

other cattle until disposed of in accordance with the regulations in this part.

[28 FR 5945, June 13, 1963, as amended at 41 FR 5384, Feb. 6, 1976; 56 FR 52463, Oct. 21, 1991]

§ 73.5 Interstate shipment of undiseased cattle from quarantined area; when permitted.

Cattle of any herd in any quarantined area, which herd is not diseased with scabies, may be shipped, transported, or otherwise moved interstate for any purpose upon inspection by an APHIS or State inspector within 10 days prior to the date of shipment and when accompanied by a certificate from such inspector showing the cattle to be free from such disease or exposure thereto. When it is determined by the Administrator that all cattle of all herds in any quarantined area have been inspected for scabies by an APHIS or State inspector, that all the infected or exposed herds have been identified, and that all the infected herds have been dipped twice, and all the exposed herds have been dipped in a permitted dip as prescribed in § 73.10, under supervision of an APHIS or APHIS-approved inspector, cattle of herds in such area which are not diseased with or exposed to scabies may be moved interstate in accordance with this section, without further APHIS inspection or certification, directly to a slaughtering plant where Federal Meat Inspection is maintained: *Provided further*, that treatment with ivermectin may be used in lieu of dipping for a herd of cattle treated together if the herd is physically separated for 14 days following treatment from all cattle not a part of the herd treated together with ivermectin. Information may be obtained from an APHIS inspector whether a determination as required by this section is currently applicable to authorize such movement. Cattle moved interstate under this section shall not be diverted en route and must be accompanied by a waybill or similar document, or a statement signed by the owner or shipper of the cattle, stating: (a) That the cattle are not known to be infected with scabies or exposed thereto; (b) [Reserved]; (c) the purpose for which the cattle are to be moved; (d) the number of the cattle; (e) the point

from which the cattle are to be moved interstate; (f) that the cattle shall not be diverted en route; and (g) the name and address of the owner or shipper of the cattle.

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[31 FR 8907, June 28, 1966 as amended at 36 FR 23996, Dec. 17, 1971; 38 FR 10252, Apr. 26, 1973; 38 FR 18011, July 6, 1973; 41 FR 5384, Feb. 6, 1976; 48 FR 57472, Dec. 30, 1983; 49 FR 10530, Mar. 20, 1984; 49 FR 33120, Aug. 21, 1984; 56 FR 52463, Oct. 21, 1991; 66 FR 21062, Apr. 27, 2001]

§ 73.6 Placarding means of conveyance and marking billing of shipments of treated scabby cattle or cattle exposed to scabies.

When cattle are shipped as "Treated Scabby Cattle," or "Cattle Exposed to Scabies," the transportation companies shall securely affix to and maintain upon both sides of each means of conveyance carrying such cattle a durable, conspicuous placard, not less than 5½ by 8 inches in size, on which shall be printed with permanent black ink in boldfaced letters, not less than 1½ inches in height, the words, "Treated Scabby Cattle," or "Cattle Exposed to Scabies," as the case may be. These placards shall also show the name of the place from which the shipment was made, the date of the shipment (which must correspond to the date of the waybills and other papers), the name of the transportation company, and the name of the place of destination. The carrier issuing the waybills, conductors' manifests, memoranda, and bills of lading pertaining to such shipments shall plainly write or stamp upon the face of each such paper the words, "Treated Scabby Cattle," or "Cattle Exposed to Scabies," as the case may be. If for any reason the placards required by this part have not been affixed to the means of conveyance as aforesaid, or the placards have been removed, destroyed, or rendered illegible, or the cattle are rebilled or are transferred to other means of conveyance, the placards shall be immediately affixed or replaced by the carrier, and the new waybills shall be marked as aforesaid by the carrier issuing them, the intention being that the billing accompanying the shipment shall be marked and the means of conveyance containing the

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cattle shall be placarded "Treated Scabby Cattle," or "Cattle Exposed to Scabies," as the case may be, from the time of shipment until the cattle arrive at destination or point of dipping and the disposition of the means of conveyance is indicated by an APHIS inspector or State inspector.

[28 FR 5945, June 13, 1963, as amended at 41 FR 5384, Feb. 6, 1976; 49 FR 10530, Mar. 20, 1984; 49 FR 33120, Aug. 21, 1984; 56 FR 52463, Oct. 21, 1991; 66 FR 21062, Apr. 27, 2001]

§ 73.7 Movement from quarantined to free area and shipment therefrom; restrictions under which permitted.

No person, firm, or corporation shall deliver for transportation, transport, drive on foot, or otherwise move interstate from the free area of any State, Territory, or the District of Columbia any cattle which have been moved from the quarantined area of the same State, Territory, or the District of Columbia into such free area: *Provided, however,* That such cattle may be delivered for transportation, transported, driven on foot, or otherwise moved interstate for the purposes for which the shipment, transportation, or other movement interstate of cattle of the quarantined area is permitted by this part, *Provided,* That in such shipment and transportation or other movement the requirements of this part governing the shipment and transportation or other movement of cattle of the quarantined area are strictly complied with: *And provided further,* That this section shall not apply to cattle of the quarantined area which, before being moved into the free area, are certified by an APHIS inspector or State inspector as free from disease and are accompanied by such certificate in their shipment by transportation or other movement interstate.

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(44 U.S.C. 3506)

[28 FR 5945, June 13, 1963, as amended at 41 FR 5384, Feb. 6, 1976; 48 FR 57472, Dec. 30, 1983; 56 FR 52463, Oct. 21, 1991]

§ 73.8 Cattle infected or exposed during transit.

(a) *Healthy cattle from unquarantined State exposed en route.* Should healthy

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cattle in transit from a State not quarantined by the Secretary of Agriculture for scabies in cattle be unloaded en route and placed in infectious premises, they shall be treated as exposed cattle, and their further movement shall be subject to the provisions of this part with respect to the movement of exposed cattle.

(b) *Interstate shipments of cattle under APHIS or State certificate found affected or exposed en route.* Cattle shipped interstate under a certificate from an APHIS inspector or State inspector or other cattle which are found en route to be affected with scabies or to have been exposed thereto, shall thereafter be handled in the same manner as diseased or exposed cattle are required by this part to be handled, and the means of conveyance and the chutes, alleys, and pens which have been occupied by diseased animals shall be cleaned and disinfected as provided in §§ 71.4 through 71.11 of this subchapter.

[28 FR 5945, June 13, 1963, as amended at 41 FR 5384, Feb. 6, 1976; 56 FR 52463, Oct. 21, 1991]

§ 73.9 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 or control, 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 scabies 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.

[41 FR 4012, Jan. 28, 1976, as amended at 56 FR 52463, Oct. 21, 1991]