

Chapter 03

QUARANTINE OF PETS AND AGRICULTURAL PRODUCTS AND ANIMALS

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I. GENERAL PROVISIONS

24.0301 Definitions.

Whenever in this chapter, except 24.0319 through 24.0322, the following words, names, or terms are used they shall be construed, respectively, to mean as set out in this section:

- (a) "Cattle" means animals of the bovine species.
- (b) "Domestic animal" means cattle, sheep, goats, other ruminants, swine, horses, asses, mules, dogs, and poultry.
- (c) "Fresh fruits and vegetables" means the edible, more or less succulent portion of food plants in the raw or unprocessed state, such as oranges, grapefruit, tomatoes, peppers, lettuce, etc.
- (d) "Packing materials" means unprocessed material of plant origin used for packing, such as hay and straw, and leaves of various plants such as banana and breadfruit.
- (e) "Plant pest" means any living stage of the numerous small invertebrate animals belonging to the phylum Arthropoda, any form of elongated invertebrate animals lacking appendages,

commonly referred to as worms, any form of viruses, or any form of similar or allied organisms, which can directly or indirectly injure or cause disease in plants or parts thereof.

(f) "Plants or portions of plants" means leaves, twigs, or other portions of plants or plant litter or rubbish as distinguished from clean fruits and vegetables.

(g) "Poultry" means chickens, ducks, geese, swans, turkeys, pigeons, doves, pheasants, grouse, partridges, quail, guinea fowl, and pea fowl, of all ages, including eggs for hatching.

(h) "Ruminants" means animals which chew the cud, such as cattle, buffaloes, sheep, and goats.

(i) "Seeds" means the mature ovular bodies produced by flowering plants containing embryos capable of developing into new plants by germination.

(j) "Swine" means the domestic hog only.

(k) "Treatment" means fumigation or any other process involving the application of a gas, dry or moist heat, chemicals, low temperature, etc., excision of infected parts, or any other processing of plants or parts of plants including seeds, that is designed to eliminate or control any infestation or infection by a plant pest or animal pest.

History: Ex. Ord. 1, eff Jan 55, Plant and Animal Quar. Regs. Part I.

II. ANIMALS

24.0305 Compliance with animal rules required.

No person, firm, or corporation shall import or bring into American Samoa any animals, domestic or otherwise, except in accordance with the provisions of this chapter; nor shall any animals be handled or moved after physical entry into American Samoa and before final release from quarantine or any other form of governmental restriction or detention except in compliance with this chapter.

History: Ex. Ord. 1, eff Jan 55, Plant and Animals Quar. Regs. Part 2 § 1.

24.0306 Domestic animal import permit.

For domestic animals of all kinds intended for importation from any part of the world, the importer shall first obtain a permit from the department of agriculture, which shall be presented to the chief quarantine officer or his representative at the port of entry at the time of importation. Animals will not be eligible for entry if shipped from any foreign port other than that designated in the permit. The import permit fee for all domestic animals shall be \$1 per permit.

History: Ex. Ord. 1. eff Jan 55, Plant and Animal Quar. Regs. Part 2 § 2; amd Rule 6-84. eff I May 84. (part).

24.0307 Ruminants, swine, dogs and cats, poultry, and meat.

(a) No ruminants or swine or fresh, chilled, or frozen beef, veal, mutton, lamb, or pork may be imported from any country where rinderpest, foot-and-mouth disease, hog cholera, or swine plague is known to exist, and no permits will be issued for such importation.

(b) All ruminants and swine offered for importation from any part of the world, except as provided in 24.0309, shall be accompanied by a certificate of a salaried veterinary officer or other competent authority of the government of the place of origin, stating that such animals have been kept in that place at least 60 days immediately preceding the date of movement therefrom and that the country, during such period, has been entirely free from foot-and-mouth disease, rinderpest, contagious pleuropneumonia, and surra; provided, however, that in the case of sheep, goats, and swine, the certificate, insofar as it relates to contagious pleuropneumonia, may specify freedom from such disease of the district of origin only. For domestic swine, the certificate shall also show that for 60 days immediately preceding the date of movement from the premises or origin, no erysipelas has existed on the premises of origin or on adjoining premises.

(c) All poultry and poultry products, except as provided in 24.0309, offered for importation from any part of the world, shall be accompanied by a certificate of a salaried veterinary officer of the government of the place of origin stating that such poultry and their flock or flocks of origin were inspected on the premises of origin immediately before the date of movement from such place and that they were then found to be free of evidence of pullorum disease and other communicable disease, and that as far as it has been possible to determine, no case of European fowl pest (fowl plague) or Newcastle disease (*avian pneumoencephalitis*) occurred in the locality or localities where the poultry were kept during such period. All eggs for hatching offered for importation from any part of the world shall be accompanied by a certificate of a salaried veterinary officer or other competent authority of the government of the country of origin stating that flock or flocks of origin were found upon inspection to be free from evidence of pullorum disease (bacillary white diarrhea) and other communicable disease and that as far as it has been able to determine such flock or flocks were not exposed to any such disease common to poultry during the preceding 60 days.

(d) All dogs and cats offered for importation from any part of the world, except as provided in 24.0306, shall be accompanied by a satisfactory certificate of a salaried veterinary officer or other competent authority of the government of the place of origin stating that the animal has been given a prophylactic dose of antirabies vaccine no later than 30 days prior to date of arrival at the port of entry.

History: Ex. Ord. 1, eff Jan 55, Plant and Animal Quar. Regs. Part 2 § 3.

Prior History: Water Quality Standards, eff Jul 73.

24.0308 Cattle test certificates required.

Except as provided in 24.0306, all cattle offered for importation from any part of the world shall be accompanied by a satisfactory certificate of a salaried veterinary officer or other competent authority of the government of the place of origin stating that the animals have been tested for tuberculosis and tuberculosis, with negative results within 30 days of the date of their exportation. The certificate shall give the dates and place of testing, names of the consignor and consignee, and a description of the cattle with breed, ages, and markings.

History: Ex. Ord. 1, eff Jan 55, Plant and Animal Quar. Regs. Part 2 § 4.

24.0309 Exemption for Western Samoa.

The director of agriculture may at his discretion waive the requirements of 24.0307 and 24.0308 for cattle, swine, poultry, cats, and dogs offered for importation from Western Samoa; provided, however, that such cattle, swine, poultry, cats, and dogs originated in Western Samoa and have not been in close contact with animals imported from other parts of the world without quarantine precautions.

History: Ex. Ord. 1, eff Jan 55, Plant and Animal Quar. Regs. Part 2 § 5.

24.0310 Presentation of papers at entry.

The certificates and affidavits required by this chapter shall be presented by the master of the vessel or his agent to the chief customs officer at that port upon arrival of the animals at the port of entry.

History: Ex. Ord. 1, eff Jan 55, Plant and Animal Quar. Regs. Part 2 § 6.

24.0311 Inspection of animals at port of entry.

All animals offered for importation from any part of the world shall be inspected at the port of entry and such animals found to be free from disease, and not to have been exposed to contagious disease, will be admitted subject to the other provisions of this chapter. Animals found to be affected with a contagious disease or to have been exposed thereto shall be refused entry and unless returned to the country of origin, shall be destroyed. Such portions of the transporting vessel and of its cargo as have been exposed to those animals or their emanations shall be disinfected in such manner as may be considered necessary by the inspector in charge at the port of entry before the cargo is allowed to land.

History: Ex. Ord. 1, eff Jan 55, Plant and Animal Quar. Regs. Part 2 § 7.

24.0312 Articles accompanying animals.

No litter or manure, fodder or other aliment, nor any equipment such as boxes, buckets, ropes, chains, blankets, or other things used on or about animals governed by this chapter shall be landed from any vessel except under such restrictions as the inspector in charge at the port of entry directs.

History: Ex. Ord. 1, eff Jan 55, Plant and Animal Quar. Regs. Part 2 § 8.

24.0313 Animals traveling through.

Masters of vessels transporting animals not intended for importation into American Samoa shall comply with all restrictions and requirements deemed necessary by the inspector in charge at the port of entry to prevent entry of such animals into American Samoa.

History: Ex. Ord. 1, eff Jan 55, Plant and Animal Quar. Regs. Part 2 § 9.

24.0314 Importation of animals by aircraft.

No animals, either domestic or otherwise, shall be imported or brought into American Samoa by airplane, except that they may be imported by that means when the importer has received prior permission in writing from the Governor to do so and only when the importer complies with all other requirements.

History: Ex. Ord. 1, eff Jan 55, Plant and Animal Quar. Regs. Part 2 § 10.

24.0315 Nondomestic animals-Prior permission.

Animals other than domestic may be imported or brought into American Samoa only when the importer has received prior permission in writing from the Governor and when the importer complies with any special rules that may be imposed.

History: Ex. Ord. 1, eff Jan 55, Plant and Animal Quar. Regs. Part 2 § 11.

24.0316 Department of agriculture animal importation.

Nothing in this chapter shall be construed to prevent the department of agriculture from making importations of animals from any part of the world for breeding or other purposes, provided that suitable and adequate quarantine safeguards are maintained.

History: Ex. Ord. 1, eff Jan 55, Plant and Animal Quar. Regs. Part 2 § 12.

24.0317 Dog and cat importation prohibited- Exceptions.

Importation of dogs or cats into American Samoa is strictly prohibited; provided, however, that:

(1) importation of dogs or cats into American Samoa is permitted from the following rabies free areas: Hawaii, New Zealand, and Australia, subject to terms and conditions from time to time established by the department of agriculture in response to changing local and foreign problems of disease control;

(2) importation of domestic dogs and cats into American Samoa is also permitted from the continental United States, -the Territory of Guam, and the Pacific Island Trust Territories subject to terms and conditions from time to time established by the department of agriculture in response to changing local and foreign problems of disease control. Included therewith, with regard to dogs or cats from the continental United States, Guam, or Trust Territories, is mandatory quarantine in the state of Hawaii for a period to be determined by the department of agriculture;

(3) importation of domestic dogs and cats into American Samoa from Western Samoa shall be entirely subject to the terms and conditions of entry then in existence; the director of agriculture at any time is empowered to entirely prohibit entry of dogs or cats from Western Samoa or to allow entry upon such conditions as he then sees fit;

(4) the director of agriculture shall, due to the unique and delicate nature of disease control on a small island, propagate from time to time and as he sees fit, terms and conditions of entry into American Samoa of domestic dogs and cats. The director shall at all times make available to the public a copy of this section and the terms and conditions of entry aforementioned; furthermore, copies of both shall be provided to the department of manpower resources as well as to all employers hiring off-island personnel at their request, as well as to all air carriers doing business in the territory;

(5) compliance with the provisions of this section and the terms and conditions of entry shall be the sole responsibility of the dog or cat owner. Any dog or cat arriving in American Samoa without prior, complete compliance with the terms and conditions of entry then in existence shall be subject to immediate return to its place of origin at the owner's expense, or, in the alternative, if the owner is unavailable or unable or unwilling to bear the cost of returning the dog or cat to its place of origin, shall be immediately destroyed.

History: Rule 2-78, eff 4 Apr 78. § 3 (b)(1); and Rule 8-78, eff 21 Sep 78; § 3.

24.0318 Miscellaneous pet importation prohibited.

(a) Miscellaneous pets such as lizards, snakes, turtles, frogs, tropical fish, parrots, cage birds, monkeys, hamsters, rabbits, and similar animals which are regarded as pets are prohibited from being imported into American Samoa;

(b) The director of agriculture or his authorized representative will determine whether an animal falls under the miscellaneous pets category if the animal is not enumerated in subsection (a) of this section.

History: Rule 2-78, eff 4 Apr 78, § 3 (b) (2), (3).

24.0319 Keeping on aircraft and vessels.

It is illegal to maintain any animal or bird aboard any vessel or aircraft in American Samoa for more than 48 hours. Animals or birds must be either destroyed under the supervision of the department of agriculture, shipped off the islands on the first available flight at the owner's expense, or the vessel or aircraft must leave American Samoa after the 48-hour period. During the time the vessel or aircraft is in port, all animals or birds must be kept under strict quarantine aboard the vessel or aircraft. However, if a bond is posted by the owner for the animal and this is approved by the department of agriculture, then the animal may be maintained in the vessel or aircraft. The director of agriculture or his authorized representative will determine the bond on any animal. If the animal is found off of the vessel or aircraft, it may be destroyed by the department of agriculture and the bond forfeited.

History: Rule 2-78. eff 4 Apr 78. § 3 (b) (4).

24.0320 Domestic animal importation.

All domestic animals, including ruminants (cattle, buffalo, sheep, and goats), horses, mules and asses, swine, and domestic poultry (chickens, ducks, geese, turkeys, pigeons, doves, quail, etc.) may be imported into American Samoa subject to department of agriculture restrictions and health certification.

History: Rule 2-78, eff 4 Apr 78, § 3 (b) (5).

III. PLANTS

24.0325 Compliance with plant, fruit, and vegetable rules required.

No person, firm, or corporation shall import or offer for entry into American Samoa any plants, plant materials, fruits, or vegetables, or plant products except in accordance with the provisions of this chapter, nor shall any of the above be handled or moved after physical entry into American Samoa before final release from quarantine or other form of governmental restriction or detention except in compliance with this chapter.

History: Ex. Old. 1, eff Jan 55, Plant and Animal Qual. Regs. Part 3 § 1.

24.0326 Fruits and vegetables-Fruit fly and citrus disease restrictions.

(a) The importation of fresh fruits, susceptible vegetables, and seeds covered with pulp, is prohibited from areas where the oriental fruit fly (*Dacus dorsalis*) and the Mediterranean fruit fly (*Ceratitis copitata*) or other injurious fruit fly species are known to occur. Such fruits and vegetables may however, be entered if accompanied by certification of competent authority in the country of origin that it has been subject to an approved treatment at point of origin and subsequently protected from reinfestation until exportation has been effected.

(b) The importation of citrus fruits is prohibited from areas where the organism causing citrus canker, cancrrosis "B", and sweet orange scab are known to occur, and shall be permitted entry only when accompanied by a certificate of competent authority in the country of origin stating that it originated in an area free from the aforesaid diseases.

History: Ex. Old. 1, eff Jan 55, Plant and Animal Quar. Regs. Part 3 § 2.

24.0327 Prohibited plants, plant parts, and seeds.

Except as indicated, the following plants, plant parts, and seeds are prohibited entry into American Samoa:

(a) All coconut plants or parts thereof, except that nuts may be permitted entry when fumigated with methyl bromide at the port of origin;

(b) All rice plants and parts thereof, except milled rice for human consumption;

(c) All pineapple and related plants except within the area embraced by the South Pacific Commission;

(d) All citrus and related plants or parts thereof for propagation except from areas known to be free from citrus canker or quick decline (Tristezs);

(e) All rubber plants and parts thereof from areas where the American leaf disease (*Dothidella ulei*) occurs, and from other areas, only in the form of seed or budwood;

(f) All cacao plants and parts thereof from areas where witch's broom (*Marasmiium fernicious*) or swollen shoot disease occur;

(g) All plants of sugarcane and other species of *Saccharum* or parts thereof;

(h) All plants of banana and other *Musa* species or parts thereof, from areas where panacea disease (*Fusarium oxisporum* var. *cubense*) or bunchy top virus disease occur;

(i) All coffee plants and parts thereof from areas where the coffee bean borer (*Stephenoderes coffee*) exists, or where the blockwood disease of robusta coffee (*Thielaviopsis neocaledonise*) is known to occur.

History: Ex. Old. 1, eff Jan 55, Plant and Animal Qual. Regs. Part 3 § 3.

24.0328 Permit for plant material importation.

Any person, firm, or corporation wishing to offer for entry into American Samoa any plant material shall first obtain a permit from the department of agriculture for their importation. This permit shall detail the amount and kind of plant, point of origin, method of transportation, and type of treatment required, if any, at point of origin. No plants or plant material shall be permitted entry if obtained from other than the indicated point of origin. The schedule of fees for permits under this section shall be as follows:

(1) Import permits for plants and plant products:

(A) Individual permits - \$3 permit;

(B) Block permits - \$25 per year;

(C) For any access items not included in the import port, there shall be levied a fine of \$5 per item upon arrival.

(2) Phytosanitary certificate - \$1 per permit.

History: Ex. Ord. 1, eff Jan 55, Plant and Animal Quar. Regs. Part 3 § 4; and Rule 6-84, eff 1 May 84, (part).

24.0329 Certification of plants and materials.

All plants and plant materials offered for entry shall be accompanied by a certificate issued by competent authority of the country of origin, listing the contents of the shipment, their locality and type of treatment, if any, and stating that the plant material covered by certificate was examined and found, to the best of his knowledge, apparently free from injurious pests and diseases. The original of this certificate shall be presented to the inspector of the department of agriculture upon or before the arrival of the shipment at the port of entry.

History: Ex. Ord. 1, eff Jan 55, Plant and Animal Quar. Regs. Part 395.

24.0330 Examination at entry of plants, parts, and products.

All plants, plant parts, or plant products offered for entry into American Samoa shall be subject to examination by an authorized inspector. If such a consignment should be found to be infested with an injurious insect or disease, he may refuse entry to all or a portion of the consignment. Those plants, plant parts, or products refused entry shall be subject to disposal under direction of the director, department of agriculture, by return to the country of origin or confiscation and destruction, or admittance under such treatment and quarantine safeguards as he deems necessary. All costs incident to such disposition, other than the services of the inspector, shall be borne by the importer.

History: Ex. Ord. 1, eff Jan 55, Plant and Animal Quar. Regs. Part 3 § 6.

24.0331 Department of agriculture importation.

Nothing in this article shall be construed to prevent the department of agriculture from importing plants, plant materials, and products from any part of the world for experimental purposes under such quarantine safeguards as the director of the department of agriculture prescribes.

History: Ex. Ord. 1, eff Jan 55, Plant and Animal Quar. Regs. Part 3 § 7.

24.0332 Emergency quarantine rules.

The director, department of agriculture, shall have the authority, subject to later confirmation by the Governor, to impose emergency quarantine rules in situations not covered by this chapter and when the situation, in his opinion, so warrants.

History: Ex. Ord. 1, eff Jan 55, Plant and Animal Quar. Regs. Part 3 § 8.

IV. SPECIAL RULES

24.0335 Refuse disposal by vessels and aircraft.

(a) Vessels and aircraft entering American Samoa from foreign ports are prohibited from dumping garbage, trash, and other refuse into the harbors and protected waters of the islands, and from putting such garbage ashore for disposition, except under the following conditions:

- (1) The presence of an agricultural quarantine inspector to supervise the loading and unloading of any and all garbage, trash and other refuse containers, fumigation of commodities and certification of commodities to export shall be required.
- (2) If adequately screened and protected incinerators are available ashore, garbage and trash from vessels entering from foreign ports may be landed for destruction by burning under the supervision of agricultural quarantine inspectors or other appropriate port authorities. Otherwise, garbage and trash shall be accumulated aboard the vessel in covered containers for the duration of the stay of the vessel, and subsequently dumped at sea upon resumption of the voyage.
- (3) All garbage and trash from land-based aircraft entering American Samoa from a foreign area shall be placed in an insect-proof container while on board the plane, and, under the supervision of agricultural quarantine inspectors or other appropriate port authorities, be taken to an adequately screened and protected incinerator where it shall be destroyed by burning.
- (4) There shall be a fee of \$7.50 (per inspector) per hour assessed against each vessel and aircraft that shall enter American Samoa and do any of the acts mentioned in this regulation.

(b) Garbage containing animal and plant products:

(1) All garbage containing animal and plant products from vessels or aircraft must be held on board the vessel or aircraft while in port. In special circumstances and under the supervision of an agriculture quarantine inspector, the garbage may be placed inside an insect-proof container and unloaded and incinerated or sterilized. The director of agriculture or his authorized representative may determine what are special circumstances. The costs of transporting, incinerating and sterilizing the garbage, which shall be \$7.50 (per inspector) per hour, will be charged to the vessel or aircraft.

(2) All galley garbage from vessels and aircraft can be considered as containing animal and plant products. This rule shall be strictly enforced on all vessels or aircraft arriving in American Samoa.

(3) "Garbage" means all waste material derived in whole or in part from fruits, vegetables, meats, or other plant or animal (including poultry) material, and other refuse 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 vessels, aircraft, or other means of conveyance.

History: Ex. Ord. 1. eff Jan 55. Plant and Animal Quar. Regs. Part 4 § 1; Rule 2-78. eff 4 Apr 78. § 3(a); Rule 6-84. eff 1 May 84, (part).

24.0336 Ratguards on vessels.

All vessels entering American Samoa from foreign ports shall place adequate ratguards on all lines, cables, or hawsers which lead ashore to prevent the entry of rat-borne diseases.

History: Ex. Ord. 1. eff Jan 55, Plant and Animal Quar. Regs. Part 4 § 2.

24.0337 Aircraft spraying.

All aircraft entering American Samoa from a foreign area shall, 30 minutes prior to landing, treat all internal passenger and cargo spaces for insects with an aerosol spray formula approved by the U. S. Public Health Service.

History: Ex. Ord. I, eff Jan 55, Plant and Animal Quar. Regs. Part 4 § 3.

24.0338 Packing material prohibited- Exceptions.

All packing materials are prohibited entry into American Samoa except as follows:

(a) When such materials have been treated or manufactured so as to exclude the possibility of harboring injurious pests and diseases;

(b) When the unopened cases containing packing materials are first subjected to an approved precautionary treatment to kill insects and their eggs. Such cases must be opened in the Customs House, the packing materials removed and destroyed by burning, at which time the consignment may be released from quarantine by the customs officer.

History: Ex. Ord. I, eff Jan 55, Plant and Animal Quar. Regs. Part 4 § 4.

24.0339 Feed and materials-Prohibited when -Certification.

The importation of any straw, fodder, or chaff for animal feeding is prohibited from any area from which ruminants, swine, equines, and poultry are also prohibited entry. Importation of feeds and feed materials from all other areas shall be admitted only when accompanied by certification by competent authority of the country of origin that the area where produced is free from cattle ticks and infectious diseases of livestock.

History: Ex. Ord. 1, eff Jan 55, Plant and Animal Quar. Regs. Part 4 § 5.

24.0340 Feed and materials-Approved treatment required when.

All hay, straw, fodder, and other material for animal or poultry feed shall be subject to fumigation or other approved treatment at the expense of the consignee at the port of entry when, in the opinion of the director of agriculture, it is necessary to prevent entry of injurious or undesirable insect pests.

History: Ex. Ord. 1, eff Jan 55, Plant and Animal Quar. Regs. Part 4 § 6.

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