

SEPTEMBER 15, 1974

TRUST TERRITORY OF THE PACIFIC ISLANDS  
HEADQUARTERS, SAIPAN, MARIANA ISLANDS

Volume 1 Number 3

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IN THE SPOTLIGHT

ENVIRONMENTAL PROTECTION BOARD  
EPB Permit No. 101-74

# territorial register

The Territorial Register is dedicated to Mr. James Stanton, former Assistant Attorney General, who conceived the idea of a Territorial Register.

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Published monthly by the Registrar of Corporations, Office of the Attorney General  
Printed by the Publication and Printing Division, Saipan, Mariana Islands 96950

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The Territorial Register is editorially organized according to the Territorial or other agency issuing the documents published or having an immediate administrative or enforcement concern over them. Listing in these contents or publishing in the sections that follow in this manner is for public information and has no legal significance.

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territorial register

The Territorial Register is published on the fifteenth day of each month or on the next succeeding business day, by the Registrar of Corporations, Office of the Attorney General, Trust Territory of the Pacific Islands, Saipan, Mariana Islands 96950, under Public Law 5-86. Distribution is made by the Chief of Publications, Department of Public Affairs, Trust Territory of the Pacific Islands, Saipan, Mariana Islands 96950.

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The Territorial Register will be furnished by mail to subscribers for \$24.00 per year, payable in advance. The charge for individual copies is \$2.00 for each part as actually bound. Remit check or money order, made payable to the Treasurer, Trust Territory of the Pacific Islands, to the Chief of Publications, Department of Public Affairs, Trust Territory of the Pacific Islands, Saipan, Mariana Islands 96950.

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# DECISIONS, ORDERS AND OTHER NOTICES

## ENVIRONMENTAL PROTECTION BOARD

EPB Permit No. 101-74

The Trust Territory Environmental Protection Board received your application for a permit for channel clearance projects in Fais, Sorol, Farulap, Euripik, and Satawal in the Outer Islands of Yap District.

As required by the Trust Territory Environmental Protection Board Regulation No. 15-73, public notice was issued in Yap District and no substantial objections to the project were received. On the basis of review of the Regulation No. 15-73 and other requirements, the Board does now issue a permit to the applicant for the proposed projects based on the following conditions:

1. Applicant: Trust Territory Department of Transportation & Communications Office of the High Commissioner Trust Territory of the Pacific Islands, Saipan, Mariana Islands 96950.
2. Projects Locations: Fais, Sorol, Farulap, Euripik, and Satawal Islands, Yap District.
3. The permit shall expire on August 18, 1975.

4. The District Administrator and the representatives of each of the islands requesting the project shall be consulted and briefed on the advantages and disadvantages of these channel blasting activities, and their agreement obtained, prior to the commencement of the project.

5. All precautionary measures be taken to protect human life, properties, and to minimize environmental damages.

6. Any or all blasting operations must immediately cease upon order of the Executive Officer, in the event that human life, properties and/or significant environmental resources are in danger as a result of this operation.

7. A field report of the environmental effects of channel blasting (including detailed maps) prepared by the overall project supervisor must be filed with the Trust Territory Environmental Protection Board within thirty (30) days after the projects' completion.

8. Environmental Protection Board staff personnel be permitted to monitor the project throughout the operation.

# EXISTING REGULATIONS

This section of the Territorial Register contains regulations having general applicability and legal effect, adopted prior to July 1, 1974, which are now published pursuant to Public Law 5-86 and are to be compiled and codified pursuant to Public Laws 5-86 and 1-3.

## DEPARTMENT OF HEALTH SERVICES

### TITLE 7

#### HEALTH SERVICES REGULATIONS

#### CHAPTER I

#### Vital Statistics

#### PART 1. GENERAL PROVISIONS

1.1 Authority. These regulations have been promulgated by the High Commissioner of the Trust Territory of the Pacific Islands in accordance with section 624 of the Trust Territory Code. These regulations and any further amendments thereto shall have the force and effect of law and be binding upon all persons performing and specified registration functions.

1.2 Purpose. The purpose of this regulations is to establish a system for registration of all births, deaths and fetal deaths which occur in the Trust Territory and for compilation and analysis of statistics from the certificates.

#### PART 2. DEFINITION OF TERMS

2.1 "Vital Statistics." Includes the preparation, registration, transcription, collection, compilation and preservation of data pertaining to births, deaths and fetal deaths and data incidental thereto.

2.2 "Live Birth." Is the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of pregnancy, which, after such separation, breaths or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached; each product of such a birth is considered live born.

2.3 "Fetal Death." Means death prior to the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of pregnancy; the death is indicated by the fact that after such separation the fetus does not breathe or show any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles.

2.4 "Delayed Registration." Means registration of a birth, death, or fetal death one year or more after the event occurred.

2.5 "Investigation of the Death." Means a careful inquiry into the case history and physical findings concerning the final illness or condition which caused the death. It also means that the investigator is satisfied beyond a reasonable doubt of the accuracy of the identification of the person described and the circumstances surrounding the death. This must be done at the location of the death.

2.6 "Review of Official Report." Means that the reviewer has carefully evaluated the supplied information and is satisfied beyond a reasonable doubt of the identity of the person described and circumstances of the final illness or condition which caused the death.

2.7 The Public Health Statistician. Is an employee of the Headquarters Public Health Department so designated.

#### PART 3 LOCAL REPORTING AREAS

3.1 Establishment of Local Reporting Areas. Local reporting areas shall be established by the District Administrator in each district, with the assistance of the District Director of Public Health. There shall be as many as deemed necessary for complete coverage of all inhabitants of the district. After receiving advice from the District Director of Public Health, the District Administrator shall appoint one or more responsible reporting agents in each reporting area so established.

3.2 Director of Public Health for the Trust Territory Notified. The District Director of Public Health shall be responsible for notifying the Director of Public Health for the Trust Territory of the location of local reporting areas and the name of the reporting agent responsible in each area.

3.3 Forms and Instructions Supplied. The Department of Public Health shall prepare, print and supply District Directors of Public Health and Clerks of Courts with forms and instructions as an aid in registering, recording and preserving vital statistical data, and otherwise in carrying out the provisions of the Trust Territory Code and these regulations.

3.4 Completion of Certificates.

(a) All certificates of birth, death and fetal death shall be written legibly in unfading ink or shall be typewritten. Signatures shall be in unfading ink.

(b) No certificate shall be considered complete and correct:

(1) that does not supply all of the items of information called for thereon, or satisfactorily account for any omission;

(2) that is prepared on an improper form;

(3) that contains obviously inaccurate or inconsistent data;

(4) that is not signed by the person designated.

3.5 Responsibility of Reporting Agent. Each reporting agent shall complete a report on the prescribed form of each birth, death and fetal death which occurred in the area of his responsibility. He shall transmit these reports by the first available transportation to the District Director of Public Health in the district where the local reporting area is located.

3.6 Responsibility of the District Director of Public Health and His Authorized Representative.

(a) The District Director of Public Health, through his representative, shall have primary responsibility for collection of information pertaining to births, deaths, and fetal deaths occurring in his district. He, through his representative, shall be responsible for the accurate completion of a certificate for each birth, death and fetal death occurring in the district.

(b) A responsible person representing the District Director of Public Health as directed by the District Administrator shall visit each reporting area at regular intervals, or at least on all official visits to the locality. This representative shall contact the reporting agent, collect certificates, amplify them (if necessary) and return them to the District Director of Public Health. This representative shall also make careful inquiries concerning other births and deaths for which certificates may not have been prepared. If such have occurred, he shall complete appropriate certificates with the aid of competent local persons (the representative shall carry a supply of blank certificates with him).

## PART 4 REPORTING AND REGISTERING BIRTHS

### 4.1 Responsibility for Reporting.

(a) The following persons, in the order named, shall be responsible for reporting a birth, together with the facts required, to the District Director of Public Health or to the reporting agent in the nearest local reporting area within one week after the date of the event:

- (1) The attendant who delivered the baby.
- (2) The father of the baby.
- (3) The mother of the baby.

(4) Any other member of the family who has knowledge of the facts of the birth.

(5) Any other person having knowledge of the fact of the birth.

(b) The reporting agent shall be responsible for completing a report of birth and for transmitting it to the District Director of Public Health in the manner prescribed in Section 3.5 of these Regulations.

### 4.2 Responsibility for Completing and Filing a Certificate.

(a) The District Director of Public Health shall complete a certificate of live birth from the information on the report form and shall transmit it to the Clerk of Courts for filing at the end of the month of report. At the same time he shall send a carbon copy of the certificate to the Public Health Statistician at Headquarters Department of Public Health.

(b) A certificate of live birth may be filed without the name of the child. The name may later be added to the certificate by the Clerk of Courts in accordance with the practice of accurate and responsible identification. (See Serial 426, 18 January 1954 by the Chief Justice of the Trust Territory of the Pacific Islands).

## PART 5. REPORTING AND REGISTERING DEATHS

### 5.1 Responsibility for Reporting.

(a) The following persons, in the order named, shall be responsible for reporting a death, together with the facts required, to the District Director of Public Health or to the reporting agent in the nearest local reporting area within one week after the date of the event:

(1) The physician who attended the deceased during his last illness.

(2) In case of a death without medical attendance, the nurse or health aide who visited the deceased during his last illness, or who had knowledge of the death.

(3) The next of kin of the deceased.

(4) Any other person having knowledge of the death.

(b) The reporting agent shall be responsible for completing a report of death and for transmitting it to the District Director of Public Health in the manner prescribed in Section 3.5 of this Regulation. One copy of the report of death shall be sent to the Director of Public Health with the properly completed certificates of death.

5.2 Responsibility for Completing and Filing a Certificate. The District Director of Public Health shall complete a certificate of death from the information on the report form, and shall transmit it to the Clerk of Courts for filing at the end of the month of report. At the same time he shall send a duplicate copy to the Public Health Statistician at Headquarters Department of Public Health.

### 5.3 Medical Certificate of Cause of Death.

#### (a) Death attended by physician.

(b) The medical certificate of cause of death shall be completed and signed by the physician as attendant only when he physician attended the deceased during his last illness.

(c) Where a death without medical attendance has occurred the physician shall complete the medical certificate of death and sign the certificate as "investigated" or "reviewed official report of the death" when:

(1) He had attended the deceased during the course of the condition which terminated in his illness so that he considered his knowledge of the cause of death to be reliable enough for certification.

(2) When a death from injury has been investigated and the physician considers his knowledge of the cause of death to be reliable enough for certification.

(a) In each death from injury the District Director of Public Health shall state, when practicable, whether the death was due or probably due to an accident, suicide or homicide.

(3) For reported deaths where a physician has never attended the patient, or when the interval since the physician saw the patient is so long that he has no certain knowledge of the cause of death, or when other causes may have intervened since the physician last saw the patient he shall enter the word "unknown" on the medical certificate.

(4) Where a report of death is received, the physician may list on the medical certificate after the word "unknown" any signs or symptoms reported: he shall draw no conclusions as to the cause of death from them

### PART 6. REPORTING AND REGISTERING FETAL DEATHS

#### 6.1 Responsibility for Reporting.

(a) The following persons, in the order named, shall be responsible for reporting a fetal death, together with the facts required, to the District Director of Public Health or to the reporting agent in the nearest local reporting area within one week after the date of the event:

(1) The attendant who delivered the dead fetus. (2) The father. (3) The mother. (4) Another member of the family who has knowledge of the fetal death. (5) Any other person having knowledge of the fetal death.

(b) The reporting agent shall be responsible for completing a report of fetal death and for transmitting it to the District Director of Public Health in the manner prescribed in Section 3.5 of these Regulations.

#### 6.2 Responsibility for Completing and Filing a Certificate.

(a) The District Director of Public Health shall complete a certificate of fetal death from the information on the report form and shall transmit it to the Clerk of Courts for filing at the end of the month of report. At the same time he shall send a carbon copy of the certificate to the Public Health Statistician at Headquarters Department of Public Health.

### PART 7. MONTHLY LISTS OF VITAL EVENTS

7.1 Preparation of List. Each nurse and each health aide who is stationed in an area away from the district center, and such other health personnel as may be designated by the District Director of Public Health, shall complete a monthly listing of births, deaths, and fetal deaths which occurred in a given area. This list shall be on the form prescribed by the Department of Public Health and shall include certain minimum items. For births the minimum items shall be: sex of the baby, whether a single or plural birth, name of father, name of mother, place of birth and date of birth. For the deaths the minimum items shall be: name of deceased, place of death, date of death, age and sex of deceased, usual residence of deceased, name of father, name of mother, name of spouse if married. For fetal deaths the minimum items shall be: whether single or plural birth, place and date of delivery, name of father, name of mother.

7.2 Distribution of copies of list. One copy of the list shall be sent as soon as possible after the end of each month to the Department of Public Health at Headquarters. One copy of the list shall be sent at the same time to the District Director of Public Health in the district where the events occurred.

### PART 8. DELAYED REGISTRATION

At any time after the close of the year after the event occurred, when it comes to the attention of the District Director of Public Health that a birth, death or fetal death took place but was not registered, the District Director of Public Health shall file a certificate of such birth, death or fetal death in as complete a form as lapse of time will permit.

### PART 9. DUTIES OF THE CLERKS OF COURTS WITH RESPECT TO REGISTRATION OF CERTIFICATES OF BIRTH, DEATH AND FETAL DEATH

9.1 Maintenance of Files and Indexes. The Clerk of Courts shall maintain permanent files of certificates of birth, death and fetal death, with such indexes as are necessary for location of each certificate. There shall be separate files and indexes for each type of event registered.

#### 9.2 Preparation of Certified Copies.

(a) The Clerk of Courts shall, upon request and payment of the required fee supply to an applicant a certified copy of the record of a birth, fetal death, or death registered and filed by him.

(b) Certified copies of certificates of birth, fetal death and death, may be supplied on request without charge to a welfare agency when required for the provision of aid to a child or family of the deceased.

(c) Whenever a certificate of birth or fetal death indicates that the mother's home or the father's birthplace is outside of the Trust Territory of the Pacific Islands, and whenever a certificate of death indicates that the deceased is a citizen of any country other than the Trust Territory, the Clerk of Courts shall immediately on acceptance of such a certificate, make one certified copy and send it to the Office of the Director of Public Health as an added precaution for preservation and safekeeping.

#### PART 10. CORRECTION OF CERTIFICATES

10.1 Prior to Filing. Prior to filing with the Clerk of Courts, erroneous non-medical information on a certificate may be corrected by the District Director of Public Health on receipt of a statement attesting the change, signed by a parent or other responsible person for a birth or fetal death certificate, or by next of kin or other responsible person for a death certificate. The attending physician may, similarly, correct medical information.

10.2 After Filing. After filing a certificate with Clerk of Courts, minor corrections may be made by affidavit as prescribed by the Chief Justice. Major corrections such as changing a name recorded on a certificate, shall be made only by order of the district court in whose jurisdiction the child was born, or where the death or fetal death occurred.

#### PART 11. RESPONSIBILITY OF DIRECTOR OF PUBLIC HEALTH

11.1 Supervision of Vital Statistics Program. The Director of Public Health, of the Trust Territory shall have responsibility through his authorized representative for supervision of the district vital statistics programs, for providing assistance in their planning and execution and for compilation and analysis of data collected therefrom.

#### PART 12 PENALTY

Every person who shall violate any of the provisions of this chapter or regulations issued pursuant thereto shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than five hundred dollars (\$500) or imprisoned for not more than one year, or both.

#### PART 13. EFFECTIVE DATE

These regulations shall become effective sixty (60) days after filing with the District Clerk of Courts, at which time Public Health Regulation Number 1 (revised) September 7, 1966, and May 14, 1958 are superseded.

### CODE OF PUBLIC REGULATIONS

Release No. 7-71

Subject: Promulgation of a Regulation Amending Chapter 1--

Vital Statistics -- of Title 7 -- Health Services Regulations -- Concerning Births and Deaths in International Areas.

WHEREAS, Section 51 of Title 63 of the Trust Territory Code gives authority to the Director of Health Services to prescribe rules and regulations concerning vital statistics which rules and regulations when approved by the High Commissioner shall have the force and effect of law; and

WHEREAS, in accordance with this statutory provision, the Director of Health Services has prepared and prescribed a certain regulation amending Chapter 1 of Title 7 of the Code of Public Regulations dealing with the reporting of births and deaths occurring in international areas, and has presented this amendment to me for my approval.

NOW, THEREFORE, pursuant to the authority vested in me as High Commissioner and in accordance with the provisions of Section 51 of Title 63 of the Trust Territory Code, it is hereby ordered as follows:

Article 1. Renumbering of Parts 11, 12, and 13 and Addition of a New Part 11 to Chapter 1 of Title 7.

Parts 11, 12 and 13 of Chapter 1, Title 7, are amended by renumbering them Parts 12, 13 and 14 respectively, and there is hereby added to Chapter 1 a new part numbered 11 and entitled "Events Occurring in International Areas", the text of which shall read as follows:

"Part 11, Events Occurring in International Areas.

In the case of a birth, death or fetal death occurring in an international area, the facts of the event shall be reported to the District Director of Health Services at the first port of entry of the Trust Territory for registration on the appropriate certificate by him"

Article 2. Approval and Filing With the Clerk of Courts.

The rules and regulations prepared and prescribed by the Director of Health Services as set forth above are hereby approved, ordered to be filed with the Clerk of Courts in each administrative district of the Trust Territory and published in the Trust Territory Code of Public Regulations.

Article 3. Effective Date.

The rules and regulations set forth in this Release after filing with the Clerk of Courts shall become effective on September 15, 1971.

CHAPTER II  
Contagious Disease

PART 51. GENERAL PROVISIONS

51.1 Authority. These regulations have been promulgated by the High Commissioner of the Trust Territory of the Pacific Islands in accordance with Sections 612 and 621, of the Trust Territory Code.

51.2 Purpose. The purpose of this Chapter is to provide care for those who have contracted an infectious or contagious disease, take measures that are necessary to ascertain the nature of the disease, and prevent the spread of the disease or occurrence of additional cases.

#### PART 52. DEFINITION OF TERMS

52.1 Infectious Disease. "Infectious Disease" shall mean a disease caused by the entrance, growth, and multiplication of bacteria, protozoans, or analogous organisms.

52.2 Contagious Disease. "Contagious Disease" shall mean a disease caused by receiving living organisms directly from an afflicted person, or by contact with a secretion of that person, or with some object that person has touched.

52.3 Quarantine. "Quarantine" shall mean a condition of isolation.

52.4 Confinement. "Confinement" shall refer to the physical movement of the person or persons suffering from or exposed to the contagious disease.

52.5 Treatment. "Treatment" shall refer to the medical care instituted for the welfare of the patient and the community.

#### PART 53. QUARANTINE, CONFINEMENT AND TREATMENT OF INFECTIOUS AND CONTAGIOUS DISEASES

Quarantine, confinement and treatment of infectious and contagious diseases shall be at the discretion and under the direction of the Director of Health Services or his duly authorized representative. The diseases considered as infectious and/or contagious shall be those enumerated by the World Health Organization and the Health Services of the South Pacific Commission in their Epidemiological reporting system.

#### PART 54. PENALTY

Pursuant to the provisions of Section 625 of the Code of the Trust Territory, every person who shall violate any of these regulations shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than five hundred dollars (\$500) or imprisoned for not more than one year, or both.

#### PART 55. EFFECTIVE DATE

This regulation shall become effective sixty (60) days after filing with District Clerks of Courts; at which time Health Services Regulation No. 4, effective April 7, 1955, is superseded.

### CHAPTER III

#### Restaurant and Food Selling Places

#### PART 20. GENERAL PROVISIONS

20.1 Authority. These regulations have been promulgated by the High Commissioner of the Trust Territory of the Pacific Islands in accordance with Section 612 of the Trust Territory Code. These regulations and any further amendments thereto shall be binding on all persons owning, managing or working in restaurants or food selling places.

20.2 Purpose. To improve the service, equipment and structure of all food establishments in order to reduce the possible introduction and/or spread of disease within the Trust Territory.

#### PART 21. DEFINITION OF TERMS

21.1 License. An authorization, issued by the District Administrator, to operate a business establishment.

21.2 Permit. An authorization, issued by the District Director of Health Services, when an establishment meets these minimum requirements and is approved for operation.

21.3 Health Certificate. An authorization, issued by the District Director of Health Services, certifying that an applicant-food handler has been examined and found to be free of pathogens and parasites.

21.4 Commissioner for Health Services. The Commissioner for Health Services shall either personally or by his duly authorized representatives maintain and improve health and sanitary conditions; minimize and control communicable disease; establish standards of medical and dental care and practice; encourage scientific investigation in the field of health; supervise and administer all government-owned hospitals, sanitariums, clinics, dispensaries and such other medical and dental facilities as are or may be established throughout the Trust Territory.

21.5 Delegated Authority. The High Commissioner has authorized the Commissioner for Health Services of the Trust Territory of the Pacific Islands, to represent him in all matters pertaining to Health Services, establishing and en-

forcing such procedures necessary to protect the health of the people of the Trust Territory. The Commissioner for Health Services may delegate his authority in such areas as he deems necessary.

21.6 Person. "Person" shall mean any person, firm, corporation, company or association.

21.7 Restaurant. "Restaurant" shall mean restaurant, cafeteria, (including school cafeteria), lunch room, luncheonette, lunch counter, soda fountain, soft drink dispenser, bar, tavern, liquor dispenser, caterer's premises and all other eating and/or drinking establishments, as well as kitchens or other places in which food or drink is prepared for sale elsewhere or as a part of a service of a hospital or institution caring for people.

21.8 Food Selling Place. "Food Selling Place" shall mean any place that prepares food or drink for sale. This term shall include bakeries, drink manufacturers, ice cream makers, soy bean processing plants, fish markets and all other establishments that prepare or sell food or drink that are included under the term 'restaurant.'

21.9 Food Handler. "Food Handler" shall mean any person who handles food or drink in a place where the food or drink is sold to the public. It shall also mean all persons who are hired to work in homes, hotels, school kitchens, restaurants or food selling places where duties require the handling of food or drink or cooking utensils.

21.10 Utensils. "Utensils" shall include all kitchenware, tableware, glassware, knives, forks, spoons, dishes, pots, pans, or other equipment with which food or drink is stored, prepared or served.

## PART 22. EXAMINATION

22.1 Examination. Samples of food, drink or other substances may be taken and examined at any time, from any restaurant or food selling place, by the District Director of Health Services or his duly authorized representative.

22.2 Condemnation. The District Director of Health Services or his duly authorized representative may condemn and forbid the sale of or cause to be removed from any restaurant or food selling place any contaminated food item found therein.

22.3 Destruction. The District Director of Health Services or his duly authorized representative may order the destruction of any food or drink from restaurant or food selling places which is contaminated or otherwise unfit for human consumption.

## PART 23. INFECTION

23.1 Exclusion of Food Handlers. The District Director of Health Services or his duly authorized representative may require the immediate exclusion of a food handler from any restaurant or food selling place if suspicion arises as to the possibility of his or her transmitting any infectious disease.

23.2 Closure of Establishment. The District Director of Health Services or his duly authorized representative may immediately close and keep closed, while the danger of disease exists, any restaurant or food selling place.

23.3 Adequate Examination. If an infectious disease is suspected by the District Director of Health Services or his duly authorized representative he may require adequate medical examinations of the employee and his associates, with any laboratory examinations as may be indicated.

## PART 24. INSPECTION

24.1 Frequency. At least once every month the District Director of Health Services or his duly authorized representative shall inspect every restaurant and food selling place within the district. One copy of the inspection report shall be filed with the District Division of Environmental Health, and one copy shall be given to the person operating the establishment.

## PART 25. GENERAL REGULATIONS

(a) Floors. The floors of all rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be of such construction as to be easily cleaned, shall be smooth, and shall be kept clean and in good repair.

(b) Walls and Ceilings. Walls and ceilings of all rooms shall be kept clean and in good repair. All walls and ceilings of kitchens or food storerooms shall be furnished in light color. The walls of all rooms in which food or drink is prepared or utensils are washed shall be a smooth washable surface up to the level reached by splash or spray.

(c) (1) All openings into the outer air of rooms in which food or drink is stored, prepared or served shall be screened. Screen doors shall open outward and shall be self-closing.

(2) There shall be no direct openings from sleeping rooms into a room where food is prepared, handled, or processed.

(3) Lighting. All rooms in which food or drink is stored or prepared, or in which utensils are washed, shall be well lighted.

(4) Ventilation. All rooms in which food or drink is stored or prepared, or served, or in which utensils are washed, shall be adequately ventilated.

(d) Hot water or a bactericidal process approved by the District Director of Health Services or his duly authorized representative shall be used in washing utensils. The water supply shall be adequate and of a safe and sanitary quality. No article, polish, or other substance containing any cyanide preparation or other poisonous material shall be used for the cleaning or polishing of utensils.

(e) There must be a place for washing hands providing water, soap, and clean towels.

(f) There must be a clean toilet available on the premises.

(g) All equipment and utensils must be in good repair and kept clean.

(h) Dish-drying clothes must be clean and used for no other purpose.

(i) All utensils, food, and drink must be stored in a clean place protected from dirt, flies, rats, or other harmful things.

(j) All readily perishable food and drink shall be kept at or below 50 degrees Fahrenheit, except when being prepared or served. Waste water from refrigeration equipment shall be properly disposed of.

(k) All waste must be properly disposed of. Garbage and trash must be kept in suitable metal containers with close fitting lids. After emptying, containers must be cleaned.

(l) No animals or fowl shall be kept or permitted in any room where food or drink is stored, prepared, or served.

(m) The premises must be kept clean and reasonably free of all litter, rubbish, flies, rats, and harmful things.

(n) All food handlers must wear clean clothing and must keep their hands and body well washed, Their hair must be neat, clean, and free of lice.

(o) No food shall be placed upon the ground or floor or any place other than a table, bench, or upon any other place on which food is prepared, handled, or kept.

(p) No person shall, in a restaurant or food selling place, sit or lie on any table, bench, or upon any other place on which food is prepared, handled or kept.

(q) No person shall use any restaurant or food selling place for any other purpose than that connected strictly with the preparation and selling of food.

(r) No person shall use any kerosene, gasoline, or other tin receptacle of like description for the purpose of holding food.

(s) No person shall use or permit to be used for covering, or for working upon food, any bag or sack or material other than that approved by the Commissioner for Health Services or his duly authorized representative. Such bag, sack, or material shall be kept solely for such purposes and shall be maintained at all times in a clean condition.

(t) Any employee who fails to keep cleanliness of person or habits, or who neglects to wash his hands before resuming work after visiting the toilet, or who does not use, or who misuses, anything provided by the occupier of a restaurant or food selling place for the protection of food from contamination, shall be guilty of an offense against this Regulation.

(u) All food handlers must be examined by the Public Health Department at least once in every six months for ova and parasites in the stools, and a general physical examination every year. They will be given a certificate which must be kept on their person when working in a restaurant or food selling place. No food handler will be employed without a certificate of health currently in force.

(v) All food handlers must attend health and food handling classes when announced by the District Director of Health Services or his duly authorized representative.

(w) A copy of this Regulation shall be posted in such a place in the food establishment where all food handlers and customers can see it.

#### PART 26. GRADING

Each item listed on the inspection sheet has a value of a number of points, depending on its public health importance. The total number of points minus the violated items gives the score. The score is represented by a grade of A, B, or C. A is 96% to 100%, B is 85% to 95%, C is 74% to 84%. Items valued at 3, 4, or 5 points will be given a reasonable amount of time in the opinion of the inspector to correct same. An establishment receiving a C or below shall be upgraded to 85% or above within one month or may be subject to the penalty of this Regulation as set forth in Part 22.

#### PART 27. PENALTY

Pursuant to the provisions of Section 625 of the Code of the Trust Territory, every person who shall violate any of these regulations shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than five hundred dollars (\$500) or imprisoned for not more than one year, or both.

#### PART 28. EFFECTIVE DATE

These regulations shall become effective sixty (60) days after

filing with the District Clerk of Courts, at which time all Health Services Regulations No. 2, revised prior to November 1968, are superseded.

#### CHAPTER IV

##### Barber Shops and Beauty Parlors

#### PART 35. GENERAL PROVISIONS

35.1 Authority. These regulations have been promulgated by the High Commissioner of the Trust Territory of the Pacific Islands in accordance with Section 612 of the Trust Territory Code. These regulations and any further amendments thereto shall be binding on all persons owning, managing, or working in barber shops or beauty parlors.

35.2 Purpose. To improve the service, equipment and structure of all Barber Shops and Beauty Parlors in order to reduce the possible introduction and/or spread of disease within the Trust Territory.

#### PART 36. DEFINITION OF TERMS

36.1 License. An authorization, issued by the District Administrator, to operate a business establishment.

36.2 Permit. An authorization, issued by the District Director of Health Services, when an establishment meets these minimum requirements and is approved for operation.

36.3 Health Certificate. An authorization, issued by the District Director of Health Services, certifying that an applicant has been examined and found to be free of pathogens and parasites.

36.4 Person. "Person" shall mean any person, firm, corporation, company, or association.

36.5 Barber Shop and Beauty Parlor. The word "Shop" when found in these regulations shall mean and include all barber shops, hairdressing establishments, manicuring parlors and beauty parlors and the aforementioned terms shall include all premises or portions thereof wherein the business of shaving, clipping, cutting, trimming, singeing, shampooing, massaging, manicuring, dressing, adorning, or beautifying the human hair, face, scalp, or hands is conducted for fee, charge or hire.

#### PART 37. INSPECTION

37.1 Frequency. At least once each month the District Director of Health Services or his duly authorized representative will inspect every shop within his district. One

copy of the inspection report will be filed with the District Division of Environmental Health and one copy will be given to the person operating the shop.

#### PART 38. REGULATIONS

(a) No person shall operate a shop in connection with any other business or dwelling unless there is a substantial dust or odor-proof partition from the floor to the ceiling, separating the shop from such other business or dwelling. Nothing herein shall prohibit the sale of tobacco, or newspapers or shoeshining in shops.

(b) The walls, floors, ceilings, furniture and fixtures and all other parts and surfaces of every shop shall be kept clean at all times. Hair droppings shall be removed from the floor as soon as is practicable and placed in a securely covered container pending disposal. Excessive accumulations shall not be allowed.

(c) No shop shall be used as a living, cooking, or sleeping apartment, nor shall any adjoining room be used for such purpose unless separated by a tight partition having no direct opening into such shop.

(d) Articles of food shall not be sold, kept for sale, or stored in any shop, and such shops shall be separated by a tight partition from any place where articles of food are sold, kept for sale, or stored.

(e) No animal or fowl shall be kept or allowed in the shop.

(f) Every shop shall be properly and adequately lighted and ventilated.

(g) Every shop shall be provided with adequate sanitary facilities; including toilets, hot and cold running water, sinks, or washbasins. Toilets shall be located in suitably and properly ventilated toiletrooms with self-closing doors. Where men and women are employed, separate toilet facilities shall be provided for the separate use of each sex and marked MEN or WOMEN, or similar designation as the case may be. Where facilities are provided for dispensing drinking, such facilities shall be a type approved by the District Director or his duly authorized representative.

#### PART 39. SANITARY PRACTICES

##### 39.1 General Sanitary Practices.

(a) The use of any astringent in lump or styptic pencil form, sponge, lump alum, powder puff, neck duster, shaving brush or shaving mug is hereby prohibited in any shop.

(b) It shall be unlawful for any person to stop the flow of

blood by using alum or other material unless the same be used as a powder and applied with a clean towel, or in liquid form.

(c) Razors, straight edge, shears, scissors, clippers, tweezers, finger bowls, or combs, or any like article shall not be used on any customer unless they have been thoroughly cleaned and sanitized since last use.

(d) All such instruments included in paragraph (c) above and those used in massaging shall be thoroughly cleaned and sanitized by a method approved by the Director after having been used on a patron. After sanitization they shall be stored in a manner to prevent contamination or be sanitized again immediately before re-use.

(e) It shall be unlawful for any person to remove or attempt to remove any wart, mole, pimple, or ingrown hair or undertake any treatment properly performable by persons trained in medical science. Cleaning of ears is hereby prohibited.

(f) Every operator shall wash his hands thoroughly with soap and hot water immediately before attending any person, and shall wear at all times a clean uniform or outer coat or apron of washable material.

(g) Towels or other fabrics that come in contact with the skin or hair of a person shall not be used on more than one patron without being laundered in an acceptable manner. Such towel or fabric, after use on a patron, shall be placed in a hamper for laundering or final disposal. Laundry shall be washed clean and then subjected to a sanitizing process which will hold such laundry for at least twenty (20) minutes at a temperature of at least 180 degrees F. before again being used on a patron.

(h) Prior to serving any patron, the headrest of any chair shall be covered with a towel or a clean sheet of paper. No person shall dip any towel, or any implement, in any water container. Such towel or implement shall be wet in running water.

(i) All towels and other linens used in any shop shall be kept in a closed cabinet at all times when not in use.

(j) All creams, tonics, cosmetic, and other applications used for patrons shall be kept in clean closed containers.

(k) A clean strip of cotton, towel, or paper hand shall be placed around the neck of each patron served, so that at no time will the hair, cloth, or cape come in contact with the neck or skin of the patron.

(l) It shall be unlawful for persons to brush their teeth, expectorate, or commit any act in a sink or wash basin that is considered an unsanitary practice in the opinion of the District Director or his duly authorized representative.

(m) All barbers must be examined by the District Director of Health Services or his duly authorized representative at least once every year. They will be issued a certificate which must be kept and easily seen in the premises where they work. No barber will be employed in a shop who does not have a proper certificate of health currently in force.

#### PART 40. CONTAGIOUS AND INFECTIOUS DISEASES

40.1 Persons Infected. Persons afflicted with a contagious or infectious disease in a communicable form shall not be permitted to attend any person in any shop, nor shall any person afflicted with such disease in communicable form be permitted to receive any treatment in any such establishment.

40.2 Physician's Statement. Any person who shall be afflicted with any such disease shall return to work only on a written statement from a physician that it is safe for him to return to work.

#### PART 41. PRACTICE OUTSIDE OF SHOP

41.1 Place of Work. It shall be unlawful for any licensed person to practice in any place other than a shop except that he may practice on sick and infirm persons, who are not afflicted with a contagious or infectious disease, in hospitals or in the private home of such persons, or in hotel rooms.

#### PART 42. APPROVED SANITIZING AGENTS

(a) Immersion for 15 minutes in a 10% cold solution of Lysol.

(b) Immersion for 15 minutes in a 10% cold solution of Phenol.

(c) Immersion for 15 minutes in a 10% cold solution of Amphyl.

#### PART 43. PENALTY

Pursuant to the provisions of Section 625 of the Code of the Trust Territory, every person who shall violate any of these regulations shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than five hundred dollars (\$500) or imprisoned for not more than one year, or both.

#### PART 44. EFFECTIVE DATE

These regulations shall become effective sixty (60) days after filing with the District Clerk of Courts, at which time all Public Health Regulations No. 3 revised prior to November 1968 are superseded.

CHAPTER V  
Carnivals, Fairs and Food Sales

PART 81. GENERAL PROVISIONS

81.1 Authority. These regulations have been promulgated by the High Commissioner of the Trust Territory of the Pacific Islands in accordance with Sections 612 and 618, paragraph (c), of the Trust Territory code. These regulations and any further amendments thereto shall be binding on all persons owning, managing, or working in carnivals, fairs, and food selling places.

81.2 Purpose. The purpose of this Chapter is to provide minimal sanitary requirements for the protection of life, health, property, safety and welfare of the individuals or groups of people of the Trust Territory from diseases and accidents during these special ventures.

PART 82. DEFINITION OF TERMS

82.1 Carnival. 'Carnival' shall mean an amusement enterprise consisting of side shows, vaudeville, games, merry-go-round, and amusements of various kinds, and where food is sold or offered for sale.

82.2 Fair, or a Public Exhibition. 'Fair' or 'Public Exhibition' shall mean a festival at which articles, products, wares, and others are displayed for competitive exhibition, advertising, sales, or distribution, where foods are offered for sale, and where amusements of various kinds may be offered.

82.3 Food Sale. 'Food Sale' shall mean food sold or offered for sale by organizations such as churches, schools, clubs, associations, and other groups.

82.4 Carnivals, Fairs, Public Exhibitions, and Foods Sales. 'Carnivals', 'Fairs', 'public exhibitions', and 'food sales' as used herein shall mean only commercial ventures which are advertised to the general public.

PART 83. SANITATION REQUIREMENTS FOR CARNIVALS AND FAIRS

(a) The booths shall be located in clean surroundings and kept in a clean and sanitary condition.

(b) The booths shall be so constructed that food, drinks, utensils, and equipment will not be exposed to insects or to dust and other contamination.

(c) Only food and drink which is clean, wholesome, and free from adulteration shall be sold or served.

(d) Only "single service" utensils shall be used in the serving of food and drink.

(e) Adequate provision shall be made for the sanitary refrigeration of perishable food and drink at 50 degrees F or less.

(f) Ice shall be from an approved source, and so handled as to avoid contamination.

(g) Garbage and refuse from food booths shall be kept in tightly covered water-tight containers until removed. Refuse containers shall be available on the grounds at convenient locations.

(h) Waste water and other liquid wastes shall be so disposed of as not to create a nuisance.

(i) Adequate toilet and hand-washing facilities, including soap and individual paper towels, shall be readily accessible to those working in the booths.

(j) If bottles of distilled and/or carbonated beverages are to be submerged in cooling water, the cooling containers shall be kept clean and a 50 PPM available chlorine solution maintained in the cooling water.

(k) Coffee or tea shall be made from potable water and served in single service containers; sugar portions shall be individually wrapped or served from sanitary sugar dispensers.

PART 84. SANITARY REQUIREMENTS FOR FOOD SALES

The sanitary requirements for food sales shall conform to the requirements of the Health Services Regulations under Chapter II.

PART 85. PENALTY

Pursuant to the provisions of Section 625 of the Code of the Trust Territory, every person who shall violate any of these regulations shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than five hundred dollars (\$500) or imprisoned for not more than one year, or both.

PART 86. EFFECTIVE DATE

These regulations shall become effective sixty (60) days after filing with the District Clerk of Courts, at which time all Health Services Regulations No. 7, revised prior to November 1968, are superseded.

CHAPTER VI  
Rodent Control

PART 91. GENERAL PROVISIONS

91.1 Authority. These regulations have been promulgated by the High Commissioner of the Trust Territory of the Pacific Islands in accordance with Section 612 of the Trust Territory Code. These regulations and any further amendments thereto shall be binding on all persons within the Trust Territory.

91.2 Purpose. The purpose of this Chapter is to provide minimum requirements for the protection of life, health, property, safety and welfare of the individuals or groups of the Trust Territory from the diseases and destruction of rodents.

PART 92. REGULATIONS

92.1 Occupants of Buildings. The occupants of any land or building, whether as owner, lessee or otherwise, shall:

(a) Whenever any such land or building is infested with rodents, promptly take adequate measures to eradicate such rodents by any appropriate means not dangerous to human health.

(b) Keep roofs, garrets, courtyards, alleys, basements, cellars, and any open spaces which are attached to, or are adjacent to, houses or buildings free from foodstuffs, garbage, forage, and other material which may serve as food or as harborage for rodents.

(c) Prevent the accumulation or presence of rubbish, garbage, waste, filth, or other materials in any building or in the vicinity for any building or on any land in such a way as to afford a harborage for rodents.

(d) Pile firewood, scrap lumber and other loose materials, if adjacent to or under other buildings, on platforms or stands with a clear space of two (2) feet between the floor of the platform or stand and the ground.

(e) During reasonable hours, allow the District Director of Health Services or his duly authorized representative access to the premises to effectively inspect for and/or eradicate rodents.

92.2 Docks and Wharves. All public and private docks and wharves shall be so constructed and protected as to prevent rodents from gaining access thereto or thereunder at either high or low tide. All foodstuffs stored on such docks and wharves shall be so kept and stored as to prevent rodents from gaining access thereto or coming in contact therewith.

92.3 Vessels.

(a) Whenever any vessel in excess of twenty (20) tons, or any vessel of twenty (20) tons or less, if so directed by the District Director of Health Services, is docked at any port in the Trust Territory:

(1) All connecting lines shall be properly fitted with rat guards of such a design as shall be approved by the District Director of Health Services.

(2) The officer in charge of such vessel shall produce a valid Deratting Certificate or Deratting Exemption Certificate. In the event that the officer in charge of such vessel fails to produce either of the above, then the District Director of Health Services shall:

(i) If he is satisfied that the vessel is free of rodents, issue a Deratting Certificate, or if he is not satisfied that the vessel is free of rodents issue a Deratting Certificate upon deratting thereof.

(b) Regardless of whether or not a Deratting Certificate or Deratting Exemption Certificate has been produced by or issued to the officer in charge of the vessel, if in the opinion of the District Director of Health Services there exists the danger of rodent-borne disease, the following measures shall be instituted upon the direction of the District Director of Health Services:

(1) Immediately upon docking and during the entire time vessel lies at a wharf it shall be fended off at least six (6) feet.

(2) Gangways and other means of access to the vessel shall be well lighted or separated from the shore at night to a minimum of six (6) feet.

(3) All cargo nets and similar devices extending between the vessel and shore structures shall be removed at night unless in actual use.

92.4 Aircraft. The District Director of Health Services may require the deratting of an aircraft if he suspects the presence of rodents on board.

PART 93. PENALTY

Pursuant to the provisions of Section 625 of the Code of the Trust Territory, every person who shall violate any of these regulations shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than five hundred dollars (\$500) or imprisoned for not more than one year, or both.

PART 94. EFFECTIVE DATE

These regulations shall become effective sixty (60) days after filing with the District Clerk of Courts.

CHAPTER VII  
Swimming Pools

PART 101. GENERAL PROVISIONS

101.1 Authority. These regulations have been promulgated by the High Commissioner of the Trust Territory of the Pacific Islands in accordance with Section 612 of the Trust Territory Code. These regulations and any further amendment thereto shall be binding on all persons owning and managing a swimming pool.

101.2 Purpose. The purpose of this chapter is to provide minimal sanitary requirements for the protection of life, health, property safety, and welfare of individuals or groups of people from diseases and accidents.

PART 102. DEFINITION OF TERMS

102. Swimming Pool. 'Swimming Pool' shall mean:

- (a) Filling and drawing of pools, where water is kept clean by complete periodic removal and replacement of the water.
- (b) Flowing-through pools, kept clean by circulation of water by some natural or artificial means and where the overflow is wasted.
- (c) Recirculation pools, in which circulation of the water is maintained through the pool by pumps and the water drawn from the pool clarified by filtration before being returned thereto.

PART 103. SANITARY REQUIREMENTS FOR SWIMMING POOLS

103.1 Permit and Revocation.

(a) No person, firm, corporation or organization of any kind shall establish or maintain a public swimming pool unless the plans and specifications thereof shall be first approved and a permit issued therefore by the Director of Health Services or his authorized representative. Complete plans for prospective pools must be submitted to the Division of Environmental Health, Department of Health Services, and approved by the Director of Health Services before such pools are to be constructed. A swimming pool shall be so designed and constructed that it can be maintained and kept clean and sanitary at all times.

(b) A permit to operate a swimming pool shall be displayed in a place capable of being seen by all persons using the pool.

(c) Any swimming pool may be closed without prior notice in case of any epidemic which the Director of Health Services or his authorized representative has reason to believe may be transmitted by using the swimming pool.

PART 104. DISINFECTION

Swimming pool water shall be disinfected with chlorine as a gas or in a solution or by the use of sodium or calcium hypochlorite for the purpose of controlling the bacteria content. The amount of excess chlorine in the water at all times when the pool is in use shall not be less than 0.6 parts per million or more than 1.0 parts per million. The use of other disinfectants in swimming pool water is prohibited unless a special permit for such use shall have been obtained from the Director of Health Services.

PART 105. OPERATING CONTROL

- (a) Each public swimming pool when in use shall be under the direct control of a competent person who shall keep a daily record of the time of cleaning and the quantity of disinfectants and other chemicals used.
- (b) At all pools having artificial circulation or where filtration or any chemical disinfectant is used, a daily record shall be kept showing the length of time pumps and filters are in operation, when each filter is washed or cleaned, when and how much of each type of chemical is used or added, when the bottom and sides of the pool were cleaned, and the results of all pH and excess of chlorine tests.

PART 106. PENALTY

Pursuant to the provisions of Section 625 of the Code of the Trust Territory, every person who shall violate any of these regulations shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than five hundred dollars (\$500) or imprisoned for not more than one year, or both.

PART 107. EFFECTIVE DATE

These regulations shall become effective sixty (60) days after filing with the District Clerk of Courts.

## CHAPTER VIII

### Ship Sanitation

#### PART 110. GENERAL PROVISIONS

110.1 Authority. These regulations have been promulgated by the High Commissioner of the Trust Territory of the Pacific Islands in accordance with Section 612 of the Trust Territory Code. These regulations and any further amendments thereto shall be binding on all ships operating under Trust Territory registry or contract.

110.2 Purpose. To improve the service, equipment and accommodations, aboard Trust Territory registry and contract ships, for all passengers and crews. To reduce the possible introduction and/or spread of disease within the Trust Territory.

#### PART 111. DEFINITION OF TERMS

111.1 Back Flow Preventor. To prevent water flowing both ways in a pipe. It is not a pressure relief valve.

111.2 Inspector. Sanitarian from the District Division of Environmental Health.

111.3 Potable Water. Suitable and safe for drinking.

111.4 Vector. Any animal or insect capable of transmitting disease.

#### PART 112. REGULATIONS

112.1 Enforcement and Inspection. This regulation shall be enforced on all ships operating under Trust Territory registry or contract. These ships shall be inspected at least once every three month period to ensure compliance with this regulation.

112.2 Food Service. Food Services shall comply with the current Restaurant and Food Selling Places Chapter No. 11.

112.3 Potable Water Supply. The potable water supply and system on any such ship shall conform to the following:

- (a) Water provided on ships shall comply with the latest standards of the World Health Organization (WHO),

“International Standards for Drinking Water” from the original shore side source to the outlets aboard ship.

(b) Watering points, connectors, hydrants, piping and hoses shall be approved by the inspector.

(c) There shall be no connections between a potable and non-potable water system.

(d) Repair cleaning or new installations of water sources, piping or storage tanks shall be sanitized prior to use.

(e) A standard back-flow preventor shall be installed between ship and shore valve to prevent back flow into potable system from the ship.

(f) Hydrants shall not be subject to contamination. They shall drain and be capped when not in use. Caps shall be provided with keeper chains or equivalent. Recesses for hydrants shall be self-draining and provided with an adequate cover.

(g) Hoses used to deliver water to ships shall have a connection that cannot be used on any other fitting nearby. Both equivalent which shall be on when not in use. The hose shall be marked “Potable Water Only,” shall be stored in a clean place, and be drained after each use. If the hose becomes contaminated it shall be washed in potable water and effectively sanitized.

(h) All installations on ship and shore should meet the recommendations of the latest edition of the World Health Organization, “Guide to Ship Sanitation.”

112.4 Solid and Liquid Waste Disposal. When in port all solid waste shall be disposed of in a sanitary manner ashore or stored in approved containers for discharge overboard on the high seas. Oil, bilge and solid wastes shall not be discharged within any port area within the Trust Territory. Sewage shall be disposed of in a manner approved by the District Director of Health Services.

112.5 Rodent and Vermin Control. Rodent inspection shall be conducted on all ships arriving in all Trust Territory ports, whether or not they are operated under Trust Territory contract or registry, and the provisions of Health Services Chapter VI shall be fully complied with, with particular attention to the following:

(a) Rodent inspection shall be conducted on all ships arriving in all Trust Territory ports prior to the ship's clearance.

(b) Rat guards shall be used promptly on all shorelines from all ships.

(c) Gangways connected to ships shall be well lighted during hours of darkness. During the hours of darkness cargo nets shall be disconnected from shore installations except while cargo is being unloaded.

(d) Traps and rodenticides shall be properly stored and available aboard ship for rodent control. Ship agents shall provide their own rodent control needs.

(e) Food storage and preparation areas shall be kept free of vectors. Approved residual insecticides and proper sanitation practices shall be used to control insects.

112.6 Plumbing. Air gaps to prevent submerged outlets shall be used to prevent health hazards.

112.7 Ship Sanitation and Accommodations. The following requirements shall apply to all ships operated under Trust Territory contract or registry:

(a) Crew and passenger quarters shall be maintained in a clean and sanitary manner. Mattresses, mattress covers, pillows, pillow covers and bedding shall be kept clean and free from odors and molds. Linens shall be changed between each occupant of a stateroom and between times when it becomes soiled. Crew bed linen shall be changed weekly. All mattresses should be made with plasticized outer surfaces.

(b) Toilet, bathing, and hand washing facilities shall be adequate, clean, in good repair and identified. All toilet and shower rooms shall be cleaned daily when being used. Toilet rooms for deck passengers shall be cleaned daily.

(c) Deck areas for deck passengers shall be hosed down at least daily and kept in a sanitary manner.

(d) All quarters shall be kept free of insects and should be routinely treated with an approved insecticide.

(e) Adequate ventilation shall be provided in all quarters and staterooms.

112.8 Health Department Notification. The District Director of Health Services shall be notified, if possible, twenty four (24) hours prior to the arrival of all ships coming from foreign ports into the Trust Territory ports. All ships arriving from foreign ports shall be cleared by the District Director of Health Services or his duly authorized representative prior to the unloading of any people or cargo. Trust Territory registry or contract ships traveling within the Trust Territory need not be inspected except as noted under Part 112.3 of this regulation. For the purpose of this regulation, Guam and U.S. ports are not considered foreign ports.

112.9 Compliance. If a ship does not comply with these regulations it may be held in port until compliance has been achieved. If the ship is held in port for non-compliance with these regulations the Sanitarian shall immediately notify the District Director of Health Services, who in turn shall notify the District Administrator shall notify the Director of Transportation, Headquarters, Saipan for corrective action.

#### PART 113. PENALTY

Pursuant to the provisions of Section 625 of the Code of the Trust Territory, every person who shall violate any of these regulations shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than five hundred dollars (\$500) or imprisoned for not more than one year, or both.

#### PART 114. EFFECTIVE DATE

These regulations shall become effective sixty (60) days after filing with the District Clerk of Courts.

### CHAPTER IX

#### Mosquito and Fly Control

#### PART 121. GENERAL PROVISIONS

121.1 Authority. These regulations have been promulgated by the High Commissioner of the Trust Territory of the Pacific Islands in accordance with Section 612 of the Trust Territory Code. These regulations and any further amendments thereto shall be binding on all owners, lessees, managers, or occupants of property.

121.2 Purpose. To reduce the incidence of disease and infection through the control of mosquitoes and flies.

#### PART 122. REGULATIONS

##### 122.1 Mosquito Control.

(a) It shall be unlawful to have, keep, maintain, cause or permit any collection of standing or flowing water (1) in which mosquitoes are propagated, or (2) in which mosquitoes may be propagated, unless such water is treated effectively to prevent such breeding.

(b) The method of treatment of any such water for the prevention of propagation of mosquitoes may be any one or more of the following:

(1) Screening with wire or plastic netting of at least eighteen (18) meshes to the inch each way, or with any

other material which will effectively prevent the ingress or egress of mosquitoes.

(2) Complete emptying every seven (7) days of unscreened containers, together with such drying or cleaning as shall be necessary to destroy all mosquito larvae and pupae.

(3) Using an approved larvicide effectively applied.

(4) Covering completely the surface of the water with kerosene, petroleum, or mineral oil as frequently as necessary to prevent the propagation of mosquitoes therein: Provided, that once every seven (7) days shall be deemed sufficient for the purpose of this paragraph.

(5) Stocking with mosquito destroying fish and clearing and keeping the premises or receptacles sufficiently clear of vegetative growth and other obstructions to render all water therein freely accessible to such fish.

(6) Filling and draining to prevent temporary or permanent accumulations of water.

(7) Proper disposal, by removal or destruction of containers; such as tin cans, tin boxes, broken or empty bottles, old tires and similar articles holding or likely to hold water, including coconuts.

(c) For the purpose of enforcing the provisions of this regulation, the Board may at all reasonable times enter in and upon any premises to make inspections and to abate propagation of mosquitoes, if deemed necessary for the public health and comfort.

#### 122.2 Fly Control.

(a) No person or persons, firm, or corporation shall have or keep upon premises owned, leased, or occupied by them, any article, substance, or thing, of whatever kind, nature or description in which flies may breed, unless the same be kept securely protected from flies.

#### PART 123. PENALTY

Pursuant to the provisions of Section 625 of the Code of the Trust Territory, every person who shall violate any of these regulations shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than five hundred dollars (\$500) or imprisoned for not more than one year, or both.

#### PART 124. EFFECTIVE DATE

These regulations shall become effective sixty (60) days

after filing with the District Clerk of Courts, at which time all Health Services Regulations which may have been issued prior to November 1968 are superseded.

PARTS 125 thru 130 reserved for future use.

### CHAPTER X

#### Control of Insecticides

#### PART 165 GENERAL PROVISIONS

165.1 Authority. These regulations have been issued by the Director of Health Services, approved by the High Commissioner and are deemed necessary for the public health and safety. They are promulgated pursuant to Section 612, subsection (o), of the Code of the Trust Territory of the Pacific Islands, as amended by Public Law No. 3-35.

165.2 Purpose. The purpose of this Chapter is to preserve the natural environment of Micronesia by keeping it free from poisons and other pollutants which would otherwise pose a serious threat to the well being of the people in Micronesia and all other forms of life.

165.3 Scope. These regulations shall have the force and effect of law and shall be binding on all natural persons and other legal entities subject to the jurisdiction of the Trust Territory of the Pacific Islands.

#### PART 166 DEFINITIONS

166.1 "Person" means any natural person or any firm, corporation, company, association, or government agency.

166.2 "Permit" means a written authorization from the District Director of Health Services to use, buy, sell, import, store or transfer any chemical substance referred to in this Chapter. The permit shall specify the quantity, time and place to be used, stored or transferred.

166.3 "Banned Insecticide" means any chemical substance listed in Part 167.2 of this Chapter.

166.4 "Restricted Insecticide" means any chemical substance listed in Part 167.4 of this Chapter.

#### PART 167 REGULATIONS

167.1 No person shall buy or sell or import any banned insecticide for the purpose of use or storage in the Trust Territory. No person shall use any banned insecticide within the Trust Territory. No person shall buy or sell

within the Trust Territory any banned insecticide for the purpose of use outside the Trust Territory unless he first obtains a permit.

167.2 Banned Insecticides. The following chemical substances are hereby declared to be banned insecticides:

- |               |  |
|---------------|--|
| 1. DDT        | 9. AMITROL                             |
| 2. ALDRIN     | 10. ARSENICAL COMPOUNDS<br>(Inorganic) |
| 3. 2, 4, 5-T  | 11. AZODRIN                            |
| 4. DIELDRIN   | 12. BIDRIN                             |
| 5. ENDRIN     | 13. DDD (TDE)                          |
| 6. HEPTACHLOR | 14. STROBANE                           |
| 7. LINDANE    | 15. THALLIUM SULFATE                   |
| 8. TOXAPHENE  | 16. MERCURIAL COMPOUNDS                |

167.3 No person shall buy, sell, import or use any restricted insecticide in the Trust Territory for any reason unless they first obtain a permit.

167.4 Restricted Insecticides. The following chemical substances are hereby declared to be restricted insecticides:

- |                                     |  |
|-------------------------------------|--|
| 1. ARAMITE                          |  |
| 2. ARSENICAL COMPOUNDS<br>(Organic) |  |
| 3. AZINPHOSMETHYL<br>(Guthion)      |  |
| 4. BENZENE HEXACHLORIDE             |  |
| 5. CARBOPHENOTHION<br>(Trithion)    | 21. MEVINPHOS (Phosdrin)                 |
| 6. CHLORDANE                        | 22. MIREX                                |
| 7. COUMAPHOS                        | 23. NICOTINE COMPOUNDS                   |
| 8. CYANIDE COMPOUNDS                | 24. PARAQUAT                             |
| 9. DEMETON                          | 25. PARATHION                            |
| 10. DIAZINON                        | 26. PHORATE (Thimet)                     |
| 11. DIOXATHION                      | 27. PHOSPHAMIDON                         |
| 12. DIQUAT                          | 28. PICLORAM                             |
| 13. DISULFOTON (Di-Syston)          | 29. SODIUM<br>MONOFLUORACETATE<br>(1080) |
| 14. DINITROCRESOL                   | 30. TEMIX                                |
| 15. DURSBAN                         | 31. TEPP                                 |
| 16. ENDOSULFAN                      | 32. ZETRAN                               |
| 17. EPN                             |  |
| 18. ETHION                          |  |
| 19. KEPONE                          |  |
| 20. METHYL PARATHION                |  |

#### PART 168 PENALTY

Pursuant to the provisions of Section 625 of the Code of the Trust Territory, every person who shall violate any of the regulations of this Chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than one year, or both.

#### PART 169 EFFECTIVE DATE

These regulations shall become effective sixty (60) days after filing with the District Clerk of Courts.

TRUST TERRITORY OF THE PACIFIC ISLANDS  
Office of the High Commissioner  
Saipan, Mariana Islands

CODE OF PUBLIC REGULATIONS November 19, 1971  
Date Approved

Release No. 13-71

Subject: Promulgation of Sanitary Requirements for Public Buildings and Places at Public Assembly; Chapter 17, Parts 201-210

WHEREAS, Section 3 of Title 63 of the Trust Territory Code, gives authority to the Director of Health Services to prescribe rules and regulations he deems necessary dealing with sanitary requirements for public buildings and places of public assembly which rules and regulations when approved by the High Commissioner shall have the force and effect of law; and

WHEREAS, in accordance with Section 3 of Title 63 of the Trust Territory Code, the Director of Health Services has prepared and prescribed certain rules and regulations dealing with sanitary requirements for public buildings and places of public assembly and has submitted these regulations to me for my approval.

NOW, THEREFORE, pursuant to the authority vested in me as High Commissioner and in accordance with the provisions of Section 3 of Title 63 of the Trust Territory Code, it is hereby ordered that:

Article 1. Addition of Chapter 15, Parts 181 to 190, to Title 7.

There is hereby added as an amendment to Title 7 of the Code of Public Regulations a new chapter numbered 17, consisting of parts 201 to 210, entitled "Sanitary requirements for Public Buildings and Places of Public Assembly". This new chapter shall read as follows: "Chapter 17. Sanitary Requirements for Public Buildings and Places of Public Assembly.

#### Part 201. General Provisions.

201.1. Authority and Scope. The rules and regulations in this chapter have been prepared by the Director of Health Services and promulgated by the High Commissioner of the Trust Territory of the Pacific Islands in accordance with Section 3 of Title 63 of the Trust Territory Code. These regulations shall have the force and effect of law and shall be binding on all natural persons and other legal entities subject to the jurisdiction of the Trust Territory of the Pacific Islands.

201.2. Purpose. The purpose of these regulations is to

establish certain minimum standards and requirements as determined by the Director of Health Services to insure the health and safety of the public in public buildings and in places of public assembly. Private dwellings are excused from the provisions of this chapter.

#### Part 202. Definitions.

When used in this chapter the following definitions shall apply in the interpretation of the regulations of this chapter:

(a) "Approved" as used in this chapter means approved by the Director of Health Services.

(b) "Director" means the Director of Health Services or his authorized representatives.

(c) "Places of Public Assembly" means any place where 10 or more persons may gather for any lawful purpose, or any event open to the general public for which there may or may not be a fee charged. Examples of places of public assembly are, but not limited to: organized camps, circuses, carnivals, fairs, athletic events, sporting fields, fiestas, outdoor exhibits, recreational areas.

(d) "Organized Camp" means a site with program and facilities established for the primary purpose of providing an outdoor living experience with social, spiritual, educational or recreational objectives for 3 days or more during one or more seasons of the year.

(e) "Public Building" means any enclosed structure in which 10 or more persons may gather for any lawful purpose. Examples of public buildings are, but not limited to: schools, churches, theaters, dance halls, courtrooms, sporting arenas, jails, prisons, hospitals, hotels, food establishments, indoor exhibits or exhibitions, labor camps, resorts, auditoriums.

(f) "Recreational Area" means any place so designated by the Director of Health Services. Examples of recreational areas are beaches, parks, and playgrounds.

(g) "Nuisance" as used in this chapter includes any of the following:

(i). Any public nuisance under the laws of the Trust Territory of the Pacific Islands, or

(ii). The maintenance of a condition or things which are detrimental to the public or dangerous to human life, health or safety, or

(iii). The overcrowding of any room with occupants, or

(iv). Insufficient ventilation or illumination of any occupied room, or

(v). Inadequate or unsanitary sewage or plumbing facilities, or

(vi). Whatever renders air, food, or drink unwholesome, or detrimental to the health of human beings.

(h) "Persons" shall mean individuals, government agencies, corporations, firms or associations of individuals.

(i). "Public Water" means water supplied from any source which supplies two or more connections.

#### Part 203. Sanitary Requirements for Places of Public Assembly

203.1 Toilet Facilities. Adequate toilet facilities shall be provided at all places of public assembly. Said toilet facilities shall be of vermin-proof construction, and shall be so installed as not to be subject to flooding. Toilet facilities shall be maintained in a clean and sanitary condition.

Toilet facilities shall be easily and readily accessible to the public. For nighttime activities, toilet facilities shall be adequately lighted.

203.2 Trash and Refuse. All places of public assembly shall be kept clean and free of litter, trash and rubbish. Receptacles for storage of litter, trash and rubbish shall be provided. Said Receptacles shall be made of non-absorbent material and shall be provided with close-fitting, water-tight lids.

Receptacles for litter, trash and rubbish shall be maintained in a clean and sanitary condition. All litter, trash and rubbish shall be removed and disposed of in a sanitary manner as frequently as may be necessary to prevent the creation of a nuisance.

#### Part 204. Sanitary Requirements for Public Buildings

204.1. Construction of Public Buildings. No person shall erect, build, or alter any public building without the approval of the Director. The Director may require submission of plans, specifications, design criteria, and any other pertinent information as the Director may prescribe. All public buildings shall be constructed so as not to constitute a nuisance. The floors, side walls, ceiling, furniture, and receptacles shall be constructed of easily cleanable materials and shall be maintained in a clean and sanitary condition, and in good repair.

204.2. Ventilation. All occupied spaces in public buildings

shall have adequate natural ventilation as provided by openable windows, screened or louvered openings. The total amount of openable windows and openings shall equal at least 1/4 of the total floor area of occupied rooms.

In lieu of natural ventilation mechanical ventilation may be provided. Mechanical ventilation shall provide at least 15 cubic feet of fresh air per person per minute. (Number of persons to be based upon peak capacities, i.e. theaters total seating capacities.)

204.3. Toilet Facilities. Adequate toilet facilities shall be provided in or near public buildings. Toilet facilities not located within a public building shall be provided within 100 feet of said building and shall have easy non-obstructed access.

For nighttime use, toilet facilities shall be adequately lighted.

Where there are 10 or more persons of different sex at any given time, in a public building, separate toilets shall be provided for each sex.

Where public water is available within 100 feet of a public building toilet facilities shall be of the flush type.

Where public water is not available within 100 feet of a public building toilet facilities shall be at least chemical or pit toilets.

Where public water is available within 100 feet of a public building handwashing sinks shall be provided within or adjacent to the toilet facilities.

Toilet and handwashing facilities shall at no time constitute a nuisance and shall be properly constructed of easily cleanable materials and shall be maintained in a clean and sanitary condition and in good repair.

All toilet rooms shall have adequate natural ventilation as provided by openable windows or other openings. All openings shall be securely screened with at least 14 mesh screening material. The total amount of ventilation, windows or openings shall equal at least 1/4 of the total floor area of toilet room.

In lieu of natural ventilation, mechanical ventilation, capable of exhausting at least 2 cubic feet per minute per square foot of floor area shall be provided.

Doors of toilet facilities shall be tight-fitting, self-closing and shall open outward.

204.4. Rodents and Insects. Public buildings shall be kept

free of rodents and insects at all times.

204.5 Live Animals. No live animal, bird or fowl shall be kept or allowed in any public building. This provision does not apply to dogs being used by the blind.

204.6. Egress. Public buildings shall have at least two means of egress. All exit doors shall open outward and shall be kept unobstructed and unlocked during hours open to the public.

204.7. Applicability. Provisions of this part are applicable to public buildings constructed on, before and after the effective date of this chapter.

#### Part 205. Inspections.

The Director may at any and all reasonable times enter any and all places, properties, buildings, enclosures, and structures for purposes of making inspections and investigations to determine if any provision of this chapter is being violated.

#### Part 206. Violations and Penalties.

206.1 Power to Issue Orders. The Director may order such repairs, alterations or additions as he deems necessary to secure compliance with provisions of this chapter.

Any order requiring repairs, alterations or additions shall designate the period of time within which the changes are to be made.

206.2. Power to Prohibit Use. The Director may at any time close, prohibit occupancy, or suspend or prohibit use or operation of any public building or any public assembly if and when in the Director's opinion a hazard to public health exists.

206.3. Penalties. Every person who knowingly violates or knowingly fails to comply with any provisions of this chapter or of any order of the Director issued pursuant to this chapter is guilty of a misdemeanor punishable by a fine not exceeding five hundred dollars (\$500) or imprisonment for not more than one year, or both.

206.4. Separate Offense. The continued existence of any violation of this chapter or of any order of the Director issued pursuant to this chapter, beyond the time stipulated for compliance with its provisions, constitutes a separate and distinct offense.

#### Part 207. Effective Date.

These regulations shall become effective November 30, 1971 after filing with the District Clerk of Courts."

Article 2. Approval and Filing with Clerk of Courts

The rules and regulations prepared and prescribed by the Director of Health Services as set forth above are hereby approved, ordered to be filed with the Clerk of Courts in each administrative district of the Trust Territory before November 30, 1971, and published in the Trust Territory Code of Public Regulations.

PUBLIC REGULATION NO. 72-4  
EFFECTIVE DATE: OCTOBER 1, 1972

TITLE 25 – ANIMALS AND PLANTS – QUARANTINE  
CONTROLS

CHAPTER X

PLANT AND ANIMAL QUARANTINES ADMINISTRATION  
AND ENFORCEMENT OF EMERGENCY MEASURES

PART 1. GENERAL PROVISIONS

1.1. Authority. The Quarantines in this Chapter have been promulgated and issued by the Chief of Agriculture and approved by the High Commissioner in accordance with Section 2 of Chapter 1, Title 25 of the Code of the Trust Territory, as amended. All previously issued Trust Territory Plant and Animal Quarantines are hereby cancelled and superseded by the quarantines below.

1.2. Effective Date. Effective date of Public Regulation No. 72-4 shall be October 15, 1972.

1.3. Purpose. The quarantines in this Chapter are designed to protect the agricultural and general well-being of the people of the Trust Territory. Quarantines are promulgated as a means of preventing the introduction of, and further spread of injurious insects, pests, and diseases into and within the Trust Territory.

1.4. Definitions. When used in this Chapter, unless context otherwise requires, the following definitions shall apply in the interpretation and enforcement of the provisions of this Chapter:

- (a) "Ruminants" – Animals which chew the cud such as cattle, goats, buffaloes, sheep, deer and antelopes.
- (b) "Horses" – Horses, asses and mules.
- (c) "Poultry" – Chickens, ducks, geese, swans, turkeys, pigeons, doves, pheasants, grouse, partridges, quail, guinea fowl, pea fowl and viable eggs of any of the above.
- (d) "Swine" – Domesticated hog.

(e) "Authorizing Official" – The Trust Territory Chief of Agriculture, the District Agriculturists or other designated official.

(f) "Authorized Veterinarian" – Any salaried veterinarian officer employed by the national government of any country, state or territory.

(g) "Quarantine Inspector" – An inspector of the Trust Territory Division of Agriculture authorized by the Chief of Agriculture authorized by the Chief of Agriculture to enforce the Plant and Animal Quarantine regulations.

(h) "Trust Territory" – Trust Territory of the Pacific Islands.

(i) "Atoll" – Typical atoll and any of the low raised coral islands, such as Kili and Fais Island.

(j) "Agriculture Quarantine Facility" – Government facilities equipped and specifically set aside for holding imported animals and for growing imported plant materials suspected of harboring pests and diseases.

(k) "Transport within the Trust Territory" – Movement from one island or atoll in one district to another island or atoll in another district. Thus, this definition does not restrict movement between the different islands of one atoll or group of closely located islands such as the islands of the Palau group or the islands within and around the Truk lagoon.

1.5. Plant and Animal Quarantine Permits. All plants, plant parts, domestic animals and other animals covered by these regulations and imported into or transported within the Trust Territory must be accompanied by a Trust Territory Plant and Animal Quarantine Permit issued by a Trust Territory authorizing official and must further be accompanied such certificates as may be required in the permit.

PART 2. QUARANTINE NO. 1 – BACTERIAL CULTURES, VACCINES, ETC.

2.1. It is prohibited to import into or move from one island to another within the Trust Territory any live bacteria, virus fungi or nematode culture in any form whatsoever unless specific permission has been granted in writing for such importation or movement by the Chief of Agriculture. Commercial yeast, yoghurt bacterial cultures, and living virus or bacterial vaccine imported for Animal Health Service or Public Health purposes are exempted from the provisions of this quarantine.

2.2. It is prohibited to import animal vaccines or animal serums into the Trust Territory without an import permit issued by the Chief of Agriculture. Animal vaccines or

animal serums imported for the Trust Territory Animal Health Service are exempted from the provisions of this quarantine.

### PART 3. QUARANTINE NO. 2 - DOMESTIC ANIMALS

#### 3.1. Ruminants and Swine

(a) Ruminants. It is prohibited to import ruminants from any part of the world into the Trust Territory except from the Continental United States, Hawaii, Canada, Guam, Fiji, and New Zealand.

(b) Swine. It is prohibited to import swine from any part of the world into the Trust Territory except from areas of the United States certified "Hog Cholera Free" by the USDA, Australia, Canada, and New Zealand.

3.2. Horses. Horses may be imported into the Trust Territory only from the U.S.A. and other countries approved by the Chief of Agriculture and only if accompanied by a certificate issued by an authorized veterinarian in the country or area of origin certifying that no case of dourine, glanders, surra, or epizootic or ulcerative lymphangitis has occurred in the locality or localities in which the horses have been kept during the sixty (60) days immediately preceding the issuance of the certificate. The animals must be accompanied by a certificate stating a negative test for equine piroplasmiasis and glanders was accomplished within 15 days of shipment. Animals may be retested on arrival. Animals must not have received any live virus vaccine within 60 days of shipment. In addition to all of the above listed requirements, the horse(s) must be negative for all other tests listed on the import permit. A certificate signed by an authorized veterinarian should accompany the animals stating which tests were conducted and the results.

3.3 Poultry and Eggs. All live poultry and hatching eggs imported into the Trust Territory must be accompanied by a certificate issued by an authorized veterinarian of the country or area of origin certifying that such poultry and their flock or flocks of origin were inspected within sixty (60) days of exportation and found to be free of evidence of pullorum diseases (bacillary white diarrhea), European fowl pest (fowl plague), Newcastle diseases (avian pneumoencephalitis) or other communicable diseases. It is prohibited to import poultry, hatching eggs, and table eggs from countries other than the Continental United States, Hawaii, Guam, Australia, and New Zealand. Baby chicks from Okinawa hatcheries approved by the Trust Territory Chief of the Agriculture Division will be accepted. Further, poultry eggs in their embryonic stages such as "Balot") are prohibited entry into the Trust Territory.

3.4 Meat. It is prohibited to import fresh, chilled, frozen, and/or unprocessed meat or carcass of any kind from any part of the world into the Trust Territory except:

(a) Beef: from the Continental United States, Hawaii, Guam, Fiji, Canada, Australia, New Zealand, and other countries free of exotic diseases provided that each shipment from non-listed countries is accompanied by a permit issued in advance by the Chief of the Trust Territory Agriculture Division.

(b) Pork: from the Continental United States, Hawaii, Guam, Canada, Australia and New Zealand.

(c) Mutton (Sheep): from the Continental United States, Hawaii, Guam, Canada, Australia and New Zealand.

(d) Goat: from the Continental United States, Hawaii, Guam, Canada, Australia and New Zealand.

(e) Poultry Meat: from the Continental United States, Hawaii, Guam, Canada, Australia, and New Zealand.

(f) All other Meat: from the Continental United States, Hawaii, Guam, Canada, Australia, and New Zealand.

3.5. Passage Through Prohibited Areas. It is prohibited to import ruminants and swine and fresh, chilled, frozen and/or unprocessed meat derived from them, from any part of the world into the Trust Territory if the carrier has landed, docked or anchored in any part of the world not listed in paragraph 3.4 after loading the animals and/or meat listed this paragraph, except if an official seal is placed on the reefer or freezer and maintained to certify that such items have not been exposed between the point of origin and the Trust Territory.

3.6. Semen and Living Serum. It is prohibited to import semen or living animal serum produced in any part of the world into the Trust Territory except from the Continental United States, Hawaii, Guam, Canada, and New Zealand.

3.7. Genital Diseases in Semen. Any animal semen imported into the Trust Territory in accordance with paragraph 3.6 must be accompanied by a certificate issued by an Authorized Veterinarian in the country or area of origin certifying that the semen and the donor animal is free of genital diseases.

3.8. Certificates for Ruminants and Swine. In addition to such certificates as may be required elsewhere in this quarantine, all live ruminants and swine must be accompanied by the following certificates issued by an Authorized Veterinarian of the country or area of origin.

(a) General certificates of health indicating apparent freedom from infectious diseases, internal and external parasites.

(b) A certificate indicating that the animals concerned have been in the locality from which shipped at least sixty (60) days preceding shipment.

(c) Sheep — A certificate showing that the animals are free of evidence of the disease known as scrapie and that the animals have not been exposed to scrapie during the sixty (60) days preceding the issuance of the certificate.

(d) Goats — Certificate showing that the animals are free of evidence of the disease known as scrapie and that the animals have not been exposed to scrapie during the sixty (60) days preceding the issuance of the certificate. A certificate showing that the animals have been tested for brucellosis and tuberculosis with negative results within thirty (30) days of the issuance of the certificate.

(e) Cattle — A certificate showing that the animals have been tested for brucellosis, tuberculosis, anaplasmosis, and leptospirosis with negative results within thirty (30) days of the issuance of the certificate.

(f) Swine — A certificate stating the following: That the animals originated in a non-quarantined area; the animals have a negative brucellosis test within thirty (30) days of issuance of certificate and that African Swine Fever has not been diagnosed in the country of origin.

All health certificates must be issued, and the inspections resulting in their issuance, must be performed within fifteen (15) days of the time the animals are shipped to the Trust Territory. Animals shall not be moved from said inspection area after issuance of the certificate except for purposes of immediate shipment to the Trust Territory.

3.9. Dogs and Cats. The following certificates issued by an authorized veterinarian or any licensed veterinarian must accompany, along with a Trust Territory Plant and Animal Quarantine Permit, all dogs and cats imported into the Trust Territory or transported from one district into another of the Trust Territory.

(a) Dogs and cats from rabies "Free" countries. The Chief of the Agriculture Division will maintain and publish a current listing as changes occur.

(1) A certificate showing that the animal originated in the exporting country.

(2) A certificate showing that the animal has been vaccinated with a killed (inactivated) rabies virus vaccine or a modified live virus vaccine more than thirty (30) days prior to entry into the Trust Territory.

(3) A certificate showing that the animal has been dipped or otherwise treated to free that animal of external parasites within five (5) days of entry.

(4) A certificate showing that the animal is free from any signs of infectious or communicable disease.

(b) Dogs and cats from any other country or area of the world (except the Trust Territory):

(1) A certificate showing that the animal has been held one hundred twenty (120) days in agriculture quarantine facilities in Hawaii or Saipan.

(2) A certificate showing that the animal has been vaccinated with a killed (inactivated) rabies virus vaccine or a modified live virus vaccine more than thirty (30) days prior to entry into the Trust Territory.

(3) A certificate showing that the animal is free from any signs of infectious or communicable disease.

(4) A certificate showing that the animal has been dipped or otherwise treated to free that animal of external parasites within five (5) days of entry.

(c) Dogs and cats from the Trust Territory or those having been covered under 3.9 (a) and 3.9 (b) being moved from one district to another within the Trust Territory: Certificates for these animals may be issued by a Trust Territory Veterinarian or the District Agriculturist indicating that:

(1) The animal is free from any signs of infectious or communicable disease.

(2) The animal originated in the Trust Territory.

3.10. Quarantine of Imported Animals. Cattle imported into the Trust Territory from any part of the world must be held in quarantine in such Agricultural Quarantine Facilities as may be designated by an authorizing official for a period of thirty (30) days after arrival. All other domestic animals (except dogs and cats) including other ruminants, swine, horses, and poultry over sixty (60) days of age, being imported into the Trust Territory must be held in quarantine as above for fifteen (15) days. Conditions of quarantine will be as specified by a Trust Territory Authorizing Official.

3.11. Garbage Containing Animal Products. All garbage containing animal products from ships or planes whose voyage or flight originated in or passed through any part of the world except the Continental United States, Hawaii or Guam must be held on board the ship or plane while in port, or incinerated under the supervision of an Agricultural Quarantine Inspector, or dumped at sea at least one (1) mile beyond the nearest outer reef. All galley garbage from ships and planes can be considered as containing animal products.

3.12. Bedding and Fodder. All bedding and fodder accompanying domestic animals imported into the Trust Territory must be dumped at sea at least one (1) mile beyond the reef or burned at the dock or airport of entry.

3.13. Disinfection. All blankets, harnesses, crates and other paraphernalia associated with imported animals will be subject to chemical disinfection at destination as determined by a Trust Territory Authorizing Official. If it has been determined that ships or planes used for transporting domestic animals into the Trust Territory have been used for transporting animals to other parts of the world within the preceding year, then chemical disinfection of the ship or plane may be required in accordance with instructions issued by a Trust Territory Authorizing Official.

3.14. Disposition of Contraband. Animals and animal products entered into the Trust Territory in contravention to the provisions of this quarantine may be returned to the country or area of origin, or elsewhere, at the owner's expense, destroyed by fire or other appropriate means, or allowed entry under the provisions of paragraph 3.10, if no pest or disease risk is evident to a Trust Territory Authorizing Official.

#### PART 4. QUARANTINE NO. 3 – OTHER ANIMALS

4.1. The entry into the Trust Territory of wild members of the species of animals covered in Part 3 and all related animals will be allowed only in conformance with the provisions of Part 1, 1.5.

4.2 The entry into or transport within the Trust Territory of all other animals including insects, snails, mammals, birds, reptiles, amphibians, fish and other lower animal organisms will be permitted only upon the issuance of a Plant and Animal Quarantine Permit by the Chief of Agriculture.

4.3. Psittacine Birds (Parrots, Parakeets, Macaws, etc.) and greater and lesser Indian hill mynahs are prohibited entry into the Trust Territory.

4.4. Monkeys from the island of Angaur are prohibited entry into any other island of the Trust Territory.

#### PART 5. QUARANTINE NO. 4 – FRUITS AND VEGETABLES

5.1. General. It is prohibited to import into the Trust Territory or transport from one district of the Trust Territory into another, any fruits and vegetables except as further provided in this quarantine. Fruits and vegetables which have been cooked, canned, frozen, preserved or otherwise processed in such a manner as to preclude a pest or disease risk are not subject to the provisions of this quarantine. Fruits and vegetables which are imported into the Trust Territory or transported from one district of the Trust Territory to another for purposes of propagation rather than for purposes of consumption are subject to the provisions of Part 6.

5.2 Enterable Fruits and Vegetables. Fruits and vegetables enterable into the Trust Territory from the following areas:

(a) Australia – celery, chives, garlic, leeks, bulb onions, carrots, broccoli, cauliflower, asparagus, horseradish, lettuce, radish, cabbage, Chinese cabbage, apples, pears, turnips, Irish potatoes, green beans, dried beans, strawberries.

(b) Continental United States – All fruits and vegetables providing that such fruits and vegetables are maintained in their original commercial packages and are allowed movement under USDA quarantine regulations.

(c) Guam – Pineapple, radish, taro, betel nut.

(d) Hawaiian Islands – Pineapple.

(e) Japan – (not including Volcano and Bonin Islands and the Ryukyu Islands) – celery, chives, leeks, onions, asparagus, burdock, horseradish, apples, pears, turnips, green beans, dried beans, grapes, strawberries, plums, apricots, cherries, peaches, persimmons, pomegranates, chayote.

(f) Nauru – Breadfruit.

(g) New Zealand – All fruits and vegetables providing they are imported into the Trust Territory in commercially packaged shipments accompanied by a phytosanitary certificate issued by an appropriate government agency in New Zealand, indicating that the shipment is free of pests and diseases.

(h) Ryukyu Islands (Okinawa) – celery, chives, garlic,

leeks, onions, arrowroot, asparagus, burdock, ginger root, horseradish, Irish potatoes, lettuce, carrots.

(i) South America and Central — bananas, providing such bananas are imported from the United States and providing such bananas have been legally imported into the United States in accordance with U.S. Department of Agriculture plant quarantines and regulations.

(j) Taiwan (Formosa) — celery, chives, garlic, leeks, bulb onions, arrowroot, asparagus, burdock, ginger root, horseradish, Irish potatoes, radish.

5.3. Additions to Enterable List. Fruits and vegetables from other parts of the world and additional fruits and vegetables from the countries listed above will be allowed entry into the Trust Territory providing written permission is given for each importation by the Chief of Agriculture. Written permission will be given by the Chief of Agriculture when he has determined that such fruits and vegetables are enterable into and allowed movement within the United States under USDA Plant and Animal Quarantine Regulations. As soon as possible thereafter a list of approved areas and approved fruits and vegetables will be revised to include additional entries. Such fruits and vegetables will be subject to inspection upon arrival and may be refused entry if known to be, or suspected of, harboring pests or diseases.

5.4. Passage of Fruits and Vegetables Through Prohibited Areas. It is prohibited to import into the Trust Territory any fruits and vegetables after having passed through areas known to be infested with the melon fly, coconut rhinoceros beetle or other pests not established in the Trust Territory unless such fruits and vegetables are accompanied by such certificates as may be required in this quarantine.

5.5. Trust Territory Fruits and Vegetables. Fruits and vegetables produced within the Trust Territory will be allowed free movement throughout the Trust Territory with the following exceptions:

(a) Citrus fruits produced in Palau and Yap Districts are allowed free movement between and among the islands in the Trust Territory except that such fruit is prohibited entry into Kusaie Island and any of the atolls.

(b) Coconuts may be moved within the Trust Territory without restriction providing the perianths (caps) have been removed and providing the coconuts have not sprouted.

(c) Uncooked corms and parts thereof of the genera Colocasia, Alocasia, Cyrtosperma and Xanthosoma taro are

prohibited movement from any part of the Trust Territory into Kusaie Island.

## PART 6. QUARANTINE NO. 5 — PROPAGATIVE MATERIAL

6.1. General. Living plants including cuttings, scions, clones, tubers, bulbs, roots or any other portion of a plant (except seeds) intended for propagation shall be permitted entry into the Trust Territory or movement from one district into another providing a Plant and Animal Quarantine Permit has been issued in accordance with Part 1, paragraph 1.5 Seeds, as such, are not subject to the provisions of this paragraph but are subject to the provisions of paragraph 6.2.

6.2. Seeds. Seeds of flower, grain (except paddy rice), vegetables, forage and green manure plants are enterable into the Trust Territory without restriction providing they are free of insects and disease symptoms and unadulterated with weed seeds. Tree seeds and paddy rice are enterable into the Trust Territory and may be transported from one district to another in the Trust Territory only if accompanied by a Plant and Animal Quarantine Permit. Known weed seeds are prohibited entry into the Trust Territory.

6.3. Prohibited Items from Abroad. It is prohibited to import into the Trust Territory from any other part of the world any plant or any propagative and unprocessed part, including seeds, thereof of the following: coconut, Brazilian rubber (Hevea), Colocasia taro, banana, citrus, cacao, sweet potato, cassava, sugarcane, coffee, black pepper and breadfruit except that small quantities of propagative material of these plants may be brought into the Trust Territory by the government of the Trust Territory under a Plant and Animal Quarantine Permit and under conditions of postentry quarantine for research purposes at Agriculture Quarantine Facilities.

### 6.4. Prohibited and Restricted Movement of Propagative Materials Within Trust Territory.

(a) Yam tubers and propagative parts, if sprouted, are prohibited movement from the Mariana Islands District and the Yap Islands proper into any other part of the Trust Territory except that these items can be moved without restriction between the Mariana Islands District and the Yap Islands proper.

(b) Coconuts may be moved within the Trust Territory without restriction providing the perianths (cap) have been removed and providing the coconuts have not sprouted.

(c) Banana and abaca propagative stock are prohibited

movement from Saipan and Tinian into any other part of the Trust Territory.

(d) It is prohibited to move propagative stock of the genera Colocasia, Alocasia, Cyrtosperma and Xanthosoma taro from any part of the Trust Territory into Rota, Tinian, Kusaie and the Marshall Islands. Movement of taro propagative stock among the above listed islands is permitted when accompanied by proper permits.

(e) Breadfruit propagative stock is prohibited movement within the Trust Territory between the high islands and the atolls and vice versa except that no restriction of movement of the above items is intended from one atoll to another such atoll nor from one high island to another such island, and further except that there will be no restriction of movement of breadfruit propagative stock grown in any Agriculture Quarantine facility in the Trust Territory.

(f) Citrus plants, cuttings and other propagative parts are allowed free movement within the Trust Territory except that it is prohibited to move such plants or propagative materials (except seeds) into Kusaie Island and any of the atolls.

#### PART 7. QUARANTINE NO. 6 – FLOWERS.

7.1. Cut flowers, flower leis, corsages, Christmas trees and floral wreaths are enterable into the Trust Territory or movement from one district of the Trust Territory into another district only if such items are surrendered to an Agricultural Quarantine Inspector and found upon examination to be free of evidence of pest or plant disease symptoms.

#### PART 8. QUARANTINE NO. 7 – CONSTRUCTION MATERIALS.

8.1. Unpeeled saw logs are prohibited entry into the Trust Territory. Peeled saw logs, lumber and wallboard are enterable into the Trust Territory only if examination by an Agricultural Quarantine Inspector reveals that no termites or boring insects are present in the logs or lumber. Wall and roof thatching materials including grass, cane and palm leaf fronds are prohibited entry into the Trust Territory. Such thatching materials may be moved from one district of the Trust Territory into another district only upon written permission by the Chief of Agriculture. Green and dry bamboo poles are prohibited entry into the Trust Territory except that dry bamboo poles and other bamboo products may be entered into the Trust Territory if the bamboo has been chemically treated, shellacked, varnished, lacquered or painted.

#### PART 9. QUARANTINE NO. 8 – STORED DRIED PRODUCTS.

9.1. Stored dried products including rice, spices, other dried human food products, dried animal feeds and copra are enterable into the Trust Territory except that they may be refused entry if they are found infested with storage pest organisms.

#### PART 10. QUARANTINE NO. 9 – SOIL, SAND AND GRAVEL.

10.1. It is prohibited to import into or transport from one district of the Trust Territory into another district any soil including compost, forest litter or soil around the roots of plants. It is further prohibited to move any of the above items from any of the high islands of the Trust Territory into any of the atolls or isolated coralline islands in the Caroline and Marshall Islands. Ocean, river, lake or quarry sand and gravel may be imported into and within the Trust Territory only if it is clean and unadulterated with soil or organic matter.

#### PART 11. QUARANTINE NO. 10 – PACKING MATERIAL.

11.1. It is prohibited to import into the Trust Territory or transport from one district into another all packing materials except wood, wood shavings, sawdust, paper, processed fibers and materials not originating from plants and animals, except that clean sphagnum moss may be used as living plant packing material for imports into and within the Trust Territory. Among many conceivable packing materials covered by the above prohibition are sugar cane bagasse, rice straw, coconut fronds and baskets and dried grass. It is further prohibited to move banana or abaca leaves or stalks used as packing or wrapping material from Saipan and Tinian to any other island in the Trust Territory.

#### PART 12. QUARANTINE NO. 11 – FRESH ANIMAL FEEDS AND BEDDING.

12.1. Unless otherwise enterable under the provisions of Part 3, Quarantine No. 2, Part 4, Quarantine No. 3 and Part 5, Quarantine No. 4, it is prohibited to import into the Trust Territory all fresh animal feeds including grasses, plant leaves, legumes, sugarcane, corn stalks, hay fruits, vegetables and fresh meat. It is further prohibited to import into the Trust Territory or to transport from one district to another in the Trust Territory any plant material and/or animal bedding accompanying animals being moved by ship or aircraft.

#### PART 13. QUARANTINE NO. 12. – GARBAGE.

13.1. It is prohibited to import garbage into the Trust Territory. All garbage on board ships and aircraft entering the Trust Territory must be incinerated at the port of entry, kept on the carrier, or dumped at sea one (1) mile beyond the outer reef by the importing carrier.

PUBLIC REGULATION NO. 72-8  
EFFECTIVE DATE: OCTOBER 1, 1972

TITLE 25 - ANIMALS AND PLANTS - QUARANTINE CONTROLS

CHAPTER XII

QUARANTINE PROCEDURES AND CONTROLS

PART 1. GENERAL PROVISIONS

1.1. Authority. The regulations in this Chapter have been promulgated and issued by the Chief of Agriculture and approved by the High Commissioner in accordance with Section 2 of Chapter I, Title 25 of the Code of the Trust Territory, as amended. All previously issued Trust Territory Plant and Animal Quarantine Regulations are hereby cancelled and superseded by the regulations below.

1.2. Effective Date. Effective date of Public Regulation No. 72-8 shall be October 15, 1972.

1.3. Purpose. The procedures and controls in this Chapter are designed to spell out the procedures and controls in the promulgation and enforcement of Plant and Animal Quarantines and to protect the agricultural industry and general well-being of the people of the Trust Territory.

PART 2. AGRICULTURAL QUARANTINE INSPECTORS

2.1. The Chief of Agriculture shall nominate and the High Commissioner shall appoint one or more Agricultural Quarantine Inspectors from each district who shall have the authority and responsibility for enforcing the provisions of the Trust Territory Plant and Animal Quarantines and Regulations.

PART 3. PERMITS

3.1. Plant and Animal Quarantine Permits are required as a condition of entry into the Trust Territory, or movement from one district to another of the Trust Territory, for those animals and plants covered in Part 3 and Part 6 of Chapter I. Applications for Plant and Animal Quarantine Permits can be secured from any District Agriculturist, or from the Chief of Agriculture,

Trust Territory Headquarters, Saipan, Mariana Islands 96950.

3.2. Plant and Animal Quarantine Permits can be issued by any District Agriculturist, and by the Chief of Agriculture for the movement of plants and animals within the Trust Territory. Plant and Animal Quarantine Permits for the movement of plants and animals into the Trust Territory from other parts of the world can be issued only by the Chief of Agriculture.

3.3. Plant and Animal Quarantine Permits shall be issued only for those plants and animals which offer no pest or disease risk to the Trust Territory in the judgment of the person who issues the permit. Conditions under which the plants or animals will be allowed entry under permit will be specified on the permit and must be complied with, otherwise the permit becomes invalid.

3.4. In general, permits will be issued only for each separate importation; however, in special cases approved by the Chief of Agriculture, continuing permits for a stated period may be issued.

PART 4. INSPECTIONS

4.1. All animals and plants or parts thereof, entering the Trust Territory or transported within the Trust Territory are subject to inspection by Agricultural Quarantine Inspectors and may be refused entry into or movement within the Trust Territory if they are known to be or are suspected of being infected or infested with diseases or pests. In addition, all aircraft and vessels entering the Trust Territory or moving within the Trust Territory, and their cargoes including baggage, ship's stores and ballast, are subject to inspection by Agricultural Quarantine Inspectors for the purpose of enforcing the quarantines and procedures and controls. It shall be unlawful for anyone to interfere with or to refuse to submit to the above-mentioned inspections.

PART 5. MANIFESTS AND MOVEMENTS INFORMATION

5.1. Cargo manifests and other similar documents concerning aircraft and vessels traveling into or within the Trust Territory will be made available to the Agricultural Quarantine Inspectors upon request. Those authorities having information as to the movement of aircraft and vessels will furnish such information to Agricultural Quarantine Inspectors upon request.

5.2. In Transit Material. Any animal, plant, or other quarantinable material in transit through the Trust Territory on aircraft or vessels, will be kept aboard such aircraft or vessel while in port or on any island of the

Trust Territory, unless such material is otherwise enterable. If it is necessary to transfer such quarantinable material from one vessel or aircraft to another, such transfer will be made under the direction of an Agricultural Quarantine Inspector, and with such safeguards as he deems necessary.

5.3. Contraband Material. Anything attempted to be entered into or transported within the Trust Territory in contravention to the quarantines and procedures and control will be seized by an Agricultural Quarantine Inspector and destroyed by fire or other appropriate means, or returned to its place of origin or out of the Trust Territory at the importer's expense.

5.4. Disinsectization. Vessels and aircraft traveling into or within the Trust Territory and known to be, or which there are reasonable grounds to suspect of harboring insects or other agricultural pests will be subject to spraying with insecticides or such other treatment as may be deemed necessary by an Agricultural Quarantine Inspector before passengers, baggage, and cargoes are released.

#### 5.5. Predeparture Inspections

(a) For the purpose of preventing the spread of the Giant African Snail (Achatina fulica) and the Coconut Rhinoceros Beetle (Oryctes rhinoceros) within the Trust Territory, it is prohibited for any aircraft or surface vessel to depart from any island within the Trust Territory where one or both of these pests are present enroute to any other island within the Trust Territory where one or both of these pests are not present unless a Predeparture Quarantine Certificate has been issued for the aircraft or surface vessel concerned.

(b) Predeparture Quarantine Inspection Certificates can be issued only by Agricultural Quarantine Inspectors employed by the Trust Territory of the Pacific Islands.

(c) For the purpose of determining when a Predeparture Quarantine Inspection Certificate is required, the following distribution of the Giant African Snail and the Coconut Rhinoceros Beetle will be considered as official: Giant African Snail — Mariana Islands, Palau Islands, islands of Truk Lagoon and the island of Ponape and the small islands immediately surrounding Ponape; Coconut Rhinoceros Beetle — Palau Islands only.

(d) Predeparture Quarantine Inspection Certificates will be issued only after an inspection of the vessel and aircraft concerned and its cargo, baggage and stores by a Trust Territory Agricultural Quarantine Inspector or a Trust Territory employee designated to make such an inspection by an Agricultural Quarantine Inspector.

(e) Predeparture quarantine inspections will be made prior to and/or after the loading of the vessel or aircraft at the discretion of the inspector. A cargo manifest must be presented to the inspector by the agents for the vessel or aircraft at least six hours before it is planned to load such cargo, and, at the request of the inspector, such cargo must be made available for inspection by the above-mentioned agents before being loaded on the vessel or aircraft.

(f) Any cargo, baggage, stores, vessel or aircraft determined to be contaminated with living stages of the Giant African Snail or the Coconut Rhinoceros Beetle must be cleaned by the owners or their agents to the satisfaction of the inspector before a Predeparture Quarantine Inspection Certificate will be issued. In cases where the cleaning of cargoes, stores, or baggage is impossible or impracticable, such cargoes, stores, or baggage will be offloaded if already on the vessel or aircraft, or will not be allowed on the ship or aircraft if inspection was made prior to loading; except that in cases where such infested cargoes, stores, or baggage are in transit through the Trust Territory to an area outside the Trust Territory to another part of the Trust Territory where the Coconut Rhinoceros Beetle and/or the Giant African Snail are present, a Predeparture Quarantine Inspection Certificate may be issued subject to special conditions incorporated in the certificate to ensure a minimum quarantine risk at the in-transit islands.

(g) All persons involved in the transport of materials within the Trust Territory must submit to and facilitate as far as possible the provisions of the preceding paragraphs of this Part (5.5). Such persons will normally involve vessel and aircraft crews, passengers, shippers, agents and Trust Territory employees charged with responsibilities regarding the loading, manifesting and clearance of vessels and aircraft within the Trust Territory.

(h) The foregoing provisions of this regulation in no way modify or reduce the responsibility of Agricultural Quarantine Inspectors and other Trust Territory officials for enforcing the Plant and Animal Quarantines and Plant and Animal Quarantine Procedures and Controls upon the arrival of a certificated vessel or aircraft at a Trust Territory port.

#### PART 6. PENALTIES

6.1. Pursuant to Section 10, Chapter I of Title 25 of the Code of the Trust Territory any person violating any of the provisions of the foregoing Plant and Animal Quarantine Procedures and Controls, shall be guilty of a misdemeanor and upon conviction thereof shall be

imprisoned for a period of not more than six (6) months, or fined not more than fifty dollars (\$50) or both.

## TITLE 25

### ANIMALS AND PLANTS—QUARANTINE CONTROLS

#### CHAPTER XIII

#### REGULATIONS GOVERNING THE INSPECTION OF MEAT PREPARED FOR EXPORT FROM THE TRUST TERRITORY OF THE PACIFIC ISLANDS

(Release No. 12-73, 7-74)

#### PART 101. GENERAL PROVISIONS

101.1. Authority and Scope. The rules and regulations in this chapter have been prepared by the Chief of Agriculture and promulgated by the High Commissioner of the Trust Territory of the Pacific Islands in accordance with Chapter 3 of Title 25 of the Trust Territory Code. These regulations shall be binding on all natural persons and other legal entities subject to the jurisdiction of the Trust Territory of the Pacific Islands.

101.2 Temporary Effect. As provided in Section 77 of Title 25 of the Code of the Trust Territory, these regulations shall be temporary until their ratification or rejection by the Congress of Micronesia within eighteen months after they are published. Should the Congress take no action these rules and regulations shall have the final effect of law as if they had been formally ratified by the Congress.

101.3- Meaning of Terms. As used in this chapter, unless otherwise required by the context, the singular form shall also impart the plural and the masculine form shall also impart the feminine, and vice versa.

101.4 Definitions. As used in this chapter, unless otherwise required by the context, the following terms shall be construed, respectively, to mean:

a. "The Act." Trust Territory of the Pacific Islands Export Meat Inspection Act of 1970.

b. "The Division." The Trust Territory Agriculture Division of the Resources and Development Department.

c. "Chief." The Chief of Agriculture of the Trust Territory of the Pacific Islands.

d. "Program." The Meat Inspection Program of the Agriculture Division.

e. "Inspector." An inspector of the Program.

f. "Program Employee." Any inspector or other individual employed by the Division of any cooperating agency who is authorized by the Chief to do any work or perform any duty in connection with the program.

g. "Official Establishment." Any slaughtering, cutting, boning, meat canning, curing, smoking, salting, packing, rendering, or similar establishment at which inspection is maintained under the Export Meat Inspection Act of 1970.

h. "Officer in Charge." The Officer in charge of a circuit.

i. "Circuit." One or more official establishment included under the supervision of an officer in charge.

j. "Person." Any individual, firm, or corporation.

k. "Firm." Any partnership, association, or other unincorporated business Organization.

l. "Meat Broker." Any person engaged in the business of buying or selling carcasses, parts of carcasses, meat or meat food products of livestock on commission, or otherwise negotiating purchases or sales of such articles other than for his own account or as an employee of another person.

m. "Rendered." Any person engaged in the business of rendering carcasses or parts or products of the carcasses of any livestock.

n. "Animal Food." Any article intended for use as food for dogs, cats, or other animals derived wholly, or in part, from the carcass or parts or products of the carcass of any livestock, except that the term animal food as used herein does not include livestock and poultry feeds manufactured from processed animal by-products (such as meatmeal tankage, meat and bone meal, blood meal, and feed grade animal fat).

o. "Animal Food Manufacturer." Any person engaged in the business of manufacturing or processing animal food except manufacturers of livestock and poultry feeds with respect to any activity of acquiring or processed animal by-products (such as meat, meal, tankage, meat and bone meal, bloodmeal, and feed grade animal fat) in the manufacture of such feeds.

p. "Capable of Use as Human Food." This term applies

to any carcass, or part or product of a carcass, of any livestock, unless it is denatured or otherwise identified.

q. "Edible." Intended for use as human food.

r. "Inedible." Adulterated, uninspected, or not intended for use as human food.

s. "Prepared." Slaughtered, canned, salted, rendered, boned, cut up, or otherwise manufactured or processed.

t. "Cutting Up." Any division of any carcass or part thereof, except that the trimming of carcasses or parts thereof to remove surface contaminants is not considered as cutting up.

u. "Adulterated." This term applies to any carcass, part thereof, meat or meat food product under one or more of the following circumstances:

(1) If it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, such article shall not be considered adulterated under this clause if the quantity of such substance in or on such article does not ordinarily render it injurious to health;

(2) (i) If it bears or contains (by reason of administration of any substance to the live animal or otherwise) any added poisonous or added deleterious substance (other than one which is (a) a pesticide chemical in or on a raw agricultural commodity; (b) a food additive; or (c) a color additive) which may, in the judgment of the chief make such article unfit for human food;

(ii) If it is, in whole or in part, a raw agricultural commodity and such commodity bears or contains a pesticide chemical which is unsafe;

(iii) If it bears or contains any food additive which is unsafe;

(iv) If it bears or contains any color additive which is unsafe;

Provided, that an article which is not deemed adulterated under subdivision (ii), (iii), or (iv) of this subparagraph shall nevertheless be deemed adulterated if use of the pesticide chemical, food additive, or color additive in or on such article is prohibited by the regulations in this chapter in official establishments;

(3) If it consist in whole or in part of any filthy, putrid, or decomposed substance or is for any other

reason unsound, unhealthful, unwholesome, or otherwise unfit for human food;

(4) If it has been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health;

(5) If it is, in whole or in part, the product of an animal which has died otherwise than by slaughter;

(6) If its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health;

(7) If it has been intentionally subjected to radiation;

(8) If any valuable constituent has been in whole or in part omitted or abstracted therefrom; or if any substance has been substituted, wholly or in part therefor; or if damage or inferiority has been concealed in any manner; or if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is.

v. "Inspected and Passed." or "T.T. Inspected and Passed." or "T.T. Inspected and Passed by Agriculture Division." (or any authorized abbreviation thereof.) This term means that the product so identified has been inspected and passed under the regulation in this chapter, and at the time it was inspected, passed, and identified, it was found to be not adulterated.

w. Reserved

x. Reserved

y. Reserved

z. Reserved

aa. "T.T. Passed for Cooking." This term means that the meat or meat by-product so identified has been inspected and passed on condition that it be rendered into lard, rendered pork fat, or tallow, as prescribed by the regulations in Part 115 of this chapter.

bb. "T.T. Passed for Refrigeration." This term means that the meat or meat by-product so identified has been inspected and passed on condition that it be refrigerated or otherwise handled as prescribed by the regulations in Part 111 of this chapter.

cc. "T.T. Inspected and Codemned." (or any authorized abbreviation thereof). This term means that the carcass, viscera, other part of carcass, or other product so

identified has been inspected, found to be adulterated, and condemned under the regulations in this chapter.

dd. "T.T. Retained." This term means that the carcass, viscera, other part of carcass, or other product, or article so identified is held for further examination by an inspector to determine its disposal.

ee. "T.T. Suspect." This term means that the livestock so identified is suspected of being affected with a disease or condition which may require its condemnation, in whole or in part, when slaughtered, and is subject to further examination by an inspector to determine its disposal.

ff. "T.T. condemned." This term means that the livestock so identified has been inspected and found to be in a dying condition, or to be affected with any other condition or disease that would require condemnation of its carcass.

gg. "Misbranded." This term applies to any carcass, part thereof, meat or meat food product under one or more of the following circumstances:

(1) If its labeling is false or misleading in any particular;

(2) If it is offered for sale under the name of another food;

(3) If it is an imitation of another food, unless its label bears, in type of uniform size and prominence, the word "imitation" and immediately thereafter, the name of the food imitated;

(4) If its container is so made, formed, or filled as to be misleading;

(5) If in a package or other container unless it bears a label showing:

(i) The name and place of business of the manufacturer, packer, or distributor; and

(ii) An accurate statement of the quantity of the contents in terms of weight, measure, or numerical count; except as otherwise provided in Part 117 of this chapter with respect to the quantity of contents;

(6) If any word, statement, or other information required by or under authority of the Act to appear on the label or other labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

(7) If it purports to be or is represented as a food for which a definition and standard of identity or composition has been prescribed by the regulations in Part 118 of this chapter unless:

(i) It conforms to such definition and standard, and

(ii) Its label bears the name of the food specified in the definition and standard and, insofar as may be required by such regulations, the common names of optional ingredients (other than spices, flavoring, and coloring) present in such food;

(8) If it purports to be or is represented as a food for which a standard or standards of fill of container have been prescribed by the regulations in Part 118 of this chapter and it falls below the standard of fill of container applicable thereto, unless its label bears, in such manner and form as such regulations specify, a statement that it falls below such standard;

(9) If it is not subject to the provisions of subparagraph (7) of this paragraph unless its label bears:

(i) The common or usual name of the food, if any there be, and

(ii) In case it is fabricated from two or more ingredients, the common or usual name of each such ingredient except as otherwise provided in Part 116 of this chapter;

(10) If it purports to be or is represented for special dietary uses, unless its label bears such information concerning its vitamin, mineral, and other dietary properties as is required by the regulations in Part 116 of this chapter.

(11) If it bears or contains any artificial flavoring, artificial coloring, or chemical preservative, unless it bears a label stating that fact; except as otherwise provided by the regulations in Part 116 of this chapter; or

(12) If it fails to bear, directly thereon or on its containers, when required by the regulations in Part 115 or 116 of this chapter, the inspection legend and, unrestricted by any of the foregoing, such other information as the chief may require in such regulations to assure that it will not have false or misleading labeling and that the public will be informed of the manner of handling required to maintain the article in a wholesome condition.

hh. "Label." A display of written, printed, or graphic matter upon the immediate container (not including package liners) of any article.

ii. "Labeling." All labels and other written, printed, or graphic matter:

(1) Upon any article or any of its containers or wrappers, or

(2) Accompanying such article.

jj. "Official mark." The official inspection legend or any other symbol prescribed by the regulations in this chapter to identify the status of any article or animal under the Act.

kk. "Official inspection legend." Any symbol prescribed by the regulations in this chapter showing that an article was inspected and passed in accordance with the Act.

ll. "Official certificate." Any certificate prescribed by the regulations in this chapter for issuance of an inspector or other person performing official functions under the act.

mm. "Official device." Any device prescribed by the regulations in Part 112 of this chapter for use in applying any official mark.

nn. "Livestock." Cattle, sheep, swine, and goat.

oo. "Carcass." All parts, including viscera, of any slaughtered livestock.

pp. "Meat." The part of the muscle of any cattle, sheep, swine, or goats, which is skeletal or which is found in the tongue, in the diaphragm, in the heart, or in the esophagus, with or without the accompanying and overlying fat, and the portions of bone, skin, sinew, nerve, and blood vessels which normally accompany the muscle and which are not separated from it in the process of dressing. It does not include the muscle found in the lips, snout, or ears.

qq. "Meat by-product." Any part capable of use as human food, other than meat, which has been derived from one or more cattle, sheep, swine, or goats. This term, as applied to products of equines, shall have a meaning comparable to that provided in this paragraph with respect to cattle, sheep, swine, and goats.

rr. "Meat food product." Any article capable of use as human food which is made wholly or in part from any meat or other portion of the carcass of any cattle, sheep, swine, or goats, except, those exempted from definition as a meat food product by the chief in specific cases or by the regulations in Part 116 of this chapter, upon a determination that they contain meat or other portions of such carcasses only in a relatively small proportion or historically have not been

considered by consumers as products of the meat food industry, and provided that they comply with any requirements that are imposed in such cases or regulations as conditions of such exemptions to assure that the meat or other portions of such carcasses contained in such articles are not adulterated and that such articles are not represented as meat food products. This term, as applied to food products of equines, shall have a meaning comparable to that provided in this paragraph with respect to cattle, sheep, swine, and goats.

ss. "Product." Any carcass, meat, meat by-product, or meat food product, capable of use as human food.

tt. "Immediate container." The receptacle or other covering in which any product is directly contained or wholly or partially enclosed.

uu. "Shipping container." The outside container (box, bag, barrel, crate, or other receptacle or covering) containing or wholly or partly enclosing any product packed in one or more immediate containers.

vv. "Biological residue." Any substance, including metabolites, remaining in livestock at time of slaughter or in any of its tissues after slaughter as the result of treatment or exposure of the livestock to a pesticide, organic or inorganic compound, hormone, hormone-like substance, growth promotor, antibiotic, anthelmintic, tranquilizer, or other therapeutic or prophylactic agent.

ww. "Experimental animal." Any animal used in any research investigation involving the feeding or other administration of, or subjection to, an experimental biological product, drug, or chemical or any nonexperimental biological product, drug, or chemical used in a manner for which it was not intended.

xx. "Dead livestock." The body (cadaver) or livestock which has died otherwise than by slaughter.

yy. "Dying diseased, or disabled livestock." Livestock which has or displays symptoms of having any of the following:

- (1) Central nervous system disorder;
- (2) Abnormal temperature (high or low);
- (3) Difficult breathing;
- (4) Abnormal swellings;
- (5) Lack of muscular coordination;
- (6) Inability to walk normally or stand;
- (7) Any of the conditions for which livestock is required to be condemned on ante-mortem inspection in accordance with the regulations in Part 109 of this chapter.