Animal and Plant Health Inspection Service, USDA § 93.102

(b) Special ports for pet birds. The following ports are designated as ports of entry for pet birds imported under the provisions of §93.101(c) and performing or theatrical birds imported under the provisions of §93.101(f): Los Angeles and San Ysidro, CA; Miami, FL; New York, NY; Baudette, MN; and Hidalgo, TX.

(4) If the laboratory tests for END are negative and as determined by the port veterinarian the birds are free of clinical evidence of diseases of poultry at the end of the quarantine period, the port veterinarian shall issue an agricultural release for entry of the birds through the United States Customs Service at the termination of the quarantine period. Providing that the sale of the smuggled birds is not contrary to any Federal law or regulation, expenses incurred by the Department for the handling of the smuggled birds under this paragraph shall be reimbursed from funds derived from the sale or disposition of the smuggled birds after their release from quarantine. Any smuggled bird which by law may not be sold, or so disposed, shall be quarantined in accordance with such procedures as the Deputy Administrator may establish to prevent the introduction of communicable diseases of livestock or poultry into the United States, in accordance with the law.

(Approved by the Office of Management and Budget under control numbers 0579–0220 and 0579–0245)


EDITORIAL NOTE: For Federal Register citations affecting §93.101, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 93.102 Ports designated for the importation of birds.

(a) Special ports for pet birds. The following ports are designated as ports of entry for pet birds imported under the provisions of §93.101(c) and performing or theatrical birds imported under the provisions of §93.101(f): Los Angeles and San Ysidro, CA; Miami, FL; New York, NY; Baudette, MN; and Hidalgo, TX.

(b) Designation of other ports. The Secretary of the Treasury has approved the designation as quarantine stations

6Birds that would require handfeeding will be refused entry.
7Such tests are conducted according to the Protocol for END which is available upon request from the Administrator.
§ 93.103 Import permits for birds; and reservation fees for space at quarantine facilities maintained by APHIS.

(a) Application for permit; reservation required. Before any permit application is submitted, all construction at the quarantine facility must be completed.

(1) For pet birds, commercial birds, research birds, zoological birds, and performing or theatrical birds, intended for importation into the United States, except as otherwise provided in §§93.101(b) and (c), 93.103(c), and 93.107(b), the importer shall first apply for and obtain an import permit. The importer (permit applicant) shall submit a completed VS form 17–128 for ratites or hatching eggs of ratites; or, for other birds, a completed VS form 17–20; or shall submit a document that states that it is an application for a permit to import ratites, hatching eggs of ratites, or birds other than ratites or hatching eggs of ratites. The application must include the following information:

(i) The name, address, and telephone number of the importer;
(ii) The status of the importer, such as individual, partnership, or corporation (if incorporated, include State where incorporated and date of incorporation);
(iii) Name and address of the quarantine facility;
(iv) Date of intended quarantine;
(v) The purpose of the importation;
(vi) The region of origin;
(vii) The name and address of the exporter;
(viii) The port of embarkation in the foreign region;
(ix) The mode of transportation, route of travel, and port of entry in the United States;
(x) The name and location of the quarantine facility in the United States to which delivery will be made from the port of entry, in accordance with §93.106(c)(5);
(xi) A drawing of the floor plan for the facility showing the location of the bird holding area; equipment storage areas; office areas; clothes storage and change areas; feed storage areas; necropsy areas (showing entry and refrigeration); washing areas for equipment; shower areas; ventilation arrangements; and entries and exits; and, for a facility for hatching eggs of ratites in which the hatching eggs of one lot may be quarantined at the same time as the hatched chicks from a previously quarantined lot, the incubation/hatcher and bird (chick) holding areas; and
(xii) Date and certification, by signature of the importer (permit applicant), after the following language:

I certify that the information provided herein is true and correct to the best of my knowledge and belief, and agree to comply with the applicable regulations.