



**Commonwealth of the Northern Mariana Islands**  
**Office of the Governor**  
**Saipan, Mariana Islands 96950**

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REPLY TO:

DEPT. or ACTIVITY

AUG 28 1985

The Honorable Vicente M. Sablan  
Speaker, House of Representatives  
Fourth Northern Marianas  
Commonwealth Legislature  
Saipan, CM 96950

and

The Honorable Ponciano C. Rasa  
President of the Senate  
Fourth Northern Marianas  
Commonwealth Legislature  
Saipan, CM 96950


Dear Mr. Speaker and Mr. President:

This is to inform you that I have signed into law House Bill No. 184, S.D.2, entitled, "To establish the Animal Health Protection and Disease Control Act for the protection of animal and human health in the Commonwealth of the Northern Mariana Islands and for other purposes," which was passed by the Fourth Northern Marianas Commonwealth Legislature.

Seeing that there **exists** a need for such legislation, I have signed this bill into Public Law No. 4-55; however, the Director of the Department of Natural Resources should promptly adopt rules and regulations to address possible appeals that might arise in the denial of licenses by the Chief of Animal Health and Industry pursuant to Section 5323.

Copies of this bill bearing my signature are forwarded for your ready reference.

Sincerely,

  
PEDRO A. TENORIO  
Acting Governor

CC: Special Assistant for Programs and Legislative Review

FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
SEVENTH REGULAR SESSION, 1985

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AN ACT

To establish the Animal Health Protection and Disease Control Act for the protection of animal and human health in the Commonwealth of the Northern Mariana Islands and for other purpose.

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Offered by Representative Pedro R. Guerrero

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Date: December 4, 1984

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House Action

Referred to: Committee on Resources & Development

Standing Committee Report No. 4-62

First Reading: January 16, 1985

Second Reading: February 21, 1985

Final Reading: July 3, 1985

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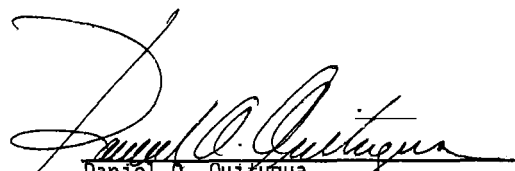
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Senate Action

Referred to: Committee on Health, Education and Welfare and Programs

Standing Committee Report No. 4-129

Second and Final Reading: June 20, 1985

  
Daniel O. Quitugua  
Chief Clerk  
House of Representatives

FOURTH REGULAR SESSION, 1984

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AN ACT

To establish the Animal Health Protection and Disease Control Act for the protection of animal and human health in the Commonwealth of the Northern Mariana Islands and for other purpose.

BE IT ENACTED BY THE NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

Section 1. Amendment to 2 CMC, Division 5, Chapter 3.

(a) 2 CMC, Division 5, Chapter 3 is amended to redesignate **it** as "Article 1. General" of 2 CMC, Division 5, Chapter 3.

(b) A new "Article 2. Animal Health Protection and Disease Control Act" is added to read as follows:

"Article 2. Animal Health Protection and Disease Control Act.

Section 5320. Short Title. This Article may be cited as the "Animal Health Protection and Disease Control Act" or the act.

Section 5321. Purpose and Objectives.

(a) The purpose of this act is to:

- (1) establish a **well**-defined **system** of animal quarantine, inspection procedures, and disease control activities to provide for the sound protection of domestic animals, poultry and birds, as well as pet animals and the **public** health;
- (2) provide the procedures for the prevention, control and eradication of

certain diseases of domestic animals, birds and poultry; and

(3) to protect the agricultural and general well-being of the people of the Northern Marianas by preventing the introduction of and further spread of exotic animals, animal diseases, and other pests into and within the Northern Marianas.

(b) By establishing a sound system of animal quarantine and inspection procedures, costly and devastating diseases of animals such as brucellosis, tuberculosis, scabies, scrapie, exotic Newcastle disease, swine vesicular disease, hog cholera, African swine fever, foot-and-mouth disease, rinderpest, equine infectious anemia and other diseases of economic importance can be effectively prevented from being introduced.

(c) Animal diseases of great public health significance, such as brucellosis, tuberculosis, certain tapeworms and rabies, can also be prevented from being introduced into the Commonwealth by establishing an effective and sound system of animal quarantine. It is imperative to provide such a system if rabies, an invariably fatal disease of man and most mammals, is to be kept completely out of the Commonwealth.

(d) In order to assure the continuing success of an animal quarantine system, regulations are necessary for the reporting of animal diseases, control of movements of animals and animal products into and within the CNMI, mandatory inspection of imported animals and animal products, and imposition of appropriate quarantine measures on animals, herds or flocks and affected and adjacent herds, flocks, or premises, and island or islands.

Section 5322. Definitions. As used in this act:

(a) "Accredited veterinarian" means a licensed veterinarian certified by federal and Commonwealth or state animal health authorities to participate in cooperative disease control activities, including execution of health certificates for the interstate and international movement of animals.

(b) "Animals" means wild animals, domestic animals, poultry, birds and hatching eggs.

(c) "Animal products" means any edible or inedible substance derived in whole or in part from an animal.

(d) "Birds" means parrots, parakeets, mynahs, sparrows, finches, cockatiels, love birds, canaries, and all other feathered life other than poultry, including eggs for hatching.

(e) **"Byproduct"** means any part of any animal subject to diseases of quarantine concern.

(f) "Carrier" means any ship, vessel, boat, airplane or other conveyance used to transport animals; or its master, **commanding** officer, owner, local manager, or agent.

(g) "Chief" means the Chief of Animal Health and Industry Division of the Department of Natural Resources, or any person to whom he may delegate authority.

(h) "Commonwealth" means the Commonwealth of the Northern Mariana Islands, or any island in this group.

(i) "Department" means the Department of Natural Resources of the Commonwealth Government.

(j) "Director" means the Director of Natural Resources or any person to **whom** he has delegated authority.

(k) "Division" means the Division of Animal Health and Industry of the Department of Natural Resources.

(l) "Dogs and cats" means members of the canine and feline families, respectively, that are domesticated.

(m) "Domestic animals or livestock" means horses, mules, asses, cattle, sheep, goats, swine, dogs, cats and other animals maintained in the domestic state, excluding birds and poultry.

(n) "Effects" means ropes, halters, harnesses, buckets, stalls, crates, pens, stables, feed, feed bags, leashes, collars, chains, dishes, toys and other objects, equipment and materials used to handle, confine, maintain, accompany or transport animals.

(o) "Exotic animals" means non-native species of fishes, reptiles, birds, and mammals that may be held in captivity but are not common domestic animals. The Division may issue a list of exotic animals.

(p) "Garbage" means all waste materials derived in whole or in part from fruits, vegetables, meats, or other plant or animal (including poultry) material, and other refuse of any character whatsoever that has been associated with any such material on board any means of conveyance, and including food scraps, table refuse, galley refuse, food wrappers or packaging materials, and other waste material from stores, food preparation areas, passengers' or crews' quarters, dining rooms, or any other areas on vessel/aircraft, or other means of conveyance.

(q) "Hatching eggs" means eggs of poultry and birds used for producing young.

(r) "Health certificate" means an official document issued by a licensed or an accredited veterinarian, or an authorized federal or state

veterinarian of the state or jurisdiction of origin certifying that the animal being shipped is free **from** external parasites and **symptoms** or evidence of transmissible disease and providing **all** other information and test results required for acceptance by the **Commonwealth**.

(s) "Infectious, contagious and communicable **diseases**" means **all transmissible** diseases of animals.

(t) "Inspection" means the examination of any animal or animals, meat, meat products and animal byproducts prior to or after entry into the Northern Marianas by the Chief of Animal Health and Industry or other Inspector.

(u) "Inspector" means a veterinarian, livestock inspector, customs inspector, or animal or agricultural quarantine inspector in the Division of Animal Health and Industry and the Division of Plant Industry and Extension Services, or the **United** States Department of Agriculture.

(v) "Licensed veterinarian" means a veterinarian having a current, valid license to practice veterinary medicine in the state or jurisdiction of origin of the animal being certified and shipped.

(w) "Permit" means animal quarantine permit issued by the Chief of Animal Health and Industry which permit is required of all animals as a condition of entry into the Northern Marianas.



(x) "Poultry\*" means chickens, ducks, turkeys, swans, pigeons, doves, pheasants, guinea fowl, pea-fowl, quails, grouse, partridges, geese, peacocks, and domestic feathered life generally, of all ages including eggs for hatching.

(y) "Quarantine" means the isolation of animal or animals on premises or in areas specified by the Chief of Animal Health and Industry and the designation given such premises or areas. No animal may be removed from or be added to such premises or areas except as permitted by the Chief of Animal Health and Industry. For dogs and cats, quarantine means confinement for a period of 120 days in the As Perdido Animal Quarantine Facility, or in such other quarantine facilities as are recognized and approved by the Chief.

(z) "Rabies-free areas" means countries, states and territories where rabies is not known to exist or occur, or where rabies had been completely eradicated. Only those countries, states and territories recognized by the State of Hawaii and by the Chief of Animal Health and Industry as rabies-free shall be accorded the status by the Commonwealth.

(aa) "Rabies-infected areas" or "Rabies Areas" means countries, states and territories where rabies is known to exist or occur. Countries, states and

1 territories not recognized by the State of Hawaii and  
2 the Chief of Animal Health and Industry as rabies-free  
3 areas shall be considered rabies-infected areas.

4 (bb) "Regulations" means the animal quarantine  
5 regulations of the Commonwealth and all applicable  
6 regulations of the United States Department of  
7 Agriculture, Animal and Plant Health Inspection  
8 Service.

9 (cc) "Transmissible diseases of animals" means  
10 any infectious, contagious or communicable disease of  
11 animals.

12 (dd) "Uniform methods and rules" means the  
13 recommended minimum standards adopted by USDA for the  
14 achievement of goals in the state-federal animal  
15 disease control and eradication program.

16 (ee) "USDA" means the United States Department  
17 of Agriculture.

18 (ff) "Wild or feral animals" means zoological,  
19 menagerie or wild animals, whether mammals, birds,  
20 amphibians, reptiles, or fishes as distinguished from  
21 domestic animals, birds and poultry. They also  
22 include insects and mollusks.

23 Section 5323. Chief of, Animal Health and Industry;  
24 Established.

25 (a) Creation of Position. There is in the civil  
service of the Commonwealth Government and within the

Department of Natural Resources the position of Chief of Animal Health and Industry. The **qualifications** and salary of the Chief shall be established by the Personnel Office and Civil Service Commission in accordance with established procedures.

(b) Duties of the Chief. The Chief shall be responsible for:

- (1) Administering and enforcing this act;
- (2) Subject to approval by the Director of Natural Resources, providing, **promulgating**, and enforcing regulations necessary to carry out the intent and purposes of this Act; and
- (3) Directing all matters relating to the inspection of animals, and the prevention, control and eradication of **communicable** diseases in and among animals, and all matters generally relating to animal health and animal industry.

(c) Power to Issue Regulations:

- (1) The Director may issue regulations consistent with this act. Within 30 days of the effective date of this Act, the Director shall initiate procedures to issue regulations. The adoption of subsequent rules and regulations shall be in accordance with the Administrative Procedure Act contained in Title 1, Division 9, Chapter 1 of the Commonwealth Code.

(2) Subject to approval by the Director of Natural Resources, the Chief may make and amend rules and regulations, for the inspection, quarantine, disinfection, or destruction, either upon introduction in the Commonwealth, or at any time or place within the Commonwealth, of animals and premises and effects used in connection with such animals. The regulations may govern the control and eradication of transmissible diseases of animals and the transportation of animals between the different islands in the Commonwealth.

(3) The regulations may require the owners and masters of any aircraft, boat, vessel, or carrier calling at any port in the Commonwealth and engaged in transportation of domestic animals, birds or poultry, to make reports of the numbers and class of domestic animals, birds or poultry carried, names of owners and consignees, the place to and from which the animal is shipped, the manner of handling the animals, the number of deaths or injuries to livestock occurring in transit or while being loaded or unloaded, with the causes of the deaths or injuries, and all other matters which

may be deemed necessary by the Chief for a full and complete record of the shipping and handling of animals.

(4) The Chief may also prohibit the importation into the Commonwealth from any foreign country, or other parts of the United States, or from one island within the Commonwealth to another island, or to one locality from another locality on the same island, of undesirable exotic animals and animals known to be infected with a contagious, infectious, or communicable disease or known to have been exposed to any such disease.

(5) The Chief of Animal Health and Industry shall designate his representative on the islands of Rota and Tinian who shall be authorized to issue permits for poultry and livestock. Such authority shall be limited to importing poultry and livestock from Guam. Issuance of permit for the importation of poultry and livestock from states and territories other than Guam shall be issued by the Chief.

(d) Power of Approve and Issue Licenses to Practice Veterinary Medicine and Surgery in the Commonwealth. The Chief is empowered under this Act to receive and review

applications, and to approve and issue licenses to **qualified** applicants to practice veterinary medicine and surgery in the Commonwealth. Only graduates of schools and colleges accredited by the **American** Veterinary Medical Association in the United States, who have passed the National Veterinary Medical Board examination and, who are currently licensed to practice the veterinary profession in at least one of the fifty states of the United States or its territories is qualified to apply to practice said profession in the Commonwealth. The Chief shall **promulgate** rules and regulations, subject to approval by the Director, that are consistent with the provisions of the Act. Such rules and regulations shall include a fee schedule for all services required under the Act.

(e) Power of Enforcement. The Chief of Animal Health and Industry or other **public** official as may be authorized by law shall have the power and duty to enforce the provisions of this Act. All authority granted to him by this Act may be used in furtherance of these enforcement activities whenever such use of authority is necessary and applicable.

(f) Staffing. Subject to budgetary appropriations, the Chief may hire such persons as are necessary to execute the purposes of this Act.

Section 5324. Entry of Animals Without Inspection Prohibited.

(a) No domestic or wild animal, including livestock, birds and poultry, shall enter the Commonwealth, except after inspection and the issuance of an entry permit by the Chief to the consignee, importer, or owner.

(b) The Chief shall charge fees to cover the reasonable expenses of inspection after normal working hours.

(c) No exotic animal shall enter the Commonwealth, except after approval by the Chief and the Chief of the Division of Fish and Wildlife. The Chiefs may prescribe entry requirements and conditions for exotic animals. The Chiefs may also prohibit entry of undesirable exotic animals.

Section 5325. Landing of Animals. The landing of any animal for the purpose of inspection or quarantine is not an entry into the Commonwealth. If in the opinion of the Chief, it is necessary or proper to quarantine any animal, he may so order at the expense of the owner, importer, or consignee. The landing of any animal known to be affected with any contagious, infectious, or communicable disease is an unlawful entry; Provided, that with the prior approval of the Chief, the animals may be landed for quarantine or destruction and disposal at the expense of the owner, importer, or consignee.

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Section 5326. Quarantine. The Chief may quarantine any animal known to be affected with or to have been exposed to any contagious, infectious, or communicable disease, and destroy the same at the owner's expense, when in the opinion of the Chief, the measure is necessary to prevent the spread of the disease. At the owner's expense, the Chief may provide for the proper disposition of its hide, carcass or feathers, and disinfect premises where the disease may have existed.

(a) All dogs and cats from areas other than those declared to be rabies-free by the State of Hawaii and the Chief of Animal Health and Industry shall be confined and quarantined at the As Perdido Animal Quarantine Facility for a minimum of 120 days or longer if, in the opinion of the Chief, it is necessary to prevent the introduction of rabies and other infectious, contagious or communicable disease of dogs and cats. Dogs and cats which have undergone only partial quarantine in approved facilities in Guam or Hawaii, and which have not completed the required 120-day quarantine thereat, shall be required to complete the remaining days of the required 120-day period of quarantine at the As Perdido Animal Quarantine Facility. Rabies-free areas are Hawaii, Guam, Australia, New Zealand and the British Isles. The Chief will maintain and publish a listing of rabies-free areas in the Regulations as changes occur.



(b) Dogs and cats **from** rabies-free areas may be exempted from the quarantine requirements; provided, that their areas of origin remain free of rabies and continue to maintain, to the satisfaction of the Chief, stringent entry requirements to prevent the introduction of this disease into their areas, and provided that, in addition to meeting all requirements applicable to dogs and cats, they are imported in compliance with the entry conditions and requirements stipulated in the Regulations and on their entry permits.

Section 5327. Importation of Meat Products, Frozen Semen, Garbage, Animal By-products, Bedding Material and Certain Feedstuffs.

(a) **It** is unlawful to import fresh, chilled, frozen **and/or** unprocessed meat or carcass of any kind, including birds and poultry, **from** any part of the world into the Commonwealth, except from the Continental United States, Hawaii, ~~Guam~~, Canada, Australia and ~~New Zealand~~, and any other country, state or territory **allowed** by the United States Department of Agriculture's Animal and Plant Health Inspection Service.

(b) Meat or poultry permitted entry by the Chief shall comply with all applicable federal laws and

regulations pertaining to meat and poultry inspection, as provided for by the Federal Meat Inspection Act, the **Wholesome** Meat Act, the Poultry Products Inspection Act, and other applicable federal laws.

(c) **It** is unlawful to import semen or living animal serum produced in any part of the world into the Commonwealth except from the Continental United States, Hawaii, and **Guam**. An animal quarantine permit is required as a condition of entry of frozen semen and living animal serum, and must further be **accompanied** by such certificates as may be required in the permit. Any animal semen imported must be certified free of venereal and genital diseases, including the donor animals, by an accredited veterinarian of the place of origin. Unless the entry conditions and requirements stated on the import permit are fully **complied** with, the shipment shall be refused entry.

(d) Dried, cured, cooked and other processed or manufactured meat and meat products are **prohibited** entry except **from** the Continental United States, Hawaii, **Guam**, Canada, Australia and **New Zealand**. The above products shall be **accompanied** by adequate proof of origin, including invoices or sales slips, specifying the amount of purchase made and the dates thereof.

(e) Canned meat products **from** countries, areas or territories that have or are infected with Exotic Newcastle Disease, African Swine Fever, Hog Cholera, Swine Vesicular Disease, Rinderpests and Foot-And-Mouth Disease may be imported for personal consumption in quantities of 50 pounds or less; Provided, that the canned meat products have **all** been fully cooked by a commercial method in containers **hermetically** sealed **promptly** after filling but before the cooking, so that the cooking and sealing produce a fully sterilized product which is shelfstable without refrigeration; and provided, further, that the products are accompanied by an official and valid original certificates issued by a responsible animal health official or meat inspector of the Animal Health or Industry Division or Meat Inspection Office of the place or country of origin, certifying that the products were prepared and processed in the manner and conditions as described above.

(f) All garbage **from** surface vessels and aircrafts must be held on board the ship or plane while in **port**, incinerated in a USDA-approved disposal facility under supervision of an authorized inspector, or dumped into the ocean at least 12 miles beyond the nearest outer reef. All garbage on board a vessel or aircraft shall be contained in tight, leakproof containers, be kept

inside the vessel guardrail, and shall not be unloaded unless contained in tight, leakproof containers and sent to an approved disposal facility under general supervision of an authorized inspector.

(g) All other animal products and byproducts, including trophies, bloodmeal, blood albumin, bones, horns, hoofs, feathers on skin, gluestock, hides, and skins, organs and glands, tankage, wool, hair, bristles, ossein, casings, dairy products, pharmaceuticals, biologicals, etc., as well as straw, hay and grass, shall be governed and regulated by the provisions of Title 9 of the United States Code of Federal Regulations, Chapter 1, **Sub-Chapter D**, Parts 92, 94, 95, and 96.

Section 5328. Interference with Inspection Prohibited, Including Harassments, Threats and Bodily Harm to Inspection Personnel. It shall be unlawful for any person or persons to interfere, in any way or manner, with the inspection procedures or with the inspection personnel, including harassments, threats and bodily harm to said inspection personnel. Any person who engages in any of these prohibited acts shall be subject to criminal and civil penalties contained in this Act.

Section 5329. Penalties.

(a) Criminal Penalty. Any person violating any of the provisions of this act or any regulations issued

under **the** act shall upon conviction, be imprisoned for not more than six months or fined not more than \$2,000.00, or both.

(b) Civil Penalty. The Chief may assess against any person violating any of the provisions of this act or regulations issued under **it**, the following fines:

	<u>Amount of Fine</u> <u>Not More Than</u>
First Offense:	\$ 100.00
Second Offense:	500.00
Third Offense:	1,000.00
Fourth & Subsequent Offenses:	Subject to trial in a court of law.

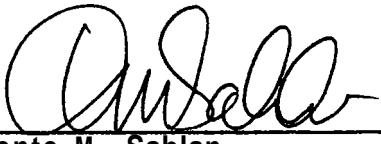
(c) Special General Fund Account. Monies collected **from** the imposition of fees, fines and other charges provided for in this act shall be deposited in a special account in the General Fund. The Chief may expend funds from the special account to meet the purposes of this act.

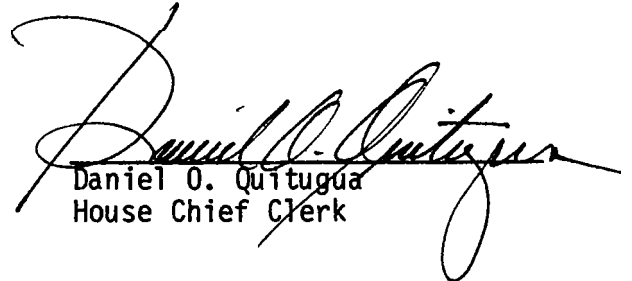
Section 2 Severability. If any section or regulation of this Act is declared invalid by a court of competent jurisdiction, the judicial **determination** shall not affect the validity of the Act or regulations as a whole, or any part thereof, other than the particular part declared invalid.

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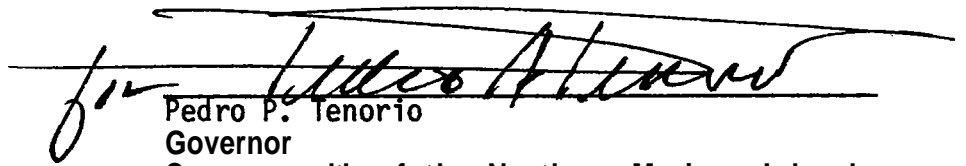
Section 3. Effective Date. This Act shall take effect upon its approval by the Governor or upon its becoming law without such approval.

ATTEST:

  
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Vicente M. Sablan  
Speaker of the House

  
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Daniel O. Quitugua  
House Chief Clerk

August 22, 1985

  
\_\_\_\_\_  
for Pedro P. Tenorio  
Governor  
Commonwealth of the Northern Mariana Islands