals, and baggage containing pork or pork products, other than those articles regulated under parts 95 or 96 of this chapter, may not be imported into the United States from a region listed in paragraph (a) of this section unless the requirements in this section, in addition to other applicable requirements of part 93 of this chapter and part 327 of this title, are met.

(a) Regions subject to the requirements of this section: Chile and the Mexican States of Baja California, Baja California Sur, Campeche, Chihuahua, Nayarit, Quintana Roo, Sinaloa, Sonora, and Yucatan.

(b) *Live swine.* The swine must be accompanied by a certification issued by a full-time salaried veterinary officer of the national government of the region of export. Upon arrival of the swine in the United States, the certification must be presented to an authorized inspector at the port of arrival. The certification must identify both the exporting region and the region of origin as a region designated in §§94.9 and 94.10 as free of CSF at the time the swine were in the region and must state that:

(1) The swine have not lived in a region designated in §§94.9 and 94.10 as affected with CSF;

(2) The swine have never been commingled with swine that have been in a region that is designated in §§94.9 and 94.10 as affected with CSF;

(3) The swine have not transited a region designated in §§94.9 and 94.10 as affected with CSF unless moved directly through the region to their destination in a sealed means of conveyance with the seal intact upon arrival at the point of destination; and

(4) The conveyances or materials used in transporting the swine, if previously used for transporting swine, have been cleaned and disinfected in accordance with the requirements of §93.502 of this chapter.

(c) *Pork or pork products.* The pork or pork products must be accompanied by a certification issued by a full-time salaried veterinary officer of the national government of the region of export. Upon arrival of the pork or pork products in the United States, the certification must be presented to an authorized inspector at the port of arrival. The certification must identify both the exporting region and the region of origin of the pork or pork products as a region designated in §§94.9 and 94.10 as free of CSF at the time the pork or pork products were in the region and must state that:

(1) The pork or pork products were derived from swine that were born and raised in a region designated in §§94.9 and 94.10 as free of CSF and were slaughtered in such a region at a federally inspected slaughter plant that is under the direct supervision of a full-time salaried veterinarian of the national government of that region and that is eligible to have its products imported into the United States under the Federal Meat Inspection Act (21 U.S.C. 601 *et seq.*) and the regulations in §327.2 of this title;

(2) The pork or pork products were derived from swine that have not lived in a region designated in §§94.9 and 94.10 as affected with CSF;

(3) The pork or pork products have never been commingled with pork or pork products that have been in a region that is designated in §§94.9 and 94.10 as affected with CSF;

(4) The pork or pork products have not transited through a region designated in §§94.9 and 94.10 as affected with CSF unless moved directly through the region to their destination in a sealed means of conveyance with the seal intact upon arrival at the point of destination; and

(5) If processed, the pork or pork products were processed in a region designated in §§94.9 and 94.10 as free of CSF in a federally inspected processing plant that is under the direct supervision of a full-time salaried veterinary

## § 94.26

## 9 CFR Ch. I (1–1–10 Edition)

official of the national government of that region.

(Approved by the Office of Management and Budget under control numbers 0579–0230 and 0579–0235)

[71 FR 31070, June 1, 2006, as amended at 72 FR 30470, June 1, 2007]

### **§ 94.26 Restrictions on importation of live poultry, poultry meat, and other poultry products from specified regions.**

Argentina and the Mexican States of Campeche, Quintana Roo, and Yucatan, which are declared in § 94.6(a)(2) to be free of exotic Newcastle disease (END), supplement their meat supply by the importation of fresh (chilled or frozen) poultry meat from regions designated in § 94.6(a) as regions where END is considered to exist, have a common land border with regions where END is considered to exist, or import live poultry from regions where END is considered to exist under conditions less restrictive than would be acceptable for importation into the United States. Thus, even though the Department has declared such regions to be free of END, live poultry originating in such free regions may be commingled with live poultry originating in an END-affected region and the meat and other animal products produced in such free regions may be commingled with the fresh (chilled or frozen) meat of animals from an END-affected region, resulting in an undue risk of introducing END into the United States. Therefore, live poultry, poultry meat and other poultry products, and ship stores, airplane meals, and baggage containing such meat or animal products originating in the free regions listed in this section may not be imported into the United States unless the following requirements, in addition to all other applicable requirements of part 93 of this chapter and of chapter III of this title, are met:

(a) *Additional certification.* Live poultry, poultry meat, and other poultry products from any region designated in this section must be accompanied by an additional certification by a full-time salaried veterinary officer of the national Government of the exporting region. Upon arrival of the live poultry, poultry meat, or other poultry

product in the United States, the certification must be presented to an authorized inspector at the port of arrival.

(b) *Live poultry.* The certification accompanying live poultry must identify the exporting region of the poultry as a region designated in § 94.6 as free of END at the time the poultry were in the region and must state that:

(1) The poultry have not been in contact with poultry or poultry products from any region where END is considered to exist;

(2) The poultry have not lived in a region where END is considered to exist; and

(3) The poultry have not transited through a region where END is considered to exist unless moved directly through the region in a sealed means of conveyance with the seal intact upon arrival at the point of destination.

(c) *Poultry meat or other poultry products.* The certification accompanying poultry meat or other poultry products must state that:

(1) The poultry meat or other poultry products are derived from poultry that meet all requirements of this section and that have been slaughtered in a region designated in § 94.6 as free of END at a federally inspected slaughter plant that is under the direct supervision of a full-time salaried veterinarian of the national Government of the exporting region and that is approved to export poultry meat and other poultry products to the United States in accordance with § 381.196 of this title;

(2) The poultry meat or other poultry products have not been in contact with poultry meat or other poultry products from any region where END is considered to exist;

(3) The poultry meat or other poultry products have not transited through a region where END is considered to exist unless moved directly through the region in a sealed means of conveyance with the seal intact upon arrival at the point of destination; and

(4) If processed, the poultry meat or other poultry products were processed in a region designated in § 94.6 as free of END in a federally inspected processing