

lymph, urine, or manure, so as to present a danger of the spread of any communicable animal disease, the inspector may require the unloading of the means of conveyance and the emptying of the container if he or she deems it necessary to enable him or her to determine whether the means of conveyance or container is in fact so contaminated. The principal operator of the means of conveyance and his or her agent in charge of the means of conveyance shall comply with any such requirement under the immediate supervision of, and in the time and manner prescribed by, the inspector.

(c) *Cleaning and disinfection:* Whenever, upon inspection under this section, an inspector determines that a means of conveyance or shipping container is contaminated with material of animal origin so as to present a danger of the spread of any communicable animal disease, he or she shall notify the principal operator of the means of conveyance or his or her agent in charge, of such determination and the requirements under this section. The person so notified shall cause the cleaning and disinfection of such means of conveyance and container under the immediate supervision of, and in the time and manner prescribed by, the inspector.

(d) For purposes of this section, the term "shipping container" means any container of a type specially adapted for use in transporting any article on the means of conveyance involved.

[55 FR 31495, Aug. 2, 1990, as amended at 59 FR 67614, Dec. 30, 1994. Redesignated and amended at 62 FR 56012, 56015, Oct. 28, 1997]

§ 93.203 Ports designated for the importation of poultry.

(a) *Air and ocean ports.* The following ports have APHIS inspection and quarantine facilities necessary for quarantine stations and all poultry shall be entered into the United States through these stations, except as provided in paragraphs (b), (c), (d) and (e) of this section: Los Angeles, California; Miami, Florida; and Newburgh, New York.

(b) *Canadian border ports.* The following land border ports are designated as having the necessary inspection facilities for the entry of poultry from

Canada: Eastport, Idaho; Houlton and Jackman, Maine; Detroit, Port Huron, and Sault Ste. Marie, Michigan; Baudette, Minnesota; Opheim, Raymond, and Sweetgrass, Montana; Alexandria Bay, Buffalo, and Champlain, New York; Dunseith, Pembina, and Portal, North Dakota; Derby Line and Highgate Springs, Vermont; Blaine, Lynden, Oroville, and Sumas, Washington.

(c) *Mexican border ports.* The following land border ports are designated as having the necessary inspection facilities for the entry of poultry from Mexico: Brownsville, Hidalgo, Laredo, Eagle Pass, Del Rio, Presidio, and El Paso, Texas; Douglas, Naco, Nogales, Sasabe, and San Luis, Arizona; Calexico and San Ysidro, California; and Antelope Wells, and Columbus, New Mexico.

(d) *Limited ports.* The following ports are designated as having inspection facilities for the entry of poultry and poultry products such as poultry test specimens, or hatching eggs and day old chicks which do not appear to require restraint and holding inspection facilities: Anchorage and Fairbanks, Alaska; San Diego, California; Jacksonville, Port Canaveral, St. Petersburg-Clearwater, and Tampa, Florida; Atlanta, Georgia; Honolulu, Hawaii; Chicago, Illinois; New Orleans, Louisiana; Portland, Maine; Baltimore, Maryland; Minneapolis, Minnesota; Great Falls, Montana; Portland, Oregon; San Juan, Puerto Rico; Galveston and Houston, Texas; and Seattle, Spokane, and Tacoma, Washington.

(e) *Designation of other ports.* The Secretary of the Treasury has approved the designation as quarantine stations of the ports specified in this section. In special cases other ports may be designated as quarantine stations under this section by the Administrator, with the concurrence of the Secretary of the Treasury.

[55 FR 31495, Aug. 2, 1990, as amended at 58 FR 37642, July 13, 1993; 60 FR 16045, Mar. 29, 1995; 60 FR 25120, May 11, 1995. Redesignated at 56012, Oct. 28, 1997, as amended at 65 FR 38178, June 20, 2000; 67 FR 6370, Feb. 12, 2002]

EFFECTIVE DATE NOTE: At 67 FR 68022, Nov. 8, 2002, § 93.203(b) was amended by removing

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the words “Blaine, Lynden,” and by removing the comma immediately after the word “Oroville”, effective Jan. 7, 2003.

§ 93.204 Import permits for poultry and for poultry test specimens for diagnostic purposes; and reservation fees for space at quarantine facilities maintained by APHIS.

(a) *Application for permit; reservation required.* (1) For poultry and poultry test specimens for diagnostic screening purposes, intended for importation from any part of the world, except as otherwise provided for in §§ 93.204(c), 93.214, 93.217, and 93.218, the importer shall first apply for and obtain from APHIS an import permit. The application shall specify the name and address of the importer; the species, breed, number or quantity of poultry or poultry test specimens to be imported; the purpose of the importation; the region of origin; the name and address of the exporter; the port of embarkation in the foreign region; the mode of transportation, route of travel, and the port of entry in the United States; the proposed date of arrival of the poultry or poultry test specimens to be imported; and the name of the person to whom the poultry or poultry test specimens will be delivered and the location of the place in the United States to which delivery will be made from the port of entry. Additional information may be required in the form of certificates concerning specific diseases to which the poultry are susceptible, as well as vaccinations or other precautionary treatments to which the poultry or poultry test specimens have been subjected. Notice of any such requirement will be given to the applicant in each case.

(2) An application for permit to import poultry may also be denied because of: Communicable disease conditions in the area or region of origin, or in a region where the shipment has been or will be held or through which the shipment has been or will be transported; deficiencies in the regulatory programs for the control or eradication of animal diseases and the unavailability of veterinary services in the above mentioned regions; the importer's failure to provide satisfactory evidence concerning the origin, history, and health status of the poultry; the

lack of satisfactory information necessary to determine that the importation will not be likely to transmit any communicable disease to livestock or poultry of the United States; or any other circumstances which the Administrator believes require such denial to prevent the dissemination of any communicable disease of livestock or poultry into the United States.

(3)(i) The importer or importer's agent shall pay or ensure payment of a reservation fee for each lot of poultry to be quarantined in a facility maintained by USDA. For poultry, the reservation fee shall be 100 percent of the cost of providing care, feed, and handling during quarantine, as estimated by the quarantine facility's veterinarian in charge.

(ii) At the time the importer or the importer's agent requests a reservation of quarantine space, the importer or importer's agent shall pay the reservation fee by check or U.S. money order or ensure payment of the reservation fee by an irrevocable letter of credit from a commercial bank (the effective date on such letter of credit shall run to 30 days after the date the poultry are scheduled to be released from quarantine); except that anyone who issues a check to the Department for a reservation fee which is returned because of insufficient funds shall be denied any further request for reservation of a quarantine space until the outstanding amount is paid.

(iii) Any reservation fee paid by check or U.S. money order shall be applied against the expenses incurred for services received by the importer or importer's agent in connection with the quarantine for which the reservation was made. Any part of the reservation fee which remains unused after being applied against the expenses incurred for services received by the importer or the importer's agent in connection with the quarantine for which the reservation was made, shall be returned to the individual who paid the reservation fee. If the reservation fee is ensured by a letter of credit, the Department will draw against the letter of credit unless payment for services received by the importer or importer's agent in connection with the quarantine is otherwise made at least 3