unexplained respiratory disease, egg production drops, and mortality for avian influenza by both an approved serological test and an approved antigen detection test. Memoranda of understanding or other means must be used to establish testing and reporting criteria (including criteria that provide for reporting H5 and H7 low pathogenic avian influenza directly to the Service) and approved testing methods. In addition, States should conduct outreach to poultry producers, especially owners of smaller flocks, regarding the importance of prompt reporting of clinical symptoms consistent with avian influenza.

[74 FR 14715, Apr. 1, 2009]

Subpart B—Special Provisions for Multiplier Egg-Type Chicken Breeding Flocks and Products

§ 145.21 Definitions.

Except where the context otherwise requires, for the purposes of this subpart the following terms shall be construed, respectively, to mean:

Chicks. Newly hatched chickens.

Egg type chicken breeding flocks. Flocks that are composed of stock that has been developed for egg production and are maintained for the principal purpose of producing chicks for the ultimate production of eggs for human consumption.

Started chickens. Young chickens (chicks, pullets, cockerels, capons) which have been fed and watered and are less than 6 months of age.


§ 145.22 Participation.

Participating flocks of multiplier egg type chickens, and the eggs and chicks produced from them, shall comply with the applicable general provisions of subpart A of this part and the special provisions of this subpart B.

(a) Started chickens shall lose their identity under Plan terminology when not maintained by Plan participants under the conditions prescribed in §145.5(a).

(b) Hatching eggs produced by multiplier breeding flocks shall be fumigated (see §147.25 of this chapter) or otherwise sanitized.

(c) Any nutritive material provided to chicks must be free of the avian pathogens that are officially represented in the Plan disease classifications listed in §145.10.


§ 145.23 Terminology and classification; flocks and products.

Participating flocks, and the eggs and chicks produced from them, which have met the respective requirements specified in this section may be designated by the following terms and the corresponding designs illustrated in §145.10:

(a) [Reserved]

(b) U.S. Pullorum-Typhoid Clean. A flock in which freedom from pullorum and typhoid has been demonstrated to the official State agency under the criteria in one of the following paragraphs (b)(1) through (5) of this section: Provided, That a flock qualifying by means of a blood test shall be tested within the past 12 months, except that the retesting of a participating flock which is retained for more than 12 months shall be conducted a minimum of 4 weeks after the induction of molt. (See §145.14 relating to the official blood test where applicable.)

(1) It has been officially blood tested with no reactors.

(2) It is a multiplier breeding flock and meets the following specifications as determined by the Official State Agency and the Service:

(1) The flock is located in a State where all persons performing poultry disease diagnostic services within the State are required to report to the Official State Agency within 48 hours the source of all poultry specimens from which S. pullorum or S. gallinarum is isolated;
(ii) The flock is composed entirely of birds that originated from U.S. Pul-
lorum-Typhoid Clean breeding flocks or from flocks that met equivalent re-
quirements under official supervision; and

(iii) The flock is located on a premises where a flock not classified as U.S. Pul-
lorum-Typhoid Clean was located the previous year; Provided, That an
Authorized Testing Agent must blood test up to 300 birds per flock, as de-
scribed in §145.14, if the Official State Agency determines that the flock has
been exposed to pullorum-typhoid. In making determinations of exposure and
setting the number of birds to be blood tested, the Official State Agency shall
evaluate the results of any blood tests, described in §145.14(a)(1) that were per-
formed on an unclassified flock located on the premises during the previous
year; the origins of the unclassified flock; and the probability of contacts
between the flock for which qualification is being sought and (a) infected
wild birds, (b) contaminated feed or waste, or (c) birds, equipment, supplies,
or personnel from flocks infected with pullorum-typhoid.

(3) It is a multiplier breeding flock that originated from U.S. Pul-
lorum-Typhoid Clean breeding flocks or from flocks that met equivalent require-
ments under official supervision, and is located in a State in which it has been
determined by the Service that:

(i) All hatcheries within the State are qualified as “National Plan Hatch-
eries” or have met equivalent requirements for pullorum-typhoid control
under official supervision;

(ii) All hatchery supply flocks within the State, are qualified as U.S. Pul-
lorum-Typhoid Clean or have met equivalent requirements for pullorum-
 typhoid control under official supervision; Provided, That if other domes-
ticated fowl, except waterfowl, are maintained on the same premises as
the participating flock, freedom from pullorum-typhoid infection shall be
demonstrated by an official blood test of each of these fowl;

(iii) All shipments of products other than U.S. Pulloom-Typhoid Clean, or
equivalent, into the State are prohib-

(iv) All persons performing poultry disease diagnostic services within the
State are required to report to the Offi-
cial State Agency within 48 hours the source of all poultry specimens from
which S. pullorum or S. gallinarum is isolated;

(v) All reports of any disease out-
break involving a disease covered under the Plan are promptly followed
by an investigation by the Official State Agency to determine the origin
of the infection; Provided, That if the
origin of the infection involves another
State, or if there is exposure to poultry
in another State from the infected
flock, then the National Poultry Im-
provement Plan will conduct an inves-
tigation;

(vi) All flocks found to be infected
with pullorum or typhoid are quar-
tined until marketed or destroyed
under the supervision of the Official
State Agency, or until subsequently
blood tested, following the procedure
for reacting flocks as contained in
§145.14(a)(5), and all birds fail to dem-
strate pullorum or typhoid infection;

(vii) All poultry, including exhib-
tion, exotic, and game birds, but ex-
cluding waterfowl, going to public ex-
hibition shall come from U.S. Pul-
lorum-Typhoid Clean or equivalent
flocks, or have had a negative pul-
lorum-typhoid test within 90 days of
going to public exhibition;

(viii) Discontinuation of any of the
conditions or procedures described in
paragraphs (b)(3)(i), (ii), (iii), (iv), (v),
(vi), and (vii) of this section, or the oc-
currence of repeated outbreaks of pul-
lorum or typhoid in poultry breeding
flocks within or originating within the
State shall be grounds for the Service
to revoke its determination that such
conditions and procedures have been
met or complied with. Such action
shall not be taken until a thorough in-
vestigation has been made by the Serv-
ice and the Official State Agency has
been given an opportunity to present
its views.

(4) It is a multiplier breeding flock
located in a State which has been de-
determined by the Service to be in com-
pliance with the provisions of (b)(3) of
this section, and in which pullorum
disease or fowl typhoid is not known to
exist nor to have existed in hatchery
supply flocks within the State during the preceding 12 months.

(c) U.S. M. Gallisepticum Clean. (1) A flock maintained in compliance with the provisions of §147.26 of this chapter and in which freedom from *M. gallisepticum* has been demonstrated under the criteria specified in paragraph (c)(1)(i) or (ii) of this section.

(i) [Reserved]

(ii) It is a multiplier breeding flock which originated as U.S. M. Gallisepticum Clean chicks from primary breeding flocks and from which a sample comprised of a minimum of 150 birds per flock has been tested for *M. gallisepticum* as provided in §145.14(b) when more than 4 months of age: Provided, That to retain this classification, the flock shall be subjected to one of the following procedures:

(A) At intervals of not more than 90 days, 75 birds from the flock shall be tested, Provided, that fewer than 75 birds from the flock may be tested at any one time if all pens are equally represented and a total of at least 75 birds from the flock is tested within each 90-day period; or

(B) At intervals of not more than 30 days, a sample of 25 cull chicks produced from the flock shall be subjected to laboratory procedures acceptable to the Official State Agency and approved by the Service, for the detection and recovery of *M. gallisepticum*; or

(C) At intervals of not more than 30 days, egg yolk testing shall be conducted in accordance with §147.8 of this chapter.

(2) A participant handling U.S. M. Gallisepticum Clean products shall keep these products separate from other products in a manner satisfactory to the Official State Agency.

(3) U.S. M. Gallisepticum Clean chicks shall be boxed in clean boxes and delivered in trucks that have been cleaned and disinfected as described in §147.24(a) of this chapter.

(d) U.S. S. Enteritidis Clean. This classification is intended for egg-type breeders wishing to assure their customers that the hatching eggs and chicks produced are certified free of *Salmonella enteritidis*.

(1) A flock and the hatching eggs and chicks produced from it which have met the following requirements as determined by the Official State Agency:

(i) The flock originated from a U.S. S. enteritidis Clean flock, or meconium from the chick boxes and a sample of chicks that died within 7 days after hatching are examined bacteriologically for salmonella at an authorized laboratory. Cultures from positive samples shall be serotyped.

(ii) All feed fed to the flock shall meet the following requirements:

(A) Pelletized feed shall contain either no animal protein or only animal protein products produced under the Animal Protein Products Industry (APPI) *Salmonella* Education/Reduction Program. The protein products must have a minimum moisture content of 14.5 percent and must have been heated throughout to a minimum temperature of 190 °F., or above, or to a minimum temperature of 165 °F. for at least 20 minutes, or to a minimum temperature of 184 °F. under 70 lbs. pressure during the manufacturing process.

(B) Mash feed may contain no animal protein other than an APPI animal protein product supplement manufactured in pellet form and crumbled: Provided, that mash feed may contain nonpelleted APPI animal protein product supplements if the finished feed is treated with a salmonella control product approved by the Food and Drug Administration.

(iii) Feed shall be stored and transported in such a manner as to prevent possible contamination;

(iv) The flock is maintained in compliance with §§147.21, 147.24(a), and 147.26 of this chapter. Rodents and other pests should be effectively controlled;

(v) Environmental samples shall be collected from the flock by an Authorized Agent, as described in §147.12 of this chapter, when the flock is 2 to 4 weeks of age. The samples shall be examined bacteriologically for group D salmonella at an authorized laboratory. Cultures from positive samples shall be serotyped. The authorized agent shall also collect samples every 30 days after the first sample has been collected.
(vi) If a *Salmonella* vaccine is used that causes positive reactions with pullorum-typhoid antigen, one of the following options must be utilized:

(A) Administer the vaccine after the pullorum-typhoid testing is done as described in paragraph (d)(1)(vii) of this section.

(B) If an injectable bacterin or live vaccine that does not spread is used, keep a sample of 350 birds unvaccinated and banded for identification until the flock reaches at least 4 months of age. Following negative serological and bacteriological examinations as described in paragraph (d)(1)(vii) of this section, vaccinate the banded, non-vaccinated birds.

(vii) Blood samples from 300 non-vaccinated birds as described in paragraph (d)(1)(vi) of this section shall be tested with either pullorum antigen or by a federally licensed *Salmonella enteritidis* enzyme-linked immunosorbent assay (ELISA) test when the flock is more than 4 months of age. All birds with positive or inconclusive reactions, up to a maximum of 25 birds, shall be submitted to an authorized laboratory and examined for the presence of group D salmonella, as described in §147.11 of this chapter. Cultures from positive samples shall be serotyped.

(viii) Hatching eggs are collected as quickly as possible and are handled as described in §147.22 of this chapter and are sanitized or fumigated (see §147.25 of this chapter).

(ix) Hatching eggs produced by the flock are incubated in a hatchery that is in compliance with the recommendations in §§147.23 and 147.24(b) of this chapter, and sanitized either by a procedure approved by the Official State Agency or fumigated (see §147.25 of this chapter).

(2) A flock shall not be eligible for this classification if *Salmonella enteritidis* ser *enteritidis* (SE) is isolated from a specimen taken from a bird in the flock. Isolation of SE from an environmental or other specimen, as described in paragraph (d)(1)(v) of this section, will require bacteriological examination for SE in an authorized laboratory, as described in §147.11(a) of this chapter. If a random sample of 60 live birds from a flock of 5,000 birds or more, or 30 live birds from a flock with fewer than 5,000 birds, if only one specimen is found positive for SE, the participant may request bacteriological examination of a second sample, equal in size to the first sample, from the flock. If no SE is recovered from any of the specimens in the second sample, the flock will be eligible for the classification.

(3) A non-vaccinated flock shall be eligible for this classification if *Salmonella enteritidis* (S. enteritidis ser *Enteritidis*) is isolated from an environmental sample collected from the flock in accordance with paragraph (d)(1)(v) of this section: Provided, That testing is conducted in accordance with paragraph (d)(1)(vii) of this section each 30 days and no positive samples are found.

(4) In order for a hatchery to sell products of this classification, all products handled shall meet the requirements of the classification.

(5) This classification may be revoked by the Official State Agency if the participant fails to follow recommended corrective measures.

(e) U.S.M. Synoviae Clean. (1) A flock maintained in compliance with the provisions of §147.26 of this chapter and in which freedom from *M. synoviae* has been demonstrated under the criteria specified in paragraph (e)(1)(i) or (ii) of this section.

(i) [Reserved]

(ii) It is a multiplier breeding flock which originated as U.S. M. Synoviae Clean chicks from primary breeding flocks and from which a sample comprised of a minimum of 150 birds has been tested for *M. synoviae* as provided in §145.14(b) when more than 4 months of age: Provided, That to retain this classification, the flock shall be subjected to one of the following procedures:

(A) At intervals of not more than 90 days, 75 birds from the flock shall be tested: Provided, That fewer than 75 birds from the flock may be tested at any one time if all pens are equally represented and a total of at least 75 birds from the flock is tested within each 90-day period; or
(B) At intervals of not more than 30 days, egg yolk testing shall be conducted in accordance with §147.8 of this chapter.

(2) A participant handling U.S. M. Synoviae Clean products shall keep these products separate from other products in a manner satisfactory to the Official State Agency.

(3) U.S. M. Synoviae Clean chicks shall be boxed in clean boxes and delivered in trucks that have been cleaned and disinfected as described in §147.24(a) of this chapter.

(f) U.S. M. Gallisepticum Clean Started Poultry.

(1) A flock which originated from U.S. M. Gallisepticum Clean breeding flocks and was hatched in a hatchery approved by the Official State Agency for the production of U.S. M. Gallisepticum Clean chicks.

(2) All other poultry on the premises of the candidate flock must originate from U.S. M. Gallisepticum Clean sources.

(3) The flock is maintained in compliance with the provisions of §147.26 of this chapter.

(4) The flock’s freedom from M. Gallisepticum is demonstrated by a negative blood test, as provided in §145.14(b), of a sample of 75 birds, with a minimum of 50 birds per poultry house, between 15–20 days prior to the flock being moved to laying quarters.

(5) Started poultry shall be delivered to and from the farm premises in crates and vehicles which have been cleaned and disinfected as described in §147.24(a) of this chapter.

(h) U.S. Avian Influenza Clean. This program is intended to be the basis from which the breeding-hatchery industry may conduct a program for the prevention and control of avian influenza. It is intended to determine the presence of avian influenza in breeding chickens through routine surveillance of each participating breeding flock. A flock and the hatching eggs and chicks produced from it will qualify for this classification when the Official State Agency determines that they have met the following requirements:

(1) It is a multiplier breeding flock in which a minimum of 30 birds have been tested negative for antibodies to avian influenza when more than 4 months of age. To retain this classification:

(i) A sample of at least 30 birds must be tested negative at intervals of 90 days; or

(ii) A sample of fewer than 30 birds may be tested, and found to be negative, at any one time if all pens are equally represented and a total of 30 birds is tested within each 90-day period; or

(iii) The flock is tested as provided in §145.14(d) at intervals of 30 days or less and found to be negative, and a total of 30 samples are collected and tested within each 90-day period; and

(2) During each 90-day period, all multiplier spent fowl, up to a maximum of 30, must be tested and found negative within 21 days prior to movement to slaughter.

(Approved by the Office of Management and Budget under control number 0579-0007)

[36 FR 23112, Dec. 3, 1971]

EDITORIAL NOTE: For Federal Register citations affecting §145.23, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.