§ 82.12 Other interstate movements and special permits.

(a) A special permit is required for the interstate movement of birds, poultry, or other items whose movement is restricted under this subpart, from a quarantined area in a manner or to a destination other than is specifically prescribed by this subpart, under special conditions determined by the Administrator to be necessary to prevent the dissemination of Newcastle disease. A special permit is required for the disposal of dead birds or dead poultry that are infected with Newcastle disease, or dead birds or dead poultry from flocks infected with Newcastle disease, or manure generated by or eggs from birds or poultry infected with Newcastle disease, in a manner other than is specifically prescribed in this subpart, and for cleaning and disinfection carried out in a manner other than is specifically prescribed in this subpart, under special conditions determined by the Administrator to be necessary to prevent the dissemination of Newcastle disease. To apply for a special permit, contact the veterinarian in charge for the State in which the birds, poultry, or other items are located. The Administrator may, at his or her discretion, issue special permits if he or she determines that the activity authorized will not result in the interstate dissemination of Newcastle disease.

(b) The special permit will list the name and address of the person to whom the special permit is issued, and the special conditions under which the interstate movement, disposal, or cleaning and disinfection may be carried out.

(1) For an interstate movement, the special permit will also include the following:
(i) The name and mailing address of the person who will receive the birds, poultry, or other items;
(ii) The addresses of both the origin and destination of the birds, poultry, or other items;
(iii) The number and type of birds, poultry, or other items to be moved interstate; and
(iv) The reason for the interstate movement.

(b) For destruction or cleaning and disinfection, the special permit will also include the following:
(i) The address of the place where the dead birds, dead poultry, manure, or eggs are located; and
(ii) The number and type of birds, poultry, or other items involved.

(c) For an interstate movement, a copy of the special permit must accompany the items moved, and copies must be submitted so that a copy is received by the State animal health official and the veterinarian in charge for the State of destination within 72 hours of the arrival of the birds, poultry, or other items at the destination listed on the special permit.

(Approved by the Office of Management and Budget under control number 0579–0116)

§ 82.13 Denial and withdrawal of permits and special permits.

(a) Denial. If the Administrator determines that the applicant for a permit or special permit is not complying with or could not comply with this subpart or any special conditions needed to prevent the dissemination of Newcastle disease, or, in the case of a special permit, that the special permit is not required under this subpart, the Administrator may deny the request for a permit or special permit. If the request is denied, the Administrator will send the applicant a written notice explaining why the permit or special permit was denied.

(b) Withdrawal. The Administrator may withdraw a permit or special permit, orally or in writing, if he or she determines the person to whom the permit or special permit has been issued is violating either this subpart or some condition specified in the permit or special permit. The Administrator may withdraw the permit or special permit without notice if he or she determines that the person to whom the permit or special permit has been issued is violating either this subpart or some condition specified in the permit or special permit in a way that threatens the public health, interest, or safety. The Administrator will send the person to whom the permit or special permit has been issued a written explanation of why the permit or special permit is to be or was withdrawn.
§ 82.14 Removal of quarantine.

An area will be removed from quarantine only when all of the following requirements have been met:

(a) All birds and poultry exposed to Newcastle disease in the quarantined area have been found to be free of Newcastle disease;

(b) All birds and poultry infected with Newcastle disease in the quarantined area have been euthanized;

(c) All birds and poultry, including any parts of the birds and poultry, euthanized in accordance with paragraph (b) of this section, and all birds and poultry in the quarantined area, including any parts of the birds and poultry, that died from any cause other than slaughter, have been buried, reduced to ashes by incineration, rendered, or reduced to dust by composting:

(1) If the birds and poultry are buried, all birds and poultry infected with Newcastle disease must be buried in the quarantined area. The birds and poultry must be buried in a location

(2) If the birds and poultry are composted, all birds and poultry infected with Newcastle disease must be composted in the quarantined area. The birds and poultry must be composted according to the following instructions or another procedure approved by the Administrator as being adequate to prevent the dissemination of Newcastle disease:

(i) Place a 1-foot layer of litter and manure in a free-standing composter bin, unless the compost pile will be covered in accordance with paragraph (c)(2)(ii) of this section. Add a 6-inch layer of straw, peanut hulls, or wood chips. Add a layer of dead birds or dead poultry, leaving 6 inches between the carcasses and the bin walls. Add water sparingly and cover with 6 inches of a dry mixture of litter and manure. Repeat the layering process two more times and cap with a double layer of dry manure cake. After the bin is capped off and covered, monitor the temperature in the compost pile daily, using a 36-inch probe-type thermometer. The temperature of the compost pile must reach at least 140 °F. After 30 days from the date the compost pile is created, turn over to aerate the entire mixture. Allow mixture to reach at least 140 °F once again. After completion of the second cycle, the mixture must remain covered with any material that prevents penetration of air and moisture until spread or otherwise utilized. The composted material may not be spread or otherwise utilized until at least 30 days following completion of the second heating cycle.

(ii) Composting of birds and poultry may be accomplished outside of covered bins by following the layering and temperature requirements set forth in paragraph (c)(2)(i) of this section, then covering the compost pile with tarpaulins or 6-mm polyethylene sheets anchored with tires or straw bales. The mixture must be kept moist. The final product may not be spread or otherwise utilized until at least 30 days following completion of the second heating cycle.

(3) If the birds and poultry are burned, all birds and poultry infected with Newcastle disease must be burnt in the quarantined area. The birds and poultry must be burnt in a location that meets all United States Environmental Protection Agency, State, and local requirements for landfills. They must be buried at least 6 feet deep and be covered at the time of burial with soil.

Written appeals should be sent to the Administrator, c/o Emergency Programs, Veterinary Services, Animal and Plant Health Inspection Service, 4700 River Road, Riverdale, MD 20737–1231.