

equipment with a disinfectant prescribed in paragraph (a) of this section.

(d) The owner of such facilities and vehicles shall be responsible for cleaning and disinfecting as required under this section, and the cleaning and disinfecting shall be done without expense to the United States Department of Agriculture.

[47 FR 49945, Nov. 3, 1982. Redesignated and amended at 52 FR 4891, Feb. 18, 1987; 56 FR 26899, June 12, 1991; 68 FR 6346, Feb. 7, 2003]

§ 166.15 State status.

(a) The Animal and Plant Health Inspection Service (APHIS) will maintain on its website² the following lists of States:

- (1) States that prohibit the feeding of garbage to swine;
- (2) States that allow the feeding of treated garbage to swine;
- (3) States that have primary enforcement responsibility under the Act; and
- (4) States that issue licenses under cooperative agreements with APHIS, but do not have primary responsibility under the Act.

(b) For information concerning the feeding of garbage to swine, the public may contact the APHIS Area Veterinarian in Charge, the State animal health official, or Veterinary Services, 4700 River Road, Unit 37, Riverdale, MD 20737-1231.²

84 FR 64415, Nov. 22, 2019]

PART 167—RULES OF PRACTICE GOVERNING PROCEEDINGS UNDER THE SWINE HEALTH PROTECTION ACT

Subpart A—General

Sec.
167.1 Scope and applicability of rules of practice.

Subpart B—Supplemental Rules of Practice

167.10 Stipulations.

AUTHORITY: 7 U.S.C. 3804, 3805, and 3811; 7 CFR 2.22, 2.80, and 371.4.

² <https://www.aphis.usda.gov/aphis/ourfocus/animalhealth/animal-disease-information/swine-disease-information>.

SOURCE: 48 FR 30095, June 30, 1983, unless otherwise noted.

Subpart A—General

§ 167.1 Scope and applicability of rules of practice.

The Uniform Rules of Practice for the Department of Agriculture promulgated in subpart H of part 1, subtitle A, title 7, Code of Federal Regulations, are the Rules of Practice applicable to adjudicatory, administrative proceedings under sections 5 and 6 of the Swine Health Protection Act (7 U.S.C. 3804, 3805). In addition, the Supplemental Rules of Practice set forth in subpart B of this part shall be applicable to such proceedings.

Subpart B—Supplemental Rules of Practice

§ 167.10 Stipulations.

(a) At any time prior to the issuance of a complaint seeking a civil penalty under the Act, the Administrator, in his discretion, may enter into a stipulation with any person in which:

- (1) The Administrator or the Administrator's delegate gives notice of an apparent violation of the Act, or the regulations issued thereunder, by such person and affords such person an opportunity for a hearing regarding the matter as provided by the Act;
- (2) Such person expressly waives hearing and agrees to a specified order which may include an agreement to pay a specified penalty within a designated time; and
- (3) The Administrator agrees to accept the order in settlement of the particular matter conditioned upon timely payment of the penalty if the order includes an agreement to pay a penalty.

(b) If the order includes an agreement to pay a penalty and the penalty is not paid within the time designated in such a stipulation, the amount of the penalty shall not be relevant in any respect to the penalty which may be assessed after issuance of a complaint.

PARTS 168–199 [RESERVED]