

CHAPTER 85-20
DIVISION OF ANIMAL HEALTH AND INDUSTRY

SUBCHAPTER 20.1
ANIMAL QUARANTINE RULES AND REGULATIONS

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Subchapter Authority: 1 CMC § 2654; 2 CMC § 5302.

Subchapter History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: PL 1-8, tit. 1, ch. 13 (effective Aug. 10, 1978), formerly codified in part at 1 CMC §§ 2651, et seq., originally created a Department of Natural Resources within the Commonwealth government.

Executive Order 94-3 (effective August 23, 1994) reorganized the Commonwealth government executive branch, changed agency names and official titles and effected numerous other revisions. According to Executive Order 94-3 § 104:

Section 104. Department of Lands and Natural Resources.

The Department of Natural Resources is re-designated the Department of Lands and Natural Resources.

The full text of Executive Order 94-3 is set forth in the commission comment to 1 CMC § 2001.

In 1997, the Legislature passed the “Public Lands and Natural Resources Administration Act of 1997,” PL 10-57 (effective Apr. 18, 1997), codified as amended at 1 CMC §§ 2651-2691. PL 10-57 repealed and reenacted chapter 13, division 2 of title 1 of the Commonwealth Code, 1 CMC §§ 2651-2691, and statutorily established the Department of Lands and Natural Resources (DLNR) with the structure, duties and responsibilities set forth in the act. See 1 CMC § 2651 and the commission comment thereto.

1 CMC § 2653(j) authorizes DLNR to “promote, develop, and administer agricultural programs, including but not limited to, plant industry, agricultural extension services, and animal industry and health.” 1 CMC § 2654 authorizes the Department of Lands and Natural Resources to adopt rules and regulations in furtherance of its duties and responsibilities.

Title 2, division 5, chapter 3 of the Commonwealth Code specifically addresses quarantine regulations. See 2 CMC §§ 5301-5329. 2 CMC §§ 5302 and 5303 direct the Director of Natural Resources (now the Secretary of Lands and Natural Resources) to issue plant and animal quarantines and regulations and administer their provisions. The “Animal Health Protection and Disease Control Act,” PL 4-55 (effective Aug. 22, 1985), establishes animal quarantine and inspection procedures and disease control procedures. See 2 CMC §§ 5320-5329. The act creates the Division of Animal Health and Industry within the Department of Natural Resources and authorizes the Chief of the Division to administer its provisions. 2 CMC § 5323.

The Division of Agriculture within the Department of Natural Resources originally promulgated, pursuant to PL 1-8, Plant & Animal Quarantine Inspection and Inspection Procedures Rules and Regulations. The history of these regulations is as follows:

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Amdts Adopted 2 Com. Reg. 896 (Nov. 17, 1980) (suspending the prohibition on importing Psittacine birds and mynahs into the Commonwealth);* Amdts Adopted 3 Com. Reg. 1042 (Feb. 23, 1981); Amdts Emergency and Proposed 2 Com. Reg. 890, 894 (Nov. 17, 1980) (effective for 120 days from Oct. 1, 1980); Public Notice 2 Com. Reg. 834 (Mar. 16, 1980) (regarding animal quarantine procedures); Amdts Proposed 2 Com. Reg. 445 (Jan. 16, 1980); Adopted 1 Com. Reg. 277 (June 16, 1979); Proposed 1 Com. Reg. 80 (Dec. 16, 1978).

*A notice of proposed amendment was not published.

The January 1980 notice of proposed amendments stated: "If no comments are received after 30 days from the date of this publication, these amendments will be adopted without further publication and have the force of law." See 2 Com. Reg. at 445 (Jan. 16, 1980).

The 1989 Animal Quarantine Rules and Regulations codified in this subchapter were promulgated by the Department of Natural Resources, Division of Animal Health and Industry under the authority of 2 CMC §§ 5301-5329.

Part 001 - General Provisions

§ 85-20.1-001 Authority

Under the authority granted in 2 CMC, div. 5, chapter 3, article 1, § 5302 of the Commonwealth Code for the Northern Mariana Islands [the Department of Natural Resources] hereby promulgates regulations, codified in this subchapter, concerning control and prevention of animal diseases in the Commonwealth of the Northern Mariana Islands.

Modified, 1 CMC § 3806(d), (f), (g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: The Commission changed "regulation" to "regulations" to correct a manifest error. The Commission inserted the final period.

§ 85-20.1-005 Purpose

The rules and regulations in this subchapter are designed to protect the agriculture and general well-being of the Northern Marianas' citizens. Animal quarantine measures are promulgated as a means to prevent the introduction of, and the further spread of animal pest and diseases into and within the Northern Marianas. The procedures and controls in this subchapter are designed to spell out the procedures and controls in promulgation, enforcement of animal quarantine rules and regulations, and other measures deemed necessary to protect the livestock, poultry, bird and pet industries, and the general well-being of the Northern Marianas' citizens.

Modified, 1 CMC § 3806(f).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-010 Definitions

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For the purposes of this subchapter, unless context otherwise requires, the following words, phrases, names, and terms shall be construed, respectively, to mean:

- (a) “Accredited veterinarian” - A licensed veterinarian certified by federal and Commonwealth animal health authorities to participate in cooperative disease control activities, including execution of health certificates for the interstate and international movement of animals.
- (b) “Animals” - Wild animals, domestic animals, poultry, birds, and hatching eggs.
- (c) “Animals products” - Any edible or inedible substance derived in whole or in part from an animal.
- (d) “Approved disinfectant” - A germicidal agent approved for use in a specific Commonwealth animal disease control, and eradication program.
- (e) “Authorizing official” - The Chief of Animal Health & Industry for the Department of Natural Resources, and his designees.
- (f) “Birds” - Parrots, parakeets, mynahs, sparrows, finches, cockatiels, love birds, canaries, and other feathered life other than poultry, including eggs for hatching.
- (g) “By product” - Any part of any animal subject to diseases of quarantine concern.
- (h) “Carrier” - Any vessel, boat, airplane or other conveyance used to transport animals; or its master, commanding officer, owner, local manager, or agent.
- (i) “Cattle” - Grades, purebreds, or crosses of the recognized breeds of cattle used in the production of beef and/or milk, and other members of the bovine family.
- (j) “Chief” - The Chief of Animal Health and Industry Division for the Department of Natural Resources, or any officer or employee of the Division of Animal Health and Industry to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.
- (k) “CNMI” - The Commonwealth of the Northern Mariana Islands, or any island in this group; also referred to as the Northern Marianas.
- (l) “Department” - The Department of Natural Resources for the Commonwealth of the Northern Marianas.
- (m) “Director” - The Director of the Department for Natural Resources of the Northern Marianas Commonwealth government, or any officer or employee for the Department to whom authority has heretofore been delegated or to whom authority may hereafter be delegated, to act in his stead.

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- (n) “Division” - The Division of Animal Health & Industry for the Department of Natural Resources.
- (o) “Dogs and cats” - Members of the canine, and feline families, respectively, that are domesticated.
- (p) “Domestic animals or livestock” - Horses, mules, asses, cattle, sheep, goats, swine, dogs, cats, and other animals maintained in the domestic state, excluding birds and poultry.
- (q) “Effects” - Ropes, halters, harnesses, buckets, stalls, crates, pens, stables, feed, feed bags, leashes, collars, chains, dishes, toys and other objects, equipment and materials used to handle, confine, maintain, accompany, or transport animals.
- (r) “Garbage” - All waste material derived in whole or in part from fruits, vegetables, meats, or other plants or animals (including poultry) materials, and other refuses of any character whatsoever that has been associated with any such material on board any means of conveyance, and including food scraps, table refuse, galley refuse, food wrappers or packaging materials, and other waste material from stores, food preparation areas, passengers’ or crews’ quarters, dining rooms, or any other areas on vessel/aircraft, or other means of conveyance.
- (s) “Hatching eggs” - Eggs of poultry and birds used for producing young.
- (t) “Health certificate” - An official document issued by a licensed or an accredited veterinarian, or an authorized federal or state veterinarian for the state of origin certifying that the animal being shipped is free from external parasites and symptoms or evidence of transmissible disease, and providing all other information and test results required for acceptance by the CNMI.
- (u) “Heifer” - A cow that has not had a calf.
- (v) “Horses” - Horses, mules, asses, and zebras.
- (w) “Infectious contagious and communicable diseases” - All transmissible diseases of animals.
- (x) “Inspection” - The examination of any animal or, animals, meat, meat products, and animal byproducts prior to or after entry into the Northern Marianas by the Chief of Animal Health and Industry or other inspectors.
- (y) “Inspector” - A veterinarian, livestock inspector, or agricultural quarantine inspector in the Division of Animal Health & Industry and the Division of Plant Industry & Extension Services, or the United States Department of Agriculture.

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- (z) “Licensed veterinarian” - A veterinarian having a current, valid license to practice veterinary medicine in the state of origin for the animal being certified and shipped.
- (aa) “Menagerie and zoological animals” - Any wild or feral animals maintained in captivity.
- (bb) “Northern Marianas” - The Commonwealth of the Northern Mariana Islands, or any island in this group.
- (cc) “Pathogen” - Any organism or material capable of producing diseases.
- (dd) “Permit” - Animal quarantine permit issued by the Chief of Animal Health & Industry, required for all animals as a condition of entry into the Northern Marianas.
- (ee) “Poultry” - Chickens, ducks, turkeys, swans, pigeons, doves, pheasants, guinea fowl, peafowl, quails, grouse, partridges, geese, peacocks, and domestic feathered life generally, of all ages, including eggs for hatching.
- (ff) “Quarantine” - The isolation of animal or animals on premises or in are* as specified by the Chief of Animal Health & Industry Division; the designation given such premises or areas. No animal may be removed from or be added to such premises or areas except as permitted by the Chief of Animal Health & Industry. For dogs and cats, quarantine means confinement for a period of 120 days in the As Perdido Animal Quarantine Facility, or in other quarantine facility that is recognized and approved by the Chief.
- (gg) “Rabies-free areas” - Countries, states, and territories where rabies is not known to exist or occur, or where rabies has been completely eradicated. Only those countries, states and territories recognized by the state of Hawaii and the Chief of Animal Health & Industry as rabies-free shall be so classified, and likewise be accorded with the same status by the Northern Marianas.
- (hh) “Rabies-infected areas” or “rabies areas” - Countries, states, and territories where rabies is known to exist or occur. Countries, states, and territories not recognized by the State of Hawaii, and the Chief of Animal Health & Industry as rabies-free areas are considered, and classified as rabies-infected areas or rabies areas.
- (ii) “Regulations” - The animal quarantine regulations contained in this subchapter, and all applicable regulations of the United States Department of Agriculture, and Animal & Plant Health Inspection Service.
- (jj) “Ruminants” - All animals which chew the cud, such as cattle, buffaloes, sheep, goats, deer, antelopes, camels, llamas, and giraffes.

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(kk) “Shipmaster’s declaration” - An official state form which must be completed, and submitted by a carrier providing information on livestock, poultry, birds, pets, and other animals being transported.

(ll) “Swine” - Domesticated pig or hog, and all varieties of wild hogs.

(mm) “Uniform methods and rules” - The recommended minimum standards adopted by USDA for the achievement of goals in Commonwealth-federal animal disease control, and eradication program.

(nn) “USDA” - The United States Department of Agriculture.

(oo) “Vaccine” - A suspension of live, attenuated, or killed microorganisms such as bacteria and viruses used for the prevention or treatment of infectious diseases.

(pp) “Wild or feral animals” - Zoological menagerie or wild animals, whether mammals, birds, amphibians, reptiles, or fishes, as distinguished from domestic animals, birds and poultry; they also include insects, and mollusks.

* So in original.

Modified, 1 CMC § 3806(f), (g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: In subsection (b), the Commission deleted the repeated word “and.” In subsections (b), (e), (f), (g), (l), (n), (v), (w), (bb), (cc), (ll) and (nn), the Commission inserted the final period. The Commission inserted a comma after the word “states” in subsection (hh) pursuant to 1 CMC § 3806(g). The Commission inserted quotation marks around terms defined.

With respect to the reference to the Department of Natural Resources, see Executive Order 94-3 (effective August 23, 1994) reorganizing the Commonwealth government executive branch, changing agency names and official titles and effecting numerous other revisions. See also the general comment to this subchapter.

§ 85-20.1-015 Gender, Plurals, Etc.

Unless it shall clearly appear from the context to the contrary, the use of any gender shall include all genders. The plural shall include the singular, and the singular shall include the plural.

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-020 Precedence of Federal Regulations over CNMI’s Regulations

The CNMI’s regulations shall not conflict with or compromise any federal regulation. The importations of domestic animals into the CNMI from foreign countries and the U.S. are subject to the regulations of the U.S. Department of Agriculture, and the CNMI’s regulations. In case of conflict between federal regulations and CNMI’s regulations, the federal regulations will prevail over the CNMI’s regulations.

Modified, 1 CMC § 3806(f).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Part 100 - Permit Requirements

§ 85-20.1-101 Required Permits for Importation

An animal quarantine permit is required as a condition of entry for all animals intended to be introduced, or imported into the CNMI. This permit must be accompanied by such certificates as may be required on the permit. The permit shall only be issued for those animals which offer no pest or disease risk to the CNMI in the judgment of the Chief for Animal Health & Industry. In general, permit will be issued only for each separate importation. However, in special cases approved by the Chief of Animal Health & Industry, continuing permits for a stated period may be issued. The original copy of the animal quarantine permit must always accompany the imported animals during shipment.

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: The Commission corrected the spelling of the word “judgment” pursuant to 1 CMC § 3806(g).

§ 85-20.1-105 Importation from Foreign Countries

Importation of poultry, birds, and domestic animals other than dogs and cats from foreign countries is prohibited. The dogs and cats may be imported into the CNMI subject to the animal quarantine regulations in this subchapter and every requirement contained in the regulations. Wild or feral animals, including menagerie and zoological animals, may be imported into the CNMI, but are subject to any and all applicable laws and regulations of U.S. Department of Agriculture, Animal & Plant Health Inspection Service, and the U.S. Fish & Wildlife Service of U.S. Department of Interior. All animals from foreign countries that are determined to be enterable may be imported into the Northern Marianas Islands only upon a written permit issued by the Chief of Animal Health & Industry.

Modified, 1 CMC § 3806(d), (f), (g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: The Commission changed “dog” to “dogs,” “requirements” to “requirement” and inserted a period between “regulations” and “wild or feral” to correct manifest errors.

§ 85-20.1-110 Importations from the United States

Domestic animals, poultry, birds, and livestock may be imported from the U.S. on its territories only upon a written permit issued by the Chief Animal Health & Industry. All such animals intended for importation are subject to the regulations, and shall comply with the entry requirements contained in the regulations in this subchapter. Only direct shipment of poultry, birds, and livestock from the U.S. mainland, Hawaii, and Guam will

be allowed, and accepted in the Commonwealth of the Northern Marianas Islands. Wild or feral animals, including skunks, raccoons, foxes, coyotes, wolves, bats, and the crosses of these animals with domestic animals may be imported into the Northern Marianas, but are subject to any and all applicable laws and regulations of U.S. Department of Agriculture, and Animal & Plant Health Inspection Service, and the U.S. Fish & Wildlife Service of U.S. Department of Interior. Skunks, bats, raccoons, foxes, coyotes, wolves, and other wild or feral animals of canine and feline families, and the crosses of these animals with domestic animals, are prohibited entry into the Northern Marianas Islands, if they are to be imported as guard or pet animals. Only an established and duly licensed zoo may be allowed to import the listed animals.

Modified, 1 CMC § 3806(d), (g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: The Commission changed “this listed animals” to “the listed animals” and corrected the spelling of “coyotes.” The Commission inserted commas after “bats” and “foxes” to correct manifest errors.

§ 85-20.1-115 Importations of Other Wild or Feral Animals

All other wild or feral animals, including reptiles, amphibians, insects, shell fish, fishes, crabs, and mollusks may be imported into the CNMI only upon written permit issued by the Chief of Animal Health & Industry. They will be subject to any and all applicable laws and regulations of U.S. Department of Agriculture, Animal and Plant Health Inspection Service, and the U.S. Fish & Wildlife Service including the Divisions of the Commonwealth for Fish and Wildlife, and Plant Industry & Extension Services. The Chief of Plant Industry & Extension Services, subject to approval by the Director of Natural Resources may allow the importation of insect predators for control of plant pests, and disease without such permit.

Modified, 1 CMC § 3806(g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: The Commission changed “maybe” to “may be” and corrected the spelling of “predators.”

Part 200 - Landings and Entry into the CNMI

§ 85-20.1-201 Designated Ports of Entry

(a) General

Animals intended to be imported into the Northern Marianas shall be entered only through official, designated ports of entry.

(b) Designated Ports of Entry

(1) Saipan - The official designated ports of entry for Saipan are the Saipan International Airport, and the Saipan Commercial Port in Puerto Rico.

(2) Tinian - The official designated ports of entry for Tinian are the West Tinian Airport, and the San Jose Harbor in San Jose.

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(3) Rota - The official designated ports of entry for Rota are the Rota Airport and Seaport.

(c) Other Ports of Entry

The other ports of entry for both seaport and airport may be used for the purpose of entering imported animals. Permission in writing by the Chief of Animal Health & Industry is required at least thirty days in advance from the date of importation.

Modified, 1 CMC § 3806(e), (f), (g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: In subsection (b)(3), the Commission changed “port” to “ports” to correct a manifest error. In subsection (c), the Commission changed “animal” to “animals.”

§ 85-20.1-205 Landing & Entry of Animals

(a) Responsibility of Local Managers, Agents, Carriers, or Commanding Officers

- (1) Notify the inspector immediately of the presence on board of animals.
- (2) Furnish the inspector with a full and complete list of the number and types of animals taken on board from any port outside the Northern Marianas, with the names of the owners, importers or consignees, and the ports of origin for said animals.
- (3) Furnish the inspector with the carrier’s records on the port of calls made within the preceding four months from the date of their arrival in the Northern Marianas.
- (4) Provide the inspector with death and injury list, if known or available.
- (5)(i) Furnish a bond in the sum of five hundred dollars per animal on board the vessel as specified by the Director.
- (ii) The animals shall be confined on board the carrier in compliance with the inspector’s instructions.
- (6) Furnish the inspector with a written request for disposal of garbage, if a carrier desires to dispose its garbage. However, the provision of this subsection shall not apply to any carrier desiring to discharge on land garbage derived exclusively from food supplies obtained in the Northern Marianas Islands, unless otherwise prohibited. No foreign or domestic garbage shall be discharged, if a USDA-approved disposal facility is not available, or unable to handle the disposal of all garbage within 24 hours of their receipt at the disposal site.

(b) Removal of Animals from Carrier

Animals for entry shall be securely confined on the pier or at the airport in a manner approved by the Chief of Animal Health & Industry or inspector until movement is authorized by him. Animals for transit shall be securely confined on the pier or at the airport in a manner approved by the inspector.

(c) Landing of Animals

No animals shall be allowed entry into the Commonwealth of the Northern Marianas Islands unless all pre-entry requirements have been met. Landing or removal of animals from a carrier for purposes of inspection or quarantine shall not constitute entry into the

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Northern Marianas Islands. No effects of animals shall be brought into the Northern Marianas Islands unless authorized by the Chief of Animal Health & Industry or inspector.

(d) Responsibility of Commanding Officer or Master of Carrier. It shall be the responsibility of any carrier arriving in the Northern Marianas Islands and of the local managers or agents of carriers that the provisions of this section and other pertinent and applicable provisions contained in this subchapter are strictly carried out and fully complied with.

Modified, 1 CMC § 3806(d), (e), (f).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-210 Manifests & Movements Information

Cargo manifests shall be made available to the inspector. Those officials or authorities having information as to the movement of aircrafts or vessels shall furnish such information to the inspector upon request.

Modified, 1 CMC § 3806(f).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Part 300 - Importation of Dogs and Cats

§ 85-20.1-301 Entry into the Northern Mariana

(a) No dogs and cats shall be permitted entry into the Northern Marianas unless such entry is in compliance with the requirements generally applicable to the introduction of all classes, types or species of animals into the Northern Marianas, in addition to any specific requirements applicable to dogs and cats.

(b) No dogs and cats shall be permitted entry into the Northern Marianas unless all pre-entry requirements and conditions have been met.

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-305 Carrier Responsibility

(a) It shall be the responsibility of carriers arriving in the Northern Marianas and of the local managers, or agents of said carriers that the provisions of this subchapter are strictly complied with.

(b) The local manager, agent, or commanding officer of any carrier arriving in the Northern Marianas with dogs or cats on board shall:

(1) Furnish the inspector with a shipmaster's declaration listing the number of dogs and cats carried on board, the names and addresses of the owners, importers, consignors,

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consignees, and ports of origin. In addition all deaths and injuries of animals occurring en route must be described on this form as required by the Chief of Animal Health & Industry;

(2) Deliver the dogs and cats destined for entry to the inspector at the designated airport inspection area or, if arriving by surface vessel, confine the animals on board that vessel in secure, escape-proof crates, kennels, or cages as required by the Chief of Animal Health & Industry for entry inspection or quarantine; and

(3) Confine dogs and cats not destined for entry on shipboard, or at the airline cargo office, in secure crates, kennels, or cages within a locked, escape-proof room or compartment.

(i) No other dogs and cats shall be allowed on board except for shipment to a foreign port, outside the Northern Marianas. Once placed on board the carrier for shipment to a foreign ports, these animal shall be confined and shall not thereafter be removed from the carrier except as directed by the inspector.

(ii) The Chief of Animal Health & Industry may in his discretion order any dog or cat not destined for entry to be impounded at the As Perdido Animal Quarantine Facility.

(iii) The time spent on board or in an airline cargo office shall not be credited against the quarantine period.

(c) Dogs and cats aboard a private vessel transiting the Northern Marianas may be permitted to remain on board no longer than seventy-two hours while the vessel is anchored, moored, or docked in the Northern Marianas.

(d) The owner or master of a transiting vessel with dogs or cats on board remaining in port for less than seventy two hours shall submit a signed statement witnessed by a representative of the Department of Natural Resources; and attached to the shipmaster's declaration attesting that the animal in question shall be securely confined on board the vessel at all times during the period the vessel remains in port; and no other dogs and cats shall be allowed aboard the vessel during the time, it is in the Northern Marianas.

(e) Computation of the seventy-two hours grace period shall be made from the time the vessel first docks, anchors, or moors at any of the designated ports of entry. The grace period shall apply separately for each designated seaport to be visited in the Northern Marianas, and shall not be accumulative. If the grace period is exceeded, the quarantine inspector shall be notified immediately, and arrangements must be made to transport the animal to the As Perdido Animal Quarantine Facility at owner's or carrier's expense.

(f) The Chief of Animal Health & Industry may order any dog or cat permitted to remain on board a vessel under the terms of this section to be impounded at the As Perdido Animal Quarantine facility, if all requirements are not complied with. The time elapsed between arrival of the vessel, and the impoundment shall not be credited against the one hundred-twenty days of quarantine for entry.

(1) Animals impounded on islands other than Saipan shall be transported by air or the most expeditious means of transportation to the As Perdido Animal Quarantine Facility.

(2) Owner or master shall be responsible for all air freight charges and costs connected with impoundment, transportation, and confinement of the animals.

Arrangements shall be made with the transporting airlines or companies to pay the required charges immediately upon impoundment of the animals.

(3) Animals that are not shipped to the As Perdido Animal Quarantine Facility because of the refusal of the owners to make these arrangements will be transported at government expense, and all costs, including those for transportation, overtime, and fringe benefits of government personnel handling the animals, shall be added to the quarantine fee.

Modified, 1 CMC § 3806(d), (f), (g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: In subsection (b)(1), the Commission corrected the spelling of “occurring.” The Commission inserted commas after the words “consigners” in subsection (b)(1), “kennels” in subsections (b)(2) and (b)(3), and “moored” in subsection (c) pursuant to 1 CMC § 3806(g).

§ 85-20.1-310 Required Quarantine

All dogs and cats from areas other than those declared to be rabies-free by the State of Hawaii and Chief of Animal Health & Industry shall be confined and quarantined at the As Perdido Animal Quarantine facility for a minimum of 120 days. The Chief of Animal Health and Industry will maintain and publish a listing of rabies-free areas.

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-315 Dogs & Cats from Rabies Free Area

Dogs and cats from rabies-free areas may be exempted from quarantine requirements. In addition to meeting all requirements applicable to dogs and cats, these animals are imported in compliance with the following:

- (a) That the animals are transported in the same carrier from port of origin to port of destination in the Northern Marianas Islands;
- (b) That no other animals except dogs and cats of the same origin and health status are transported aboard the carrier;
- (c) That none of the animals consigned to the Northern Marianas or to ports beyond the Northern Marianas are off-loaded en-route to the Northern Marianas from the country of origin;
- (d) That the animals destined to the Northern Marianas are accompanied by the following documents:
 - (1) A health certificate issued by an authorized veterinarian certifying the description of each dog or cat and animal examination of free external parasites and symptoms or clinical signs of transmissible diseases.

(2) An affidavit containing origin of animal during the 120-days period prior to shipment, direct contact to other animals, accurate identification of the carrier, and statements of port calls.

(e) That all dogs and cats shipped to the Northern Marianas from rabies-free areas are shipped in nose-proof and paw-proof containers that must be sealed in such manner that removal of the animals will break the seal;

(f) That failure to comply with all of the above provisions for dogs and cats from rabies-free areas will subject the animal in question to quarantine for a minimum period of one hundred twenty days; and

(g) That the animals are inspected by the Chief of Animal Health & Industry or an authorized inspector at the time of arrival. Any indication of transmissible disease or the presence and detection of parasites at the time of inspection shall be a sufficient reason to quarantine any or all of the animals in the shipment at the As Perdido Animal Quarantine Station, at owner's or importer's expense, or be refused entry at owner's importer's or carrier's expense.

Modified, 1 CMC § 3806(g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: In subsection (a), the Commission changed "port or origin" to "port of origin" to correct a manifest error.

§ 85-20.1-320 Rabies Vaccination Requirement

(a) All dogs and cats originating from rabies infected areas are* over three months of age shall be accompanied by a current and valid rabies vaccination certificate dated not more than 12 months prior to entry into the Northern Marianas. Dogs and cats between 3 to 6 months old shall be vaccinated for rabies at this age, but must be re-vaccinated 12 months from the date of their vaccination. Dogs and cats under 3 months of age need not be vaccinated for rabies.

(b) Dogs and cats from rabies-free areas need not be vaccinated for rabies.

* So in original.

Modified, 1 CMC § 3806(e).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-325 Health Certificates Required

All dogs and cats entering the Northern Marianas, regardless of their places of origin, shall be accompanied by a current and valid health certificate signed and issued by a licensed veterinarian of their places of origin. The health certificate must be dated not

more than two weeks (14 days) prior to the animal's departure for the Northern Marianas. Dogs and cats arriving without a current and valid health certificate may be refused entry by the Chief, subject to his review of the matter. All dogs and cats originating from Africa, Asia, or islands of the Pacific Ocean (excepting Australia, New Zealand, and Hawaii) shall be accompanied by a certificate from the chief livestock sanitary officer of their respective country of origin.

Modified, 1 CMC § 3806(f).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: The Commission corrected the capitalization of "chief" pursuant to 1 CMC § 3806(g).

§ 85-20.1-330 Removal from Quarantine

At the satisfactory completion of the 120-day quarantine, the Chief shall release all healthy dogs and cats from quarantine upon payment in full of all accrued fees and charges. The dogs and cats may be removed from quarantine prior to the elapse of the 120-days quarantine period provided such animals:

- (a) Are released from the As Perdido Animal Quarantine Facility for export from and outside the Commonwealth; and
- (b) Require hospitalization. After the hospitalization, the animals shall be returned to the As Perdido Animal Quarantine Facility.

Modified, 1 CMC § 3806(f).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-335 Puppies & Kittens Born in Quarantine

Born puppies and kittens in quarantine may remain until their respective mothers have completed their quarantine period. These puppies and kittens born in quarantine, may remain until certain required conditions are met as follows:

- (a) They are held in isolation for a minimum period of ten days immediately following weaning at 4 to 8 weeks of age;
- (b) There are no symptoms of rabies in their mothers during this period; and
- (c) A fee for each animal shall be charged, and paid in full prior to their release.

Modified, 1 CMC § 3806(g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

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Commission Comment: In the opening paragraph, the Commission changed “meet” to “met” to correct a manifest error.

§ 85-20.1-340 Disposition of Newborns

Puppies and kittens born in quarantine may be released, provided:

- (a) They are held in isolation for a minimum period of ten days immediately following weaning at 4 to 8 weeks of age;
- (b) There are no symptoms of rabies in their mothers during this period; and
- (c) A fee for each animal shall be charged and paid in full prior to their release.

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-345 Fees and Other Charges

The daily fee for feeding, watering, and cleaning of the kennels for each dog and cat undergoing quarantine shall be established by the Chief. A separate fee is also required for the entry permit. This fee is \$5.00 per entry for the same species of animal from a rabies-free area, and \$10.00 per entry for the same species of animal from a rabies-infected area. The entry permit fee is nonrefundable, and is payable in advance. Fees for puppies and kittens born in quarantine shall be charged beginning on the fifth week after birth at the regular adult rate. The Chief shall also establish fee or charges for the transportation of animals for medical referral or export. Additional charges will be assessed for drugs, medications, supplies and materials, de-worming, examinations, vaccinations, treatment for any medical reason, surgery, and other veterinary cares.

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-350 Quarantine Space Reservation

The quarantine space reservation requires at least thirty days prior to the intended date of importation. A deposit of \$50.00 is required to be made out to the Treasury of the Commonwealth for the Northern Marianas Islands in certified check or money order. This deposit is not refundable.

Modified, 1 CMC § 3806(e).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-355 Waiver of Liabilities

In applying for quarantine space, the importer or applicant shall waive all claims for liability against the Department of Natural Resources, the Division of Animal Health and Industry, the employees thereof, and the government of the Northern Mariana Islands. The Northern Marianas government and its employees will not bear, accept, assume, or

be held responsible, or liable for health cares* and safety of the animals during the quarantine period.

* So in original.

Modified, 1 CMC § 3806(f).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Part 400 - Importation of Cattle

§ 85-20.1-401 Importation; General

The entry of cattle into the Northern Marianas shall comply with all requirements applicable to the introduction or importation of all classes, types, or species of animals into the CNMI. The original copy of the permit shall accompany the animal shipment. Importations of cattle from areas under the jurisdiction and control of the U.S. are subject to the rules of the Department and federal regulations. All shipments of cattle are not allowed to be diverted to any foreign country, including the Republic of the Marshall Islands, Republic of Palau, and the Federated States of Micronesia. Only direct shipments from the U.S. mainland, Hawaii, and Guam are allowed and accepted.

Modified, 1 CMC § 3806(f).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: The Commission corrected the phrase “Marshall Islands Republic, Palau Republic” to “Republic of the Marshall Islands, Republic of Palau” pursuant to 1 CMC § 3806(g).

§ 85-20.1-405 Entry Status on Imports

No cattle shall be allowed entry into the CNMI without the accompanied valid health certificate and compliance of all entry requirements. Landing or removal of animals from a carrier for purpose of inspection or quarantine shall not constitute entry into the CNMI. No effects of animals shall be brought into the CNMI without the authorization of the Chief or authorized inspector.

Modified, 1 CMC § 3806(f).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-410 Carrier Responsibility on Importation

- (a) Carriers shall be responsible for the submission of the carrier’s declaration to the Department. The information is as follows:
- (1) Name and address of owner, importer, consignor, consignee, and port or origin for the animals;
 - (2) Number of animals on board, including those born en-route; and

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(3) Number of animals which have died or injured during en-route with the circumstances of deaths or injuries.

(b) Carriers shall be responsible for securely confining cattle for entry at the pier or airport until movement is authorized by an inspector. Cattle in transit to ports beyond the CNMI shall not be off-loaded for any purpose unless authorized by the Chief.

(c) Carriers shall not off-load, and dispose manure except under the supervision of an inspector.

Modified, 1 CMC § 3806(f), (g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: In subsection (a), the Commission changed “informations are” to “information is” to correct a manifest error. In subsection (a)(3), the Commission changed “has” to “have.”

§ 85-20.1-415 Use of Quarantine Station Facilities

(a) Owners of held cattle at an official or authorized quarantine station for any reason shall provide basic needs and cares of the stock; clean the pens during and after removal of animal; and remove promptly any dead animal from the quarantine station grounds as instructed by the Chief.

(b) All incurred costs from subsection (a) shall be charged to the owner.

Modified, 1 CMC § 3806(c).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-420 Pre-shipment Entry Requirements

The shipment of cattle for entry shall be accompanied by an official health certificate issued by an accredited veterinarian with endorsement of the state or federal veterinary medical officer within 14 days of shipment date. The health certificate shall contain a description of each animal, and certify the health of the animal.

Modified, 1 CMC § 3806(f).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-425 Post-shipment Entry Requirements

(a) The post-shipment of cattle for entry shall be held in the approved quarantine station or facility to be tested for tuberculosis, brucellosis, and any other transmissible disease. While in quarantine, they shall be spread or dipped with USDA-approved pesticide. The cattle may be quarantined for any deficiency in the health certificate covering the shipment.

(b) Cattle will be released from quarantine, if negative result from the testing procedures, no symptoms of transmissible disease, and free of external parasites. The owner, importer, or consignee shall furnish the inspector with information on location of each animal on shipment.

(c) All expenses in connection with the examination, testing, treatment, and destruction or disposal of cattle in the quarantine shall be borne by the owner, or consignee.

Modified, 1 CMC § 3806(f).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: The original paragraphs were not designated. The Commission designated subsections (a) through (c).

Part 500 - Importation of Sheep and Goats

§ 85-20.1-501 Importation; General

(a) No sheep or goats shall be permitted entry into the Commonwealth of the Northern Marianas Islands until in compliance with all general requirements for the introduction or importation of all classes, types, or species of animals.

(b) An advanced issued animal quarantine permit by the Chief is required as a condition of entry for sheep or goats. The original copy of the permit shall accompany the animal shipment.

(c) Importation of sheep or goats from areas under the jurisdiction and control of the U.S. are subject to the rules of the Department, but shall not violate any federal regulations. Only direct shipments from the U.S. mainland, Hawaii, and Guam are allowed and accepted.

Modified, 1 CMC § 3806(f).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-505 Entry Status on Import

The entry of sheep or goats into the CNMI shall be accompanied with the valid health certificate, and in compliance with all entry requirements. The landing or removal of animals from a carrier for the purpose of inspection or quarantine shall not constitute an entry into the CNMI. The effects of animals shall not be brought into the CNMI unless authorized by the Chief or his authorized inspector.

Modified, 1 CMC § 3806(f).

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History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-510 Responsibility of Carrier on Importation

(a) Upon arrival, the transporting carrier shall submit a shipmaster's declaration to the Department providing the following information:

- (1) Name and address of owner, importer, consigner, consignee, and port of origin for the animal;
- (2) Number of animals on board, including those born en-route; and
- (3) Number of death and injury of animals with the circumstances of death and injury.

(b) Carrier shall be responsible for security of sheep or goats at the pier or airport until authorization is granted by the inspector. Sheep or goats in transit to ports beyond the CNMI shall not be off-loaded for any purpose unless authorized by the Chief.

(c) Carrier shall not off-load and dispose of manure except under supervision of an inspector.

Modified, 1 CMC § 3806(f), (g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: In subsection (a), the Commission changed "informations" to "information" and in subsection (b), the Commission changed "load" to "loaded" to correct manifest errors.

§ 85-20.1-515 Use of Quarantine Station Facilities

(a) Owner of sheep or goats at an official or authorized quarantine station shall have the responsibilities as follows:

- (1) Provides feed, water, and care for stock;
- (2) Cleans pens during and after removal of animals; and
- (3) Prompt removal of any dead animal from the quarantine station grounds as directed by the Chief.

(b) The quarantine may assume these responsibilities at the cost of the owner.

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-520 Pre-shipment Entry Requirement

The shipment of sheep and goats for entry shall be accompanied by an official health certificate issued by an accredited veterinarian with endorsement of the state or federal veterinary medical officer within 14 days of shipment date. The health certificate shall contain a description of each animal, and certify the health of the animal.

Modified, 1 CMC § 3806(f), (g).

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History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: The Commission corrected the spelling of “veterinary.”

§ 85-20.1-525 Post-shipment Entry Requirements

(a) Imported sheep or goats shall be inspected by the Chief or authorized inspector prior to the granted entry into the CNMI. Any indication of transmissible disease or the presence of external parasites at time of inspection shall be sufficient reason to quarantine an animal on the shipment at the premises approved by the Chief. The animal may also be quarantined for any deficiency on the health certificate.

(b) All expenses in connection with the quarantine treatment, and destruction or disposal of the quarantined sheep or goats shall be borne by the owner, importer, or consignee.

Modified, 1 CMC § 3806(f), (g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: In subsection (a), the Commission changed “and” to “an” to correct a manifest error.

Part 600 - Importation of Swine

§ 85-20.1-601 Importation - General

For swine, the general importation of rules and regulations are the same requirements on § 85-20.1-401. Please, refer to § 85-20.1-401.

Modified, 1 CMC § 3806(c).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-605 Entry Status on Import

The requirements for swine are the same rules and regulations on § 85-20.1-405.

Modified, 1 CMC § 3806(c).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-610 Responsibility of Carrier on Importation

The responsibilities of the carrier on swine importation are the same assignments on § 85-20.1-410.

Modified, 1 CMC § 3806(c).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-615 Use of Quarantine Station Facilities

The procedures on the use of quarantine facilities are the same requirements on § 85-20.1-415.

Modified, 1 CMC § 3806(c).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-620 Pre-shipment Entry Requirement

The pre-shipment entry requirements are the same criteria as § 85-20.1-420.

Modified, 1 CMC § 3806(c), (g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: The Commission changed “criterias” to “criteria” to correct a manifest error.

§ 85-20.1-625 Post-shipment Entry Requirement

The pre-shipment entry requirements are the same criteria as § 85-20.1-425.

Modified, 1 CMC § 3806(c), (g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: The Commission changed “criterias” to “criteria” to correct a manifest error.

Part 700 - Importation of Horses

§ 85-20.1-701 Importation - General

For horses, the general importation rules and regulations are the same requirements on § 85-20.1-401. Please, refer to § 85-20.1-401.

Modified, 1 CMC § 3806(c), (g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: The Commission deleted the word “of” before “rules” to correct a manifest error.

§ 85-20.1-705 Entry Status on Import

The requirements for horses are the same rules and regulations on § 85-20.1-405.

Modified, 1 CMC § 3806(c).

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History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-710 Responsibility of Carrier on Importation

The responsibilities of the carrier on horse importation are the same assignments on § 85-20.1-410.

Modified, 1 CMC § 3806(c).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-715 Use of Quarantine Station Facilities

The procedures on the use of quarantine facilities are the same requirements on § 85-20.1-715.

Modified, 1 CMC § 3806(c).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-720 Pre-shipment Entry Requirement

The pre-shipment entry requirements are the same criteria as § 85-20.1-420.

Modified, 1 CMC § 3806(c), (g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: The Commission changed “criterias” to “criteria” to correct a manifest error.

§ 85-20.1-725 Post-shipment Entry Requirement

Horse for entry shall be treated for external parasites by the owner or importer under the supervision of an inspector, and inspected by the Chief or an authorized inspector upon arrival. This horse may be quarantined or refused entry for any deficiency on the health certificate. Any indication of transmissible disease or parasites at the time of inspection shall be sufficient reason to refuse entry on quarantine any animal on shipment. All expenses in connection with the segregation, treatment, destruction, and disposal of the quarantine animal shall be borne by the owner, importer, or consignee.

Modified, 1 CMC § 3806(f).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Part 800 - Importation of Poultry Birds and Hatching Eggs

§ 85-20.1-801 Importation - General

For importation of poultry, birds, and hatching eggs, the general rules and regulations are the same requirements on § 85-20.1-401. Please, refer to § 85-20.1-401.

Modified, 1 CMC § 3806(c).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-805 Entry Status on Import

The requirements are the same as rules and regulations on § 85-20.1-405.

Modified, 1 CMC § 3806(c), (g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989)..

Commission Comment: The Commission changed “same” to “the same as” to correct a manifest error.

§ 85-20.1-810 Responsibility of Carrier on Importation

The responsibilities of the carrier on poultry, birds, and hatching eggs importation are the same assignments* on § 85-20.1-410.

*So in original.

Modified, 1 CMC § 3806(c).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-815 Use of Quarantine Station Facilities

The procedures on the use of quarantine facilities are the same requirements on § 85-20.1-415.

Modified, 1 CMC § 3806(c).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-820 Cage on Container

All shipments of cages and containers shall be thoroughly cleaned and disinfected to the satisfaction of the accredited veterinarian issuing the health certificate.

Modified, 1 CMC § 3806(g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: The Commission corrected the spelling of “thoroughly” and changed “or” to “of” to correct manifest errors.

§ 85-20.1-825 Pre-shipment Entry Requirement

(a) The shipment of day old poultry and hatching eggs shall be accompanied by the information as follows:

- (1) Description of the day-old poultry and hatching eggs;
- (2) Statement of pullorum-clean rating for the originated flock of the day-old poultry or hatching eggs in accordance with accepted federal or state standards;
- (3) Statement of free symptoms from transmissible diseases for sixty days prior to date of shipment;
- (4) Statement of vaccination for any disease on the day-old poultry except Marek's disease and fowlpox, and other conditions.

(b) The shipment of chickens and turkeys shall be accompanied by a health certificate issued by the accredited veterinarian, and endorsed by a state or federal veterinary medical officer at the state of origin. The health certificate shall contain the information as follows:

- (1) Declaration of the issuing veterinarian;
- (2) Description of chickens and turkeys (including list of leg or wing band numbers);
- (3) Declaration of chickens or turkeys (include rating of pullorum-typhoid disease and live virus, and broad spectrum dewormer).

(c) For all other birds and poultry, the shipment shall be accompanied by an official health certificate issued by an accredited veterinarian of the state. The health certificate shall include the descriptions of the poultry or birds, including leg or wing band numbers, declaration of free ectoparasites and symptoms of transmissible disease or evidence of recent exposure to disease, and declaration of vaccination within sixty-days period before shipment.

Modified, 1 CMC § 3806(f), (g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: In subsections (a) and (b), the Commission changed "informations" to "information." The Commission corrected the capitalization of "Marek's disease" in subsection (a) pursuant to 1 CMC § 3806(f). In subsections (a)(1) and (b)(2), the Commission changed "on" to "and." In subsections (b)(3) and (c), the Commission corrected the spelling of "broad" and "transmissible," respectively.

§ 85-20.1-830 Post-shipment Entry Requirement

The shipment of all poultry, birds, and hatching (viable) eggs for entry shall be inspected by the Chief or authorized inspector. Failure to comply with the requirements, and any deficiency on health certificate shall be sufficient reason to refuse entry or place under quarantine. All expenses in connection with the testing, segregation, treatment, destruction, and disposal of quarantine poultry shall be borne by the owner, importer or consignee.

Modified, 1 CMC § 3806(f), (g).

TITLE 85: DEPARTMENT OF LANDS AND NATURAL RESOURCES

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: The Commission corrected the spelling of “sufficient.”

Part 900 - Importation of Menagerie, Zoological and Other Animals

§ 85-20.1-901 Importation - General

(a) The importation of menagerie, zoological, and other animals (including wild or feral animals) for entry into the CNMI shall comply with all requirements applicable to the introduction or importation of all classes, types, or species of animal.

(b) An advanced animal quarantine permit issued by the Chief is required as a condition for entry of menagerie, zoological, and other animals for importation into the CNMI. The original copy of the permit shall accompany the animal shipment.

(c) The importations of menagerie, zoological, and other animals from areas under the jurisdiction and control of the U.S. are subject to both local and federal rules and regulations.

Modified, 1 CMC § 3806(g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: In subsection (a), the Commission changed “animal” to “animals.”

§ 85-20.1-905 Entry Status on Import

All menagerie, zoological, and other animals shall be accompanied by a valid health certificate, and in compliance with all entry requirements. Landing or removal of animals from a carrier for purpose of inspection or quarantine shall not constitute entry into the CNMI. No effects of the animals shall be brought into the CNMI unless authorized by the Chief or inspector.

Modified, 1 CMC § 3806(f).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-910 Responsibility on Importation

(a) The carrier shall submit the declaration to the Department for transporting menagerie, zoological, and other animals upon arrival through any authorized port in the CNMI. The information on the declaration shall include the data as follows:

- (1) Name and address of owner, importer, consignor, consignee, and port of origin for animal;
- (2) Number of animals on board, including those born en route; and
- (3) Number of dead or injured animals with circumstances.

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(b) Carrier shall be responsible for the security of menagerie, zoological, and other animals at the port of entry until movement is authorized by an inspector. Transit of such animals beyond the CNMI shall not be off-loaded for any purpose unless authorized by the Chief.

(c) Carrier shall not off-load and dispose of manure except under the supervision of an inspector.

Modified, 1 CMC § 3806(f), (g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: In subsection (a), the Commission changed “informations” to “information” to correct a manifest error.

§ 85-20.1-915 Use of Quarantine Station Facilities

The procedures on the use of quarantine facilities are the same requirements on § 85-20.1-415.

Modified, 1 CMC § 3806(c).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-920 Pre-shipment Entry Requirement

All menagerie, zoological, and other enterable animals shall be accompanied by an official and valid health certificate issued by an accredited veterinarian within 14 days before shipment. The certificate shall certify the descriptive data of each animal as follows:

(a) Description of free external and internal parasites and symptoms of transmissible diseases;

(b) All pre-shipment requirements are in compliance with the entry criteria; and

(c) All such animals with rabies shall only enter the CNMI on the available facility.

Modified, 1 CMC § 3806(f), (g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: The Commission inserted a comma after the word “zoological” pursuant to 1 CMC § 3806(g). In subsection (b), the Commission changed “criterias” to “criteria.”

§ 85-20.1-925 Post-shipment Entry Requirement

(a) All menagerie, zoological, and other animals shall be subject to inspection by the Chief or authorized inspector. Any indication of transmissible disease or failure of

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compliance with all pre-shipment requirements shall have* a sufficient reason to refuse entry or quarantine the animal.

(b) Animals with imposed follow-up testing requirement shall be held at the premises under quarantine until its completion and clearance from such testing.

(c) All expenses in connection with the segregation and treatment, or destruction and disposal of the quarantined animal shall be borne by the owner, importer, or consignee.

* So in original.

Modified, 1 CMC § 3806(f), (g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: In subsection (b), the Commission changed “animal” to “animals” to correct a manifest error.

Part 1000 - Importation of Vaccines, Viruses, Biologicals, Microorganisms, Pathogenic Organisms and Parasites

§ 85-20.1-1001 Import Requirement

The importation of live veterinary vaccines, biologicals, viruses, microorganisms, pathogenic organisms, and parasites is prohibited except under the permit issued by the Chief. The application of such permit shall be made in advance for such importation. The issuance of such permit shall be discretionary with the Chief, and the original copy of such permit shall always accompany the shipment of vaccines, biologicals, viruses, microorganisms, pathogenic organisms, or parasites.

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-1005 Sales of Vaccines and Biologicals

Live vaccines and biologicals for immunization of animal* shall only be sold to licensed veterinarians in the CNMI by the importer. Exemption can only be authorized in writing by the Chief.

* So in original.

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Part 1100 - Importation of Meat, Meat Products, Frozen Semen, Garbage, Animal By-products, Bedding & Certain Feedstuffs

§ 85-20.1-1101 Import Requirements & Entry Status

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- (a) It is prohibited to import fresh, chilled, frozen and/or unprocessed meat or carcass of any kind, including birds and poultry, from any part of the world into the CNMI except from the continental United States, Hawaii, Guam, Canada, Australia, and New Zealand.
- (b) Meat or poultry for commerce or resale shall comply with all applicable federal laws and regulations pertaining to meat and poultry inspection as provided for by the Federal Meat Inspection Act or the Wholesome Meat Act and the Poultry Products Inspection Act, as well as other applicable federal laws.
- (c) It is prohibited to import semen or living animal serum produced in any part of the world into the CNMI except from the continental United States, Hawaii, and Guam. An animal quarantine permit is required as a condition of entry for frozen semen and living animal serum, and must further be accompanied by such certificates as may be required in the permit. Any animal semen imported must be certified free of venereal and genital diseases, including the donor animals, and by an accredited veterinarian of the place of origin. The entry conditions and requirements stated on the import permit shall be fully in compliance with the stated entry conditions and requirements.
- (d) Dried, cured, cooked, and other processed or manufactured meat and meat products are prohibited entry except from the continental United States, Hawaii, Guam, Canada, Australia, and New Zealand. The above products shall be accompanied by adequate proof of origin, including invoices or sales slips, specifying the amount of purchase made, and the dates thereof.
- (e) Canned meat products from countries, areas or territories that have or are infected with Exotic Newcastle Disease, African Swine Fever, Hog Cholera, Swine Vesicular Disease, Rinderpest, or Foot-and-Mouth Disease may be imported for personal consumption in quantities of 50 pounds or less; provided, however, that the canned meat products have all been fully cooked by a commercial method in a container hermetically sealed promptly after filling, but before such cooking, so that such cooking and sealing produced a fully sterilized product which is shelf-stable without refrigeration; and provided, further, that said products are accompanied by an official and valid original certificate issued by the Director or Administrator of Meat Inspection or Animal Health Division or office of the place or country of origin, certifying that the products were prepared and processed in the manner and condition as described above.
- (f) All garbage from surface vessels and aircrafts must be held on board the ship or plane while in port, incinerated in a USDA-approved disposal facility under supervision of an authorized inspector, or dumped into the ocean at least 12 miles beyond the nearest outer reef. All garbage on board a vessel or aircraft shall be contained in tight, leakproof containers; be kept inside the vessel guardrail; and shall not be unloaded unless contained in tight, leakproof containers and sent to an approved disposal facility under general supervision of an authorized inspector.
- (g) All other animal-products and by-products, including trophies, bloodmeal, blood albumin, bones, horns, hoofs, feathers on skin, gluestock, hides and skins, organs and

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glands, tankage, wool, hair, bristles, ossein, casings, dairy products, pharmaceuticals, biologicals, etc., as well as straw, hay, and grass, shall be governed and regulated by the provisions of title 9 of the United States Code of Federal Regulations, chapter 1, subchapter D, parts 92, 94, 95, & 96.

Modified, 1 CMC § 3806(f), (g).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: The Commission inserted commas after the words “Australia” in subsections (a) and (d) and “Hawaii” in subsection (c) pursuant to 1 CMC § 3806(g). In subsection (e), the Commission changed “certificates” to “certificate” to correct a manifest error.

Part 1200 - Control of Animals & Animal Diseases within the Northern Marianas

§ 85-20.1-1201 Duties for Chief of Animal Health & Industry

The Chief of Animal Health & Industry shall have charge, direction, and control of all matters relating to the inspection of animals, the prevention and eradication of contagious, infectious, and communicable diseases in and among animals, and all matters relating to animal health, including the use and inspection, determination and disposition of imported meat, meat products, vaccines, veterinary drugs and medications, biologicals, and animal byproducts. He shall also establish procedures and controls necessary to carry out the required duties, and responsibilities of said Chief as stated above. He shall report directly to the Director for the Department of Natural Resources.

Modified, 1 CMC § 3806(c).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: With respect to the reference to the Department of Natural Resources, see Executive Order 94-3 (effective August 23, 1994) reorganizing the Commonwealth government executive branch, changing agency names and official titles and effecting numerous other revisions. See also the general comment to this subchapter.

§ 85-20.1-1205 Reporting of Animal Diseases

All infectious, contagious, and communicable diseases of domestic animals, birds, and poultry occurring in the Northern Marianas shall be reported to the Chief of Animal Health & Industry preferably in writing by the veterinarian making the diagnosis, by the Rota agriculturist, in Rota, by the Tinian agriculturist on Tinian, and by the Governor’s representatives in any of the Northern Islands. Monthly reports pertaining to animal quarantine and disease control activities from the Rota and Tinian agriculturist, or their most senior quarantine or agricultural officers, and the agriculture quarantine officer of Saipan shall be submitted on a timely basis to the Chief. All major problems requiring

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prompt action are to be directed immediately to the Chief's attention by telex or by radio communication for prompt action and investigation.

Modified, 1 CMC § 3806(f).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Commission Comment: The Commission inserted commas after the words "contagious" and "birds" pursuant to 1 CMC § 3806(g).

§ 85-20.1-1210 Quarantine

The Chief of Animal Health & Industry may quarantine domestic animals, birds and poultry, or herds and flocks, including their premises and contact herds and flocks, that are known to be exposed for any contagious, infectious, or communicable disease. They shall be destroyed by the instruction of the Chief to prevent the spread of the disease. A quarantine may also be imposed on an island or entire islands, if deemed necessary by the Chief. No animal shall be removed from or added to such herds, premises, or areas except by a written permit from the Chief. The quarantine shall remain in effect until rescinded by the Chief.

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-1215 Movement & Transportation of Animals within Northern Marianas

Movement and transportation of domestic animals, birds, and poultry between inter-islands within the CNMI shall be accompanied by a health certificate issued by the licensed veterinarian in the CNMI, Chief, or his authorized agents. All certified animals shipment by other than a licensed veterinarian or Chief are subject to reinspection upon arrival on Saipan. Cattle and goats from Tinian must be tested for brucellosis by an accredited veterinarian or the Chief, and must be found negative within 14 days prior to shipment within the CNMI or for export outside the CNMI.

Modified, 1 CMC § 3806(f).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-1220 Entry of Animals Without Inspection Prohibited

No domestic animals, poultry, or birds shall be transported between inter-islands without the inspection of Chief or his authorized agents.

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

§ 85-20.1-1225 Landing of Animals

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The landing of any animal for the purpose of inspection or quarantine shall not be construed to be an entry into an island for any purpose. The Chief shall take the necessary action to protect public at the expense of the owner, importer, or consignee. The landing of domestic animals, birds, or poultry known to be affected with any contagious, infectious, or communicable disease shall constitute an unlawful entry.

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Part 1300 - Export of Animals

§ 85-20.1-1301 Regulatory Jurisdiction on Exports

Shipments of animals to other U.S. areas or territories shall comply with the entry requirements of the state, area or territory of destination, as well as the federal regulations on the interstate shipment of domestic animals, and birds and poultry. Shipments to areas or countries outside the United States of America come under federal jurisdiction.

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).

Part 1400 - Miscellaneous Provisions

§ 85-20.1-1401 Penalty

(a) Any person violating the rules and regulations in this subchapter shall upon conviction, be imprisoned for not more than six months, or fined not more than \$2,000.00 or both.

(b) The Chief may assess against any person violating any provision in these adopted rules and regulations, the following fines:

| | |
|-------------------------------|-------------------------------------|
| Amount of fine | Not more than |
| First offense | \$100.00 |
| Second offense | 500.00 |
| Third offense | 1,000.00 |
| Fourth & subsequent offenses: | Subject to trial in a court of law. |

Modified, 1 CMC § 3806(d), (e), (f).

History: Adopted 11 Com. Reg. 6522 (Sept. 15, 1989); Proposed 11 Com. Reg. 6203 (June 15, 1989).