

U.S. DEPARTMENT OF AGRICULTURE

Marketing and Regulatory Programs
Animal and Plant Health Inspection Service
Veterinary Services

VS Guidance 13417.2

ADIS DIJAB

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Date: 2021.06.23 11:49:38 -04'00'

Procedures for Handling Pet and Performing Bird Importations (Excluding Ratites and Hatching Eggs of Ratites)

1. Purpose and Background

This document outlines the procedures and responsibilities of Animal and Plant Health Inspection Service (APHIS) Veterinary Services (VS) and Department of Homeland Security (DHS) U.S. Customs and Border Protection (CBP) personnel for handling legally and illegally imported pet and performing birds arriving via passenger baggage or cargo. This document also discusses the interaction between the U.S. Fish and Wildlife Service (FWS) and VS regarding bird imports at U.S. ports of entry; a memorandum of understanding (MOU) between those two agencies provides guidance on that working relationship.

This guidance covers (1) VS' responsibility for the import of live birds, (2) CBP handling of birds until VS arrives at the port of entry, (3) VS and CBP responsibility for bird handling supplies at the port of entry, and (4) FWS and VS interaction at ports of entry regarding the import of birds subject to this document.

VS has formal relationships with FWS and CBP pertinent to handling birds at U.S. ports of entry. VS communicates policy and directions to CBP to handle birds in the absence of VS personnel at the time birds present at the port of entry. VS recognizes that FWS has separate authority over the import of various avian types, including those species protected by the Convention on International Trade in Endangered Species (CITES).

This guidance document represents the Agency's position on this topic and is intended solely as guidance. It does not have the force and effect of law, does not create or confer any rights for or on any person, and does not bind the U.S. Department of Agriculture (USDA) or the public. Language suggesting that this guidance is mandatory (e.g., "shall," "must," "required", or "requirement") should not be construed as binding unless the terms quote from a statutory or regulatory requirement. The information this document contains may be made available to the public. While this document provides guidance for users outside VS, VS employees may not deviate from the directions provided herein without appropriate justification and supervisory concurrence.

Pursuant to the Congressional Review Act (5 U.S.C. § 801 et seq.), the Office of Information and Regulatory Affairs designated this [action] as a non-major rule, as defined by 5 U.S.C. § 804(2).

2. Document Status

A. Review date: 06/15/2024.

B. This document replaces Veterinary Services Guidance 13417.1.

3. Reason for Reissuance

VS is reissuing this guidance to reflect changes in procedure and structure.

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4. Authority and References

A. Authorities (*Code of Federal Regulations* (CFR)):

- [7 CFR 371.4](#)
- [9 CFR 93.100 – 93.102](#)

B. References:

- [VS-CBP memorandum of agreement](#)
- [Import Procedures for a Pet Bird Entering \(U.S. Origin\) the United States](#)
- [Protocol for Bird Carriers used at U.S. Ports of Entry](#)
- [VS Form 10-4, Specimen Submission](#)
- [VS Form 17-8, Agreement of Pet Bird Owner](#)

C. Definitions:

The following avian type classifications apply for the purposes of this guidance document:

1. Pet bird: Birds imported for the personal pleasure of their individual owners, in shipments of five (5) or fewer birds, and not intended for resale. VS recognizes U.S. origin status when a U.S. accredited veterinarian issues a U.S. export health certificate for a bird departing from the United States.
2. Performing or theatrical birds/poultry: Birds and poultry (including pigeons and doves) intended for use by their owners in shows, theatrical acts, or performances. VS recognizes U.S. origin status when a U.S. accredited veterinarian issues a U.S. export health certificate for a bird departing from the United States.
3. Smuggled birds: Any bird brought to the United States contrary to Federal law or regulation and not declared to CBP officials at the port of entry.
4. Noncompliant and declared birds: Any bird brought to the United States contrary to Federal law or regulation and declared to CBP officials but determined not to follow Federal law or regulation.
5. Abandoned birds: Any bird declared to CBP for which the owner gives up ownership or for which CBP cannot find the owner.

5. Audience

VS employees, other State and Federal agencies, and members of the public.

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6. Guidance

Avian Type (below) Returning from (across)	HPAI-Free Country (<i>except Canada</i>)	Canada	HPAI Country
U.S. Origin Pet Birds	Section 6.A.1	Section 6.A.3	Section 6.A.4
U.S. Origin Performing or Theatrical Birds/Poultry	Section 6.A.2		Section 6.A.5
Non-U.S. Origin Pet Birds	Section 6.A.6		Section 6.A.6
Non-U.S. Origin Performing Birds			

A. APHIS Entry Requirements

- 1) U.S. origin pet birds returning from countries recognized by the United States as having a highly pathogenic avian influenza (HPAI) free status (known hereafter as a non-HPAI country), except Canada, are subject to the following requirements:
 - a. The owner must obtain a [U.S. Permit to Import \(VS Form 17-135\)](#) for entry and home quarantine of the bird. See instructions for completing the application form, VS Form 17-129, [here](#).
 - b. The bird must arrive with a veterinary health certificate issued by the country of export within thirty (30) days of travel to the United States. VS posts the veterinary health certificate criteria on the [Returning U.S. Pet Birds](#) website.
 - c. A VS veterinarian visually inspects the bird when it arrives at the first U.S. port of entry. Birds exhibiting clinical signs of disease are subject to Section 6.C of this document.
 - d. The owner must complete and sign [VS Form 17-8, Agreement of Pet Bird Owner](#), at the time of arrival at the first port of entry in the United States, for VS approval to quarantine the bird in the owner’s home. By signing VS Form 17-8, Section A, the owner agrees to isolate the bird for at least thirty (30) days in his or her home and make the bird available for VS personnel to inspect and collect samples seven (7) to fourteen (14) days post entry.
 - e. VS collects samples from the bird twice, using either a cloacal or fresh fecal swab, for Newcastle disease (ND) and avian influenza (AI) testing. VS personnel take the first swab at the time of arrival at the first port of entry in the United States, and the second at the home quarantine seven (7) to fourteen (14) days later. VS submits both swabs to the National Veterinary Services Laboratories (NVSL) using [VS Form 10-4](#), according to sample submission instructions accompanying the form.

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- f. After thirty (30) days, if the bird remains clinically healthy and NVSL confirms both sets of samples are negative, the case manager assigned to the import notifies the importer via email or official letter stating that VS will release the bird from home quarantine.
- 2) U.S. origin performing or theatrical birds/poultry returning from non-HPAI countries, except Canada, are subject to the same requirements as U.S. origin pet birds in Section 6.A.(1), with the exception that a foreign health certificate is not required.
 - 3) Birds entering from Canada – including pet birds and performing of theatrical birds/poultry of *any origin* – are subject to the following requirements:
 - a. If entering through an air or seaport, the importer must obtain a [U.S. Permit to Import \(VS Form 17-135\)](#). If entering by a land border crossing, no import permit is required. No Canadian health certificate is required.
 - b. A VS veterinarian completes a visual veterinary health inspection of the bird when it arrives at the first U.S. port of entry. Birds exhibiting clinical signs of disease are subject to Section 6.C. of this document.
 - c. The owner must complete [VS Form 17-8](#), including a signature from the owner in box B certifying that the bird has been in his or her possession for at least ninety (90) days, is healthy, and has not been exposed to birds outside those in the shipment.
 - d. Quarantine is not required.
 - 4) Declared pet birds at the southern land border between the United States and Mexico:
 - a. CBP will automatically turn around declared pet birds presented at land crossings along the U.S. border with Mexico. VS does not need to be called, unless the owner of the bird has questions about U.S. return/import procedures.
 - b. CBP should give the importer/owner [VS Form 17-8](#), stating the pet birds were refused entry.
 - 5) U.S. origin pet birds returning from countries the United States recognizes as an HPAI risk (known hereafter as HPAI countries) are subject to the following requirements:
 - a. The owner must obtain a [VS Form 17-135](#) for entry.

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- b. The owner must fly directly to a port associated with Federal quarantine. Birds exporting from Asia may use either the Los Angeles, California airport or the San Diego, California port as a transit to ports at John F. Kennedy Airport, New York, or the port at Miami, Florida. If using the California ports, VS will seal the pet bird carriers upon exit from California and VS will unseal at the destination Federal quarantine.
 - c. The birds must arrive with a veterinary health certificate issued by the country of export within thirty (30) days of travel to the United States. VS posts the criteria for this veterinary health certificate on the [Returning U.S. Pet Birds](#) website.
 - d. A VS veterinarian visually inspects the bird when it arrives at the first U.S. port of entry. Birds exhibiting clinical signs of disease are subject to Section 6.C of this document.
 - e. The bird must complete a thirty (30)-day quarantine at a USDA Animal Import Center (AIC), as noted in 6. 5) b. above.
 - f. VS collects a cloacal swab sample from the birds, before day seven (7) of the quarantine, for ND and AI testing at NVSL.
 - g. After completion of the thirty- (30-)day quarantine, if the bird remains clinically healthy and NVSL confirms negative test results, VS releases the bird from quarantine.
- 6) U.S. origin performing or theatrical birds/poultry returning from HPAI countries are subject to the requirements listed in Section 6.A.(4), with the exception that a health certificate is not required.
- 7) Non-U.S. origin pet birds or performing/theatrical birds/poultry entering from any country (non-HPAI or HPAI), except Canada, are subject to the following requirements:
- a. The owner must obtain a [VS Form 17-135](#).
 - b. The bird must arrive with a veterinary health certificate issued by the country of export within thirty (30) days of travel to the United States. VS posts the criteria for this veterinary health certificate on the [Returning U.S. Pet Birds](#) Web site.
 - c. A VS veterinarian visually inspects the bird when it arrives at the first U.S. port of entry. Birds exhibiting clinical signs of disease are subject to Section 6.C of this document.

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- d. The bird must complete a thirty (30) day quarantine at a USDA AIC or VS-approved avian quarantine facility
- e. VS collects a swab sample from the bird, before day seven (7) of the quarantine, for ND and AI testing at NVSL.
- f. After completion of the thirty- (30)-day quarantine, if the bird remains clinically healthy and NVSL confirms negative test results, VS releases the bird from quarantine.

B. Smuggled/Non-Compliant Birds

The section below provides a brief overview of VS procedures for smuggled/non-compliant birds arriving at U.S. ports:

- 1) Noncompliant but declared bird/poultry at a point of entry:
 - a. When a bird is presented without the required import documents (e.g., a VS-issued import permit) but is declared to CBP, it becomes an illegal entry bird, and the owner may choose to:
 1. Abandon the bird to APHIS and sign box D of the [VS Form 17-8](#).
 2. Return the bird to the country of export, if that country will accept it, and sign box C of the [VS Form 17-8](#).
 3. Send the bird to a USDA AIC or VS-approved avian quarantine facility for a thirty (30)-day quarantine. All costs associated with transport, quarantine, and testing are the owner's responsibility.
 4. VS responds to the CBP notification as soon as the call is noted. CBP proceeds down a VS contact list until VS responds to a bird notification. CBP maintains the birds in approved cages/carriers properly fitted with high-efficiency particulate air (HEPA) filters until VS arrival.
 - b. If VS determines birds/poultry must be euthanized, VS performs the euthanasia and works with CBP for proper carcass disposal. **NOTE:** VS can only perform euthanasia following consultation with FWS to confirm the bird is not CITES-protected.
- 2) Smuggled (e.g., not declared by the owner) bird/poultry at a point of entry:
 - a. VS responds to the CBP notification as soon as the call or email is noted.
 - b. CBP must refuse the bird entry to the United States. CBP cannot return the bird/poultry to the owner/transporter, and the bird/poultry becomes VS property.

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- c. CBP or VS personnel complete blocks 1-5 of [VS Form 17-8](#), and obtain the signature of the owner/transporter in box D, denoting the abandonment of the bird to VS. If Importer refuses to abandon the bird to VS, FWS may seize the bird, if the bird is covered under their authority and regulations. If the bird is not covered under their regulations, the importer cannot proceed into the United States with the bird.
- d. If CBP obtains the bird outside VS presence, CBP provides VS the original signed [VS Form 17-8](#) and copies of any other paperwork that CBP may require to document the bird's chain of custody.
- e. VS must contact FWS for species identification and disposition consultation. If FWS takes ownership of the bird, VS arranges to transport the bird to the nearest USDA AIC for quarantine and further FWS disposition.

C. Birds Refused Entry Due to Evidence of Disease

Birds exhibiting clinical signs of disease at the port of entry are not eligible for entry into the United States.

- 1) If birds are destined for home quarantine, the VS veterinarian should contact Port Services for guidance. Port Services notifies Live Animal Import (LAI) of the decision to refuse entry, and LAI follows up as the situation dictates.
- 2) If birds are allowed to go into Federal quarantine at a USDA AIC quarantine facility, the AIC Director notifies LAI of the entry refusal. LAI follows up as the situation dictates.

The USDA AIC locations include:

Miami Animal Import Center (MAIC)
USDA-APHIS-VS
6300 NW 36 Street
Miami, FL 33122
vspsmia@aphis.usda.gov

New York Animal Import Center (NYAIC)
USDA-APHIS-VS
474 International Boulevard
Rock Tavern, NY 1257
vspsnic@aphis.usda.gov

D. VS Unit Responsibilities

- 1) Live Animal Import:
 - a. Develops and distributes standard operating procedures (SOPs), based on MOUs, which further define duties at the ports of entry.
 - b. Serves as the point of contact (POC) for issues of disease concern related to avian entry, working directly with FWS.

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- c. Serves as consultant on issues around HEPA filters.
- 2) Port Services:
- a. Ensures all birds approved for home quarantine complete the home quarantine and manages the VS process once the birds arrive at the U.S. port of entry.
 - b. Serves as the CBP POC for HEPA filter requests. Birds sent to a Federal quarantine are placed into cardboard boxes with cutout sections covered by HEPA filters supplied by the VS port office. CBP currently supplies carriers and cardboard boxes.
 - c. Assigns the case manager function to a port veterinarian for each pet bird in home quarantine. Details are contained in a separate internal SOP.
 - d. Serves as the POC when issues requiring resolution arise, including but not limited to changes in route, changes in personnel, any noncompliance or non-negative birds, or retest requests.
 - e. Develops and distributes SOPs so Port Services personnel can implement this guidance document.
 - f. Initiates an Investigative and Enforcement Services (IES) investigation when VS is unable to locate an owner who agreed to home quarantine.
 - g. Ensures that bird handling equipment is returned to CBP offices as follows:
 - 1. If the VS port veterinarian uses bird handling equipment, VS cleans and disinfects the cages/carriers and returns them to the CBP port of entry facility after use.
 - 2. For carriers that contained birds sent to a USDA AIC or VS-approved avian quarantine facility, the AIC cleans and disinfects the carrier and returns it to the original port of entry CBP office. VS charges the shipping costs to the entity that paid for transporting the bird to the quarantine center (either FWS or the bird owner).
- 3) Animal Import Centers and VS-Approved Avian Quarantine Facilities:
- a. Serve as quarantine locations for birds not destined for home quarantine.
 - b. Coordinate inspection at the first point of entry, as needed.
- 4) National Veterinary Services Laboratories (NVSL):
- a. Uses virus isolation to test samples for ND and AI.
 - b. Requests additional sample submissions at its discretion.

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- c. Processes test samples and provides results per internal SOPs.
- d. Provides guidance on collecting samples and sample submission, as needed.

7. Inquiries

Please direct any inquiries regarding this guidance to:

USDA APHIS Veterinary Services

Strategy and Policy

Live Animal Import and Export

Phone: (301) 851-3300, option 2

Email: VS.Live.Animals.Import.Permits@aphis.usda.gov