



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

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REPLY TO

AUG 2 1985

DEPT. or ACTIVITY

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

GOV. COMM. NO. 129  
(House of Rep.)

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.

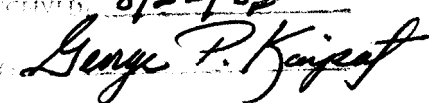
Seeing that there exists a need for such legislation, I have signed this bill into Public Law No. 4-55; however, the Director of the Department of Natural Resources should promptly adopt rules and regulations to address possible appeals that might arise in the denial of licenses by the Chief of Animal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

RECEIVED 8/22/85  
BY: 

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 8, 1985

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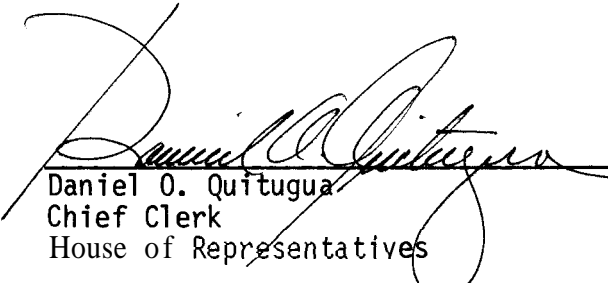
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Senate Action

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

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:

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

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

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

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

11 Section 5321. Purpose and Objectives.

- 12 (a) The purpose of this act is to:
- 13 (1) establish a well-defined
- 15 system of animal quarantine, inspection
- 16 procedures, and disease control activities
- 17 to provide for the sound protection of
- 18 domestic animals, poultry and birds, as
- 19 well as pet animals and the public health;
- 20 (2) provide the procedures for the
- 21 prevention, control and eradication of

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1 certain diseases of domestic animals, birds  
2 and poultry; and

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

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

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

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

10                  Section 5322. Definitions. As used in this act:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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  
26 service of the Commonwealth Government and within the

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

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

8 (1) Administering and enforcing this act;

9 (2) Subject to approval by the Director  
10 of Natural Resources, providing, promulgating,  
11 and enforcing regulations necessary to carry  
12 out the intent and purposes of this Act; and

13 (3) Directing all matters relating to  
14 the inspection of animals, and the prevention,  
15 control and eradication of communicable  
16 diseases in and among animals, and all  
17 matters generally relating to animal health  
18 and animal industry.

19 (c) Power to Issue Regulations:

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

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

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

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

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

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

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

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

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

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

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1                   Section 5324. Entry of Animals Without Inspection  
2                   Prohibited.

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

23          Section 5329. Penalties.

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

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

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

	<u>Amount of Fine</u>
	<u>Not More Than</u>
8	
9	
10	First Offense: \$ 100.00
11	Second Offense: 500.00
12	Third Offense: 1,000.00
13	Fourth & Subsequent Offenses: Subject to trial
14	in a court of law.

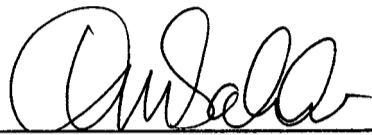
15 (c) Special General Fund Account. Monies  
16 collected ~~from~~ the imposition of fees, fines and  
17 other charges provided for in this act shall be  
18 deposited in a special account in the General  
19 Fund. The Chief may expend funds from the special  
20 account to meet the purposes of this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

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

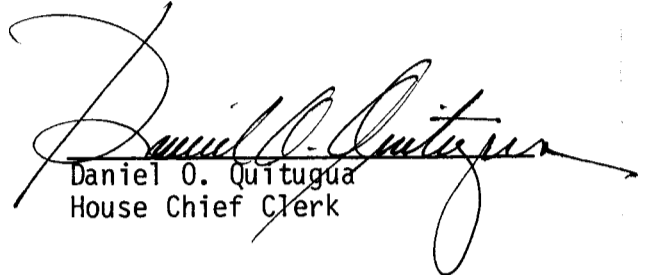
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1 Section 3. Effective Date. This Act shall take effect upon its  
2 approval by the Governor or upon its becoming law without such approval.

ATTEST:

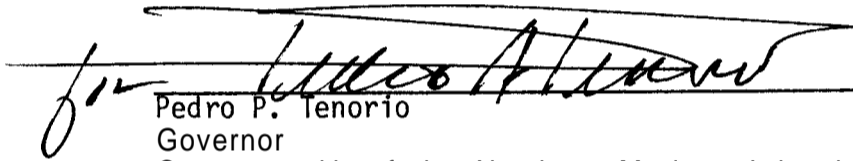


Vicente M. Sablan  
Speaker of the House



Daniel O. Quitugua  
House Chief Clerk

August 22, 1985



Pedro P. Tenorio  
Governor  
Commonwealth of the Northern Mariana Islands