

**TITLE 26 of the GUAM ADMINISTRATIVE
RULES AND REGULATIONS**

Division 1 - Director of Public Health and Social Services

**CHAPTER 4
PUBLIC HEALTH AND SANITATION**

**Article 3
Animal Quarantine**

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§4301. Purpose. The purpose of these rules and regulations is to protect the people of Guam and their pets from the potential introduction and spread of rabies and other diseases.

§4302. Authority. Section 20105 of Title 10, Guam Code Annotated, General Provisions, empowers the Director of Public Health and Social Services to adopt and promulgate such rules and regulations as may be necessary. Further authority is also provided for in United States Code, Title 48, Section 1421g (a).

§4303. Definitions. For the purpose of these rules and regulations, the following meanings shall apply to the words indicated, whether capitalized or not, unless the context requires otherwise:

(a) “Carrier” means any person engaged in the business of transporting any dog or cat into, through or upon Guam by airplane, ship or any other form of conveyance.

(b) “Commercial Quarantine Facility” or “CQF” means a quarantine facility approved by the Director to confine dogs or cats under quarantine, and shall include a facility owned and operated by the U.S. military.

(c) “Department” means Department of Public Health and Social Services.

(d) “Designated Inspection Area” means an area designated by the Director.

(e) “Director” means Director of the Department of Public Health and Social Services or his designated representative.

(f) “Dog” or “Cat”, or the plural term of each, means those animals belonging to the order *Carnivora* which includes dogs, wolves, foxes, skunks, raccoons, cats, civets, hyenas, weasels, wolverines; and the order *Marsupialia* which includes opossums, koalas, kangaroos; and the order *Chiroptera* which includes bats.

(g) “Impoundment” means strict confinement under restraint by leash, cage, or paddock upon premises specified by order of the Director.

(h) “Officer” means a member of the Guam Police Department, Customs and

Quarantine Agency, a Mayor of Guam, or a person authorized by the Director.

(i) “Operator” means the name of the person appearing on any permit to construct or to operate a CQF.

(j) “Permit” means a sanitary permit to construct or a sanitary permit to operate a CQF.

(k) “Person” means any natural person, association, partnership, firm, corporation or any government entity.

(l) “Quarantine” means strict isolated confinement in accordance with the provisions of these regulations, and other conditions as may be designated by the Director.

(m) “Rabies” means an acute infectious disease of the central nervous system in mammals, including man, caused by a virus of the genus *Lyssavirus*, and frequently transmitted through the bite of an infected dog or cat.

(n) “Rabies-Free Area” means an area as may be designated from time to time by the Director as having been free from rabies for the immediately preceding two (2) years and which area has maintained stringent entry and quarantine requirements to prevent the introduction of rabies and other zoonotic diseases.

(o) “Thirty-Day Quarantine Program” or “30-Day Quarantine Program” means an alternative quarantine program to the normally required 120 days of quarantine at a CQF, where an animal is placed in a CQF for the first thirty days and then monitored outside the facility for the remaining ninety days upon qualification.

(p) “Government Veterinarian” means an individual licensed and authorized to practice veterinary medicine on Guam and who is employed, whether part-time or full-time, by the Department or, another government of Guam entity.

(q) “Veterinarian” means an individual licensed to practice veterinary medicine in the jurisdiction in which the license is issued.

§4304. Requirements for Entry into Guam. (a) Every dog or cat entering Guam, including through military installations, must be accompanied at the time of arrival by valid entry permit issued by the Department.

(b) A dog or cat shall be permitted entry only at the A.B. Won Pat International Airport, unless written authorization indicating entry elsewhere is given by the Director prior to the animal’s entry.

(c) A pregnant dog or cat, past forty-five (45) days gestation, shall not be permitted entry into Guam.

(d) Once issued, an entry permit may not be altered by anyone, except that the Director may amend the permit at his discretion if necessary.

§4305. Illegal Entry. Any dog or cat arriving at a port without having been issued a valid entry permit shall remain in the custody of the carrier at the port in a designated area. Transfer of custody to anyone other than the carrier is absolutely prohibited. The animal must be deported by the carrier within seventy-two (72) hours unless the Director consents to a longer period. If the carrier is unable to deport the animal, then it shall be disposed of humanely by the Department. The carrier shall be responsible for all expenses while holding the animal and for the costs of deportation and disposal, and shall promptly reimburse the Department if any costs are incurred by the Department stemming from the illegal entry.

§4306. Pre-Arrival Requirements for Entry Permit. The following shall be required prior to the issuance of an entry permit:

(a) Submission of an original application in a form prescribed by the Department, signed and certified by the applicant as to the information's truthfulness and completeness;

(b) Payment of the required fee. The entry permit fee shall be fixed annually or from time to time as may be necessary or practicable, by the Director on the basis of the Department's operating costs in connection with monitoring the entry of animals into Guam and payable to the "Treasurer of Guam." The initial entry permit fee for each imported dog or cat shall be Sixty Dollars (\$60.00);

(c) Submission of proof of vaccination of all dogs and cats ninety (90) days of age or older at the time of arrival on Guam against rabies, with an approved inactivated rabies vaccine recommended by the National Association of State Public Health Veterinarians.

(1) An animal entering Guam under the 120-Day Quarantine Program shall be vaccinated for rabies not less than thirty (30) days prior to its entry.

(2) An animal entering Guam under the 30-Day Quarantine Program shall undergo a pre-arrival rabies blood test in addition to complying with the provisions of §§4307 and 4309 herein;

(d) Submission of proof of vaccination of all dogs, not less than ten (10) days and not more than one-hundred eighty (180) days prior to arrival. A document attesting to the administering of the vaccinations must include the name and address of the pet owner; name and description of the animal, indicating its age, sex, breed, color, and markings; date or dates of vaccinations; and the name, address, and signature of the veterinarian who administered the

vaccination. The Director, in his discretion and in writing, may waive any vaccination required by this section if the dog or cat originates from a rabies-free area. The following vaccinations are required:

- (1) Canine distemper virus;
- (2) Canine infectious hepatitis virus or canine adenovirus-2;
- (3) Canine *leptospirosis*;
- (4) Canine parainfluenza;
- (5) Canine coronavirus;
- (6) Canine parvovirus; and
- (7) *Bordetella bronchiseptica* (kennel cough);

(e) Submission of proof of vaccination of all cats, which vaccinations must be completed not less than ten (10) days and not more than one-hundred eighty (180) days prior to arrival. A document attesting to the administering of the vaccinations must include the name and address of the pet owner; name and description of the animal, indicating its age, sex, breed, color, and markings; date or dates of vaccinations; and the name, address, and signature of the veterinarian who administered the vaccination. The Director, in his discretion and in writing, may waive any vaccination required by this section if the dog or cat originates from a rabies-free area:

- (1) Feline *panleukopenia* virus (feline viral enteritis);
- (2) Feline viral *rhinotracheitis* (feline herpesvirus-1);
- (3) Feline *calicivirus*; and
- (4) *Chlamydia psittaci* (pneumonitis);

(f) Submission of a confirmed reservation document from a CQF. It shall be the pet owner's responsibility to contact the CQF directly for kennel reservation, rates, etc. Such reservations may be transmitted to the Department by the CQF;

(g) Submission of an original health certificate in accordance with these rules or other applicable laws within fourteen (14) days of arrival;

(h) Submission of an affidavit for export in accordance with these rules or other applicable laws for dogs or cats originating from rabies-free areas; and

(i) If qualifying for the 30-Day Quarantine Program, submission of proof of implantation of an electronic microchip issued by the Department.

§4307. Health Certificate Requirement. The health certificate shall be written in legible English and must include the following information:

- (a) The name, address, and telephone number of the certifying veterinarian;

(b) A complete description of the animal, including age, markings, sex, breed and any additional identifying characteristics;

(c) A statement, with date of treatment and name of insecticide, indicating that the animal is free of external and intestinal parasites, and indicating whether the animal was dipped, sponged, sprayed, or dusted for external parasites within fourteen (14) days prior to arrival;

(d) Certification that the animal is free of any evidence of infectious or contagious disease;

(e) If applying for the 30-Day Quarantine Program, the number and date of implantation of the Department-issued electronic microchip.

(f) Record of all pertinent vaccinations listed in §4306.

(g) Record of rabies vaccination which includes the name of the vaccine, lot or serial number, expiration date and route of administration. An animal qualifying for the 30-Day Quarantine Program shall list information on the two (2) most recent rabies vaccination. Excluding dogs and cats qualifying for the 30-Day Quarantine Program under §4309, the rabies vaccination shall be administered thirty (30) days prior to the dog or cat's departure for Guam.

§4308. One-Hundred Twenty-Day Quarantine Program. All dogs and cats entering Guam are subject to one hundred twenty (120) days of quarantine at a CQF unless otherwise exempted by these rules or unless qualifying for the 30-Day Quarantine Program.

§4309. Thirty-Day Quarantine Program. (a) The 30-Day Quarantine Program is a modified 120-Day Quarantine Program wherein, after the initial thirty (30) days of quarantine at a CQF, the animal completes quarantine under the owner's control and supervision. In addition to the requirements of §4306 and §4307, the pre-arrival and post-arrival requirements of §§4310 and 4311 shall be met to qualify for the 30-Day Quarantine Program.

(b) After qualifying for the 30-Day Quarantine Program and completing the required thirty (30) days of quarantine at a CQF, the animal shall be home-quarantined for the next ninety (90) days under the following conditions:

(1) The owner shall maintain the animal at the physical residence (*e.g.*, home) indicated on the application under conditions of strict confinement as will prevent any escape;

(2) Any proposed change in address or ownership shall be promptly reported to the Department in writing, and approved by the Department, prior to the change;

(3) The animal may be permitted to leave the physical residence, provided it is

securely leashed or confined (*e.g.*, cage, fence) and accompanied by the owner or the owner's authorized representative only;

(4) The owner shall immediately notify the Department if the animal dies, shows symptoms of rabies, or is lost or stolen, during the ninety (90) days of home quarantine;

(5) The owner shall obtain and submit to the Department a health clearance from a licensed veterinarian indicating that the animal is free of rabies and its symptoms no earlier than five (5) days before, but not after, the expiration of the ninety (90) days of home quarantine; and

(6) The owner shall permit the Department to inspect the animal or the place of its confinement at any reasonable time to ensure the compliance of these rules and regulations.

(c) If the Director has reasonable cause to believe that any condition of the 30-Day Quarantine Program is not complied with, then the Director may immediately seize the animal and subject it to quarantine at a CQF for a period equivalent to the time it would take to complete the normal 120-Day Quarantine Program, at the expense of the owner.

§4310. Pre-Arrival Requirements for 30-Day Quarantine Program. Prior to arrival on Guam, the owner of an animal applying for the 30-Day Quarantine Program shall ensure that the following requirements are met. Failure to meet any of these requirements shall disqualify the animal from the 30-Day Quarantine Program:

(a) The animal shall receive a minimum of two (2) rabies vaccinations not less than six (6) months apart prior to its entry into Guam as follows:

(1) The first rabies vaccination must have been received when the animal was ninety (90) days of age or more;

(2) The second or subsequent vaccination must have been received when the animal was no less than ninety (90) days and no more than three hundred sixty-five (365) days age before entry into Guam;

(3) The name, serial or lot number, expiration date and route of administration must appear on the health certificate; and

(4) Information for the two (2) most recent rabies vaccinations must have been recorded on the health certificate.

(b) A rabies blood test, OIE-Fluorescent Antibody Virus Neutralization Test, also

known as an OIE-FAVN, shall be conducted prior to the arrival of the animal into Guam, as follows:

(1) The OIE-FAVN test must have been conducted at a laboratory approved by the Department;

(2) One (1) to three (3) milliliter(s) of whole blood in a heparinized or EDTA blood collection tube shall be sent to the approved laboratory by a veterinarian. The laboratory shall maintain the blood sample until the animal completes its 120-day stay on Guam, and the blood shall be made available for genetic analysis to confirm the identity of the animal, if necessary;

(3) The OIE-FAVN test shall be conducted no less than ninety (90) days and no more than three hundred sixty-five (365) days prior to arrival. The counting of days shall commence on the day following the OIE-FAVN sample is received by the laboratory;

(4) The testing laboratory shall submit the test results directly to the Department, and shall include the Department issued microchip number and a complete physical description of the animal; and

(5) The result of the OIE-FAVN shall be 0.5 I.U. per milliliter of rabies antibodies or greater.

§4311. Post-Arrival Requirements for 30-Day Quarantine Program. (a) An animal qualifying for the 30-Day Quarantine Program shall be required to have another OIE-FAVN test upon arrival on Guam. The result of the OIE-FAVN shall be 0.5 I.U. per milliliter of rabies antibodies or greater. Any animal failing to meet the required 0.5 I.U. per milliliter of rabies antibody, or greater, shall be automatically disqualified from the 30-Day Quarantine Program and quarantined for one hundred twenty (120) days.

(b) The owner of the animal otherwise qualifying for the 30-Day Quarantine Program shall be required to submit a signed consent form allowing a government veterinarian to collect a blood sample for OIE-FAVN testing. The consent form shall include an authorization for the government veterinarian to sedate the animal to obtain the blood sample, if necessary. The blood sample shall not be collected by the government veterinarian without a signed consent form and payment for the test.

(c) As an alternative to (b) of this section, a private veterinarian may be permitted to collect a blood sample for OIE-FAVN testing. The testing shall first be approved and scheduled by the Department and performed at a CQF. Payment for services provided by any private veterinarian shall be the sole responsibility of the animal's owner.

§4312. Carrier Responsibility. (a) Air-carriers are subject to and shall comply with the following:

(1) Air-carriers shall not allow a dog or cat to board an aircraft destined for Guam if the animal does not possess a valid entry permit. Carriers and their local managers or agents shall be responsible for compliance with all entry requirements as provided for by law.

(2) Air-carriers shall be responsible for providing a holding facility for dogs or cats in transit. The holding facility shall conform to any applicable laws regarding the humane treatment of animals.

(3) The local manager, agent or captain of an air-carrier entering Guam with a dog or cat shall immediately:

(A) Furnish the customs official with a declaration listing the number of dogs or cats carried on board, the names and addresses of the owners, importers, or consignees, and the point of origin. In addition, any deaths of or injuries to the dogs or cats while in transit must be described and reported;

(B) Deliver a dog or cat for entry into Guam to the designated inspection area at the airport; and

(C) Confine a dog or cat in transit through Guam in securely locked escape-proof crates or cages in the holding room or other area as may be authorized by the Department.

(b) Ocean vessels are subject to and shall comply with the following:

(1) A dog or cat transiting through Guam aboard a vessel in Guam's waters shall be immediately quarantined at a CQF if staying more than six (6) hours. Computation of the six- (6-) hour grace period shall begin at the time the vessel first docks, anchors or moors on the island.

(2) A dog or cat transiting through Guam aboard an ocean vessel staying six (6) hours or less in Guam's waters shall be kept chained, leashed, or caged within the interior of the vessel for the duration of its stay. The owner or captain of the transiting vessel with a dog or cat shall submit a signed statement, witnessed by a Guam Customs and Quarantine Agency officer and attached to the shipmaster's declaration, attesting that the dog or cat shall be securely confined on board the vessel at all times during the period the vessel remains in port and that no other dog or cat shall be allowed aboard the vessel during this period. In the event the animal escapes from the vessel, the owner or captain shall pay for expenses incurred by the government of Guam for the animal's search,

capture, holding, or quarantine, or any other related expenses.

(3) A dog or cat aboard a transiting vessel staying more than six (6) hours may be euthanized, at the cost of the pet owner or captain of the vessel, if the dog or cat cannot be quarantined at a CQF for whatever reason.

(4) A vessel transiting through Guam with a dog or cat shall not be permitted to anchor, moor, or otherwise dock on Guam without first notifying the Guam Customs and Quarantine Agency of the animal on board.

(5) Guam Customs and Quarantine Agency shall contact the Department concerning any dog or cat arriving on a vessel, and ensure that the dog or cat aboard the vessel is properly and securely, chained, leashed, or caged within the interior of the vessel.

(6) Guam Customs and Quarantine Agency shall immediately notify the Department of any vessel with a dog or cat on board that remains more than six (6) hours in transit or violates the provisions of this section.

(7) To retrieve a quarantined dog or cat for departure from Guam, the owner or captain shall submit a request to the Director describing any dog or cat held in a CQF that the owner or captain wishes to retrieve and give the day and time of departure from Guam. The letter shall be turned over to the Department in reasonable advance of the requested release time. The dog or cat shall be delivered directly to the vessel by the CQF.

(8) The animal owner or captain shall be responsible for any and all charges connected with impoundment, transportation or confinement of the dog or cat, including fees for delivery of the dog or cat to and from the vessel.

§4313. Transportation to Quarantine from Port of Entry. Transportation of a dog or cat from the port of entry upon release from the carrier to a CQF shall be provided by the CQF where the dog or cat has reservations for quarantine. The transport shall be conducted in a manner approved by the Department without a break in the chain of custody.

§4314. Post-Arrival Examination. All dogs or cats arriving for quarantine and those exempted from quarantine hereunder shall be examined within twenty-four (24) hours upon arrival by a government veterinarian, or other licensed veterinarian as may be authorized by the Director.

§4315. Exemptions to Quarantine. A dog or cat under the following categories may be exempted from quarantine, provided all other requirements for entry into Guam are complied with:

(a) A dog or cat originating from rabies-free areas may be exempted from quarantine upon arrival provided certain conditions are met. Failure to comply with any of these provisions shall subject the dog or cat to quarantine for a period of one hundred twenty (120) days. If there is no space available in a quarantine facility, the dog or cat shall be deported, or if this option is not viable, the dog or cat shall be disposed of humanely.

(1) The following conditions must be met:

(A) The dog or cat is transported in the same aircraft from port of origin to port of entry on Guam, except under conditions stated in §4315(a)(1)(C).

(B) No other dog or cat, other than a dog or cat from an area recognized as rabies-free, is transported aboard the carrier.

(C) No dog or cat consigned to Guam is off-loaded enroute to Guam from the country of origin, except that off-loading may be permitted to transfer the dog or cat to another aircraft under the following conditions only:

(i) The off-loading, transfer and placement on the next aircraft is directly supervised by the officer-in-charge of either aircraft; and

(ii) The officer-in-charge ensures that the dog or cat in transit does not come into physical contact with any other dog or cat;

(2) The following documents are required:

(A) An entry permit issued by the Department, in compliance with all applicable provisions in these rules;

(B) An affidavit certifying that the dog or cat was not outside the area of origin during the four (4) month period immediately preceding the date of shipment. In addition, the affidavit shall certify that the animal has not been vaccinated with a modified live virus vaccine during the four (4) months immediately prior to the date of shipment. Affidavits of this nature are generally issued by a governmental entity in the jurisdiction of origin comparable to Guam's Department of Agriculture. At the discretion of the Director, the submission of this affidavit may be waived if any laws of the issuing government prevent or conflict with the timely submission of such document to the Department. However, the original affidavit shall accompany the animal upon arrival. Any animal arriving without the original affidavit shall be immediately deported at the expense of the owner.

(C) A certification executed by the captain of the aircraft or the senior

station official of the airlines based on Guam. The certification must identify the position and title of the person certifying, the airline name, business address, and business phone number; and the exact date, time, aircraft name and flight number for both the arriving and departing aircraft, and must state that the dog or cat transported to Guam from the rabies-free areas was:

(i) Transported from the country of origin in one aircraft, except as provided by §4315(a)(1)(C);

(ii) Not off-loaded at any intermediate point for any purpose except as provided by §4315(a)(1)(C);

(iii) Did not come into physical contact with any other dog or cat at any time during transit.

(3) The dog or cat was shipped in an escape-proof container that was sealed in such a manner that removal of the dog or cat would break the seal.

(4) The dog or cat was inspected at the time of arrival. Any indication of a transmissible disease in any other dog or cat in the same shipment at the time of inspection shall be sufficient reason to quarantine the dog or cat at a CQF.

(b) Seeing-eye dogs serving blind persons or hearing-aid dogs serving deaf persons may be granted exemption from quarantine provided that the owner of such animal has met the following conditions. Failure to comply with any of the provisions provided herein shall subject the dog to a minimum period of one hundred twenty (120) days in quarantine:

(1) A valid entry permit is obtained and all applicable provisions in regard to the entry permit are complied with;

(2) A certificate, in form approved by the Department, indicating that the dog has been trained to aid the blind or the deaf is submitted to the Department;

(3) The dog remains the property of the blind or deaf individual for whom the dog was imported;

(4) The dog remains free of any signs of rabies;

(5) The dog is examined by a veterinarian at the owner's expense whenever reasonably requested by the Department, and the results of the examination are submitted in writing to the Department; and

(6) The dog undergoes an OIE-FAVN testing, at the expense of the owner,

upon arrival to Guam with results of 0.5 I.U. per milliliter of rabies antibody or greater. Any dog failing the test shall be immediately quarantined at CQF at the expense of the owner for one hundred twenty (120) days.

(c) Dogs which are the official property of a Federal, state, or territorial government agency may be granted exemption from quarantine provided the following conditions are met. Failure to comply with any of the provisions provided shall subject the dog to a period of one hundred twenty (120) days in quarantine:

(1) The government agency obtains a valid entry permit and complies with all applicable provisions in regard to the entry permit;

(2) The government agency submits an official document to the Department showing that the dog is the property of such government agency;

(3) The dog remains the property of the government agency;

(4) The dog remains free of signs of rabies; and

(5) The dog is examined by a veterinarian at the owner agency's expense whenever reasonably requested by the Department, and results of the examination are submitted in writing to the Department.

(d) A dog or cat brought into Guam for the specific purpose of veterinary medical care, by a veterinarian licensed to practice on Guam, may be granted exemption from quarantine provided the following conditions are met. Failure to comply with any of the provisions provided for under this section will require an immediate transfer of the dog or cat to a quarantine facility. In the event that a dog or cat dies while in the custody of the veterinarian, the veterinarian shall be responsible for the disposal of the dog or cat in a manner approved by the Department:

(1) The dog or cat is consigned to the importing veterinarian whose facility has been approved by the Department to maintain adequate security and control in order to prevent the animal's escape and theft, and interaction with other animals at the facility. Such security and control shall include:

(A) An alarm which is transmitted to a central security service whenever an unauthorized entry occurs. The security service shall be required to report the unauthorized entry immediately the local police; and

(B) An isolation room solely for housing dogs and cats that have entered Guam for the specific purpose of veterinary medical care. The isolation room shall be constructed and operated so that no contact will occur among the

animals housed in the room;

- (2) The animal's owner obtains a valid entry permit;
- (3) The dog or cat is shipped back to its point of origin as soon as it is healthy to travel;
- (4) The dog or cat remains free of signs or symptoms of rabies;
- (5) The dog or cat remains in the custody of the veterinarian to whom it is consigned during its entire stay on Guam; and
- (6) The veterinarian promptly notifies the Department that the dog or cat is ready to depart Guam, and submits all required documents (*e.g.*, airway receipts or bills).

§4316. Entry Restrictions. (a) The Director shall establish a list of rabies-free areas. To qualify for such designation, an area shall remain free from rabies and maintain stringent entry and quarantine requirements to prevent the introduction of rabies.

(b) The Director may establish a list of areas from where dogs or cats may be imported. Any area which has a high incidence of reported rabies or which has insufficient quarantine requirements or inadequate rabies control shall not be placed on such list.

(c) The Director shall also establish a list of areas with a high incidence of rabies from where animals may not be imported, except under the following conditions:

(1) The dog or cat shall be quarantined in Hawaii or any other rabies-free area for a minimum period of one hundred twenty (120) days. Once the one hundred twenty-(120) day quarantine period has been completed there, the dog or cat shall be eligible to enter Guam upon full compliance with § 4306 and § 4307, and need not go through any quarantine on Guam; or

(2) The dog or cat shall be kept for a minimum period of one hundred twenty (120) days in an area listed in an area pursuant to § 4316 (b) before it will qualify as a resident of that area. The dog or cat, however, will still be subject to quarantine upon arrival in Guam. Sufficient documentation shall be required from the owner to prove that the dog or cat has stayed in the area where importation is allowed for a minimum of one hundred twenty (120) days.

§4317. Release from Quarantine. (a) The Department, in conjunction with a government veterinarian, shall have exclusive authority to release a dog or cat from quarantine after the specified quarantine period. Release of a dog or cat after the specified quarantine period

shall be done under the following conditions:

(1) The dog or cat has been checked and certified rabies-free by the government veterinarian; and

(2) The dog or cat shall be released only in the presence of an officer from the Department. The Department will designate the scheduled time of release.

(b) The Department, in conjunction with a government veterinarian, may extend the quarantine by ten (10) days to observe a quarantined dog or cat that bites a human being or another dog or cat if the incident occurs within ten (10) days before the scheduled release. Quarantine may be extended for ten (10) days also if, at the time of release, clinical signs of rabies exist as determined by a veterinarian.

(c) With the approval of the Director, a dog or cat may be released from quarantine prior to completion of full quarantine but only in the following cases:

(1) For export out of Guam; or

(2) For temporary hospitalization or for required medical care when permission has been obtained from the Department to transport a dog or cat to an approved private veterinarian. The dog or cat shall be returned to the CQF immediately upon completion of treatment.

§4318. Breeding in Quarantine Not Permitted. The semen from a male dog or cat shall not be collected, nor shall a female dog or cat be inseminated while in quarantine.

§4319. Death of Quarantined Animal. Should a dog or cat die while in quarantine, the government veterinarian or other responsible veterinarian shall submit the brain to the Department as soon as practicable. The brain shall be examined for necropsy at a designated laboratory and the remaining carcass shall be properly disposed of by the CQF, in a manner determined by the Director.

§4320. Animals Born in Quarantine. Litters born to dogs or cats in quarantine may be released provided that the following conditions are met. Failure to comply with any of the applicable provisions in these rules will subject the newborn to a quarantine period of one hundred twenty (120) days:

(a) The puppies or kittens or other young are held in isolation, away from the bitch or queen and any other dogs or cats in quarantine, for a period of not less than ten (10) days immediately following weaning, the minimum weaning age being four (4) weeks; and

(b) Both the bitch or queen and such puppies or kittens remain free of symptoms of rabies and of any other symptoms suggestive of any infectious, contagious or communicable disease following separation.

§4321. Handling of Quarantined Animals. Each person owning, operating, employed at, or agents of, a CQF shall observe the following quarantine guidelines when handling animals:

(a) A dog or cat, once placed in quarantine, shall be under the exclusive custody and supervision of the CQF at all times.

(b) The CQF staff shall periodically observe for signs of ill health which, if found, shall be reported immediately to the Department, and if necessary, any private veterinarian of the animal owner.

(c) The CQF shall not permit access to the animal if rabies is suspected, including access by the animal's owner.

(d) The CQF shall ensure that the all quarantined animals are confined to their respective kennels at all times except as otherwise permitted by these rules.

(e) Temporary removal or transfer of a quarantined dog or cat from its assigned kennel is prohibited unless authorized by the Department.

(f) A dog shall be allowed to leave its kennel for exercise only if the CQF is equipped with a run, which shall be escape-proof and enclosed with a perimeter fence. Only one (1) dog at a time may be allowed to exercise in the run.

(g) The CQF may deny admission to or remove from the quarantine facility any persons, including owners of quarantined animals, who violate the rules of the facility, who disrupt or impede the activities of the staff, or who behave in any manner detrimental to the dogs or cats confined. The operator of the facility shall report immediately such incidents to the Department.

(h) While on the premises of a CQF, animal owners and other authorized persons may not be permitted to wander but must proceed directly to the kennel of their dog or cat. No one may be permitted to touch or feed a dog or cat except its owner or authorized representative of the owner, or the CQF's staff.

(i) No one on the CQF premises may consume alcoholic beverages at any time.

(j) No dog or cat, other than those quarantined, shall be allowed within the fenced area of the CQF.

(k) The CQF operator shall immediately isolate any animal which bites another animal or a human being, and initiate a ten (10) day post-bite observation period on the biting dog or cat.

§4322. Responsibilities of Commercial Quarantine Facility. (a) Each CQF shall have an operational plan that shall contain written standard operating procedures and regulations relating to the daily care and transportation of any dog or cat confined to that facility. This plan shall be submitted to the Department for approval. At a minimum, a CQF's operational plan shall include the following:

(1) The procedures and manner in which a dog or cat will be transported to and from the CQF, whether to or from the airport or any other place. Transfer of a dog or cat from the airport to a CQF shall be handled only by an authorized representative of the CQF, and the authorized representative of the CQF shall see to it that the dog or cat is transferred to the CQF as soon as the animal clears Customs;

(2) The procedures and manner for inspection and complete physical examination of an incoming dog or cat by a veterinarian, which shall be done within twenty-four (24) hours of receipt by the CQF and no more than twenty-four (24) hours prior to the release of a dog or cat;

(3) The procedures and manner for handling the removal or release of dogs or cats for emergency or non-emergency reasons prior to the full quarantine period, which shall require prior approval from the Department, and only under the following conditions:

(A) For medical emergencies, a dog or cat may be transferred to an approved veterinary hospital on the condition that the Department be notified of each movement as soon as practicable, but in any event not later than twelve (12) hours after removal; or

(B) For non-emergency situations, a dog or cat may be transported to an approved veterinary hospital for medical care on the condition that the Department is notified of such movements twenty-four (24) hours prior to the transport;

(4) The procedures and manner for guarding the dogs and cats confined to the CQF twenty-four (24) hours a day;

(5) The procedures and manner for observing periodically for signs of rabies and other zoonotic diseases in the confined animals;

(6) The procedures and manner for cleaning and disinfecting kennels and items used by the animals or at the quarantine facility. All water and feeding bowls shall be sterilized frequently, and immediately after a dog or cat is released from the kennel in which it is quarantined;

(7) The procedures and manner for handling food preparation and feedings;

(8) The procedures and manner in which the ingress and egress of animal owners or other authorized visitors will be monitored. The CQF must first notify the Department whenever it plans to admit visitors who are not owners of quarantined animals, or their authorized representatives;

(9) The procedures and manner of disposing of trash, waste food and fecal material;

(10) The procedures whereby employees of a CQF shall report immediately to the Department, but not later than twelve (12) hours after the occurrence of any of the following:

(A) Escapes, thefts, and other unauthorized removals of any dog or cat;

(B) Any biting incident by a quarantined animal;

(C) Any development or suspected development of rabies by a confined dog or cat;

(D) Any disturbance or non-conforming activity by an animal owner or other guest or anyone else on the premises of the CQF; and

(E) A violation of any other quarantine rules or other applicable laws;

(11) The procedure and manner in which all necessary records will be kept, including but not limited to:

(A) A current logbook of all entry dates and any other pertinent information of all quarantined dogs and cats. At a minimum, the logbook shall contain the following information:

(i) The entry and release date of the dog or cat;

(ii) A description of the dog or cat;

(iii) The name, address, and telephone number of the owner of

the dog or cat;

(iv) The kennel number where the dog or cat is quarantined; and

(v) The medical history of the dog or cat during the prescribed quarantine period.

(B) A current listing of all dogs or cats for which reservations for quarantine have been confirmed, but which animals have not yet arrived at the CQF.

(12) A contingency plan for the temporary operation of the CQF in the event the CQF is unable to continue normal operations due to events such as bankruptcy, death or major illness of the principal owner or operator, and other similar circumstances. This portion of the operational plan must be updated annually in written form by means of a letter submitted to the Director at the same time a renewal application for a sanitary permit is submitted, and must be deemed adequate by the Director.

(b) In the event of an escape or unauthorized removal of a dog or cat from a CQF, the CQF shall be responsible for all costs incurred in the investigation and recovery of the dog or cat, and shall promptly reimburse the Department upon demand.

(c) The CQF shall ensure that its staff, employees or agents are adequately trained in the detection of symptoms of rabies and other zoonotic diseases, and in the humane care of animals.

(d) A CQF shall employ or retain in some manner a veterinarian who shall:

(1) Provide veterinary services to the facility as needed;

(2) Train CQF staff, employees or agents in the proper care of dogs or cats confined to quarantine and in the recognition of the symptoms associated with rabies and other zoonotic diseases, if such staff, employees or agents are assigned to do so;

(3) Conduct a complete physical examination of each dog or cat within twenty-four (24) hours upon entry and prior to release from quarantine period;

(4) Immediately ice, and take any other precautionary steps necessary, to preserve the brain of any dog or cat dying in quarantine, and immediately forward the brain to the Department for post-mortem examination. The CQF shall be responsible for the proper disposal, as determined by the Department, of any carcasses; and

(5) Maintain a complete and current medical record of each dog or cat during

its quarantine at the CQF.

§4323. Housing of Quarantined Animals. (a) Each dog or cat quarantined shall be confined in and to its own kennel which shall be out of reach by other quarantined animals.

(b) More than one (1) dog or cat may be quarantined in the same kennel provided prior permission is obtained from the Department, and also provided that:

(1) The kennel is large enough for all animals confined to the same kennel to move about;

(2) The dog or cat belongs to the same owner who must have requested the arrangement;

(3) No medical or safety problems are involved in the arrangement; and

(4) The dogs or cats have the same release date from quarantine.

(c) In the case of a CQF with multiple commercial or private uses (*e.g.*, boarding of dogs and cats, veterinary clinic, etc.), the quarantine area shall be physically separated by a perimeter fence from other areas not intended for quarantine. In addition, the quarantine area shall have an area or areas for entrance and exit separate from all other areas, and shall have separate employees assigned exclusively to the quarantine area for each shift.

§4324. Authorization to Construct and Occupy. (a) No person shall construct a new CQF, or add to, convert or alter an existing CQF, except for minor alterations, without first obtaining written authorization from the Department.

(b) To apply for authorization, the applicant shall comply with the following:

(1) Submit plans and specifications for the proposed project for approval by the Director, which plans shall include at least the following:

(A) The total area to be used for the regulated establishment;

(B) The layout in which the regulated activities are to be conducted;

(C) The location, number and types of plumbing fixtures, including all water supply facilities and toilet rooms; and

(D) The general layout of fixtures and other equipment.

(2) Obtain a building permit from the Department of Public Works before any construction, reconstruction or alteration is started; and

(3) Obtain a determination by the Department that the proposed structure meets sanitary physical requirements, which the Department shall make only after it has evaluated the proposed structure as a CQF.

(c) The person who has been given authorization to construct shall, upon completion of the project, inform the Department, which shall then conduct a pre-opening inspection. The completed construction may not be opened or occupied without the Department's final approval in the form of an endorsement on the construction authorization.

§4325. Application for and Issuance of Sanitary Permit to Operate Quarantine. (a) No person shall directly or indirectly in any manner, conduct, control, manage, maintain, or operate a CQF unless the facility has an operational plan approved by the Department and a valid sanitary permit issued by the Department posted at the CQF. All sanitary permits for CQF's are site-specific and owner-specific, and non-transferable, and shall designate thereon the type of facility as a quarantine. All sanitary permits shall expire on June 30 of each year.

(1) For new applications, the Department shall conduct an inspection of the CQF facility upon receipt of the new application, and if the Department is satisfied that the CQF meets all applicable sanitary requirements and other standards as may be prescribed, then the Department shall issue the sanitary permit, otherwise, it shall be denied. If a sanitary permit is issued, it shall be valid for no more than twelve (12) months, but it shall in any event expire on the next occurring June 30.

(2) An application for renewal of a sanitary permit shall be filed thirty (30) days prior to its expiration date with any supporting documents as may be necessary, and upon approval by the Department, a permit for twelve (12) months shall be issued.

(b) No person who has been convicted of cruelty to animals shall be issued a permit to operate a CQF.

(c) If the applicant has withheld or falsified any information on the application, the Department shall not issue a permit based upon missing or false information.

(d) The Director shall set annually, or as often as practicable, and in accordance with the Administrative Adjudication Law, the application fee for a sanitary permit. The present fee is set at Sixty Dollars (\$60.00).

(e) The Department may revoke a sanitary permit issued to a CQF for cause. Permit holders are entitled to a hearing prior to revocation in accordance with the Administrative

Adjudication Law. Any person whose permit has been revoked for cause may appeal the revocation to a court having jurisdiction. Causes for revocation include, but are not limited to, the following:

(1) The CQF refuses access to any Department employee or agent who is authorized to conduct an inspection;

(2) The CQF refuses or fails to comply with these rules or any other applicable law.

(f) In addition to anything herein contained, the sanitation laws of Title 10, Guam Code Annotated, Chapter 21 and rules applicable thereto shall also apply to sanitary permits for CQF's.

§4326. Structural, Functional and Related Requirements. (a) Kennels and Runs, Floors, Walls, Ceilings:

(1) Kennels not constructed completely of concrete shall be certified as capable of withstanding typhoon-strength winds at the completion of construction and every five years thereafter. Certification shall be by a competent authority (*e.g.*, a licensed structural engineer either working in private practice or with the Department of Public Works).

(2) Individual kennels and run units shall be separated by full-height solid walls, or if fenced, by a space of not less than one (1) foot.

(3) Kennel floors should slope at 1/4 inch to 1/2 inch per running foot to prevent pooling of wash-water, urine and cleaning solutions.

(4) Each sheltered area should have a removable stainless steel bowl, or bowl constructed of other approved material, held by a stainless steel loop which is bolted to the wall five (5) inches above the floor, to allow cleaning beneath the bowl.

(5) Any chain link fence used in the construction of kennels for dogs or cats shall be at least nine- (9-) gauge and no larger than two (2) inch mesh for dogs and one- (1-) inch mesh for cats to prevent animals from destroying the wire and damaging their teeth and gums.

(6) All interior surfaces within spaces where animals will remain or be handled shall be designed with a minimum of dust and moisture trapping protrusions, recesses, and fixtures. Within these spaces, open wood surfaces shall not be exposed or come within the reach of any dog or cat. Open wood surfaces shall be sealed with special

wood sealants.

(7) All concrete surfaces shall be of a smooth finish and free of surface voids or defects, and shall be sealed. Use of concrete block without additional surface finishing and sealants are not permitted.

(8) Ceiling surfaces shall be designed for easy cleaning with a minimum of dust- and moisture-trapping protrusions, recesses, and fixtures.

(9) Kennels for dogs or cats shall not be constructed in tiers.

(10) Cages, kennels, and runs shall be so constructed that cleaning procedures will not bring animal waste in contact with any other cage, kennel, or run within the CQF.

(11) A dog kennel shall consist of a run and a sheltered area. The size for dog runs shall be at least six (6) feet in length by five (5) feet in width and eight (8) feet high for toy breeds, and at least ten (10) feet in length by five (5) feet in width by eight (8) feet high for larger breeds. The sheltered area shall be typhoon proof, and able to protect the dog from rain.

(12) Cat kennels shall be at least six (6) feet in length by five (5) feet in width, and eight (8) feet high, and shall be completely enclosed. The kennels should be provided with platforms and catwalks to allow adequate exercise for cats, and a sheltered area in the back.

(b) Ventilation System:

(1) The structure housing kennels shall be provided with sufficient ventilation to keep the structure free from excessive moisture, heat, and obnoxious odors.

(2) If the facility is completely enclosed, the it shall be provided with air conditioning and mechanical ventilation to protect the dogs and cats from temperature extremes and to provide for their health and well being. The ambient temperature must not rise above 85°F (29.5°C) for four (4) consecutive hours when dogs or cats are present. The ventilation system shall be sufficient to remove obnoxious odors. Where mechanical ventilation is provided, adequate provisions shall be made to supply make-up air in accordance with the Uniform Building Code, and provisions shall be made for a standby power system in the event of extended power outages of more than four (4) consecutive hours to maintain an ambient temperature below 85°F (29.5°C).

(3) Ventilation systems shall be installed and operated in accordance with applicable laws, vented to the outside, and shall not create harmful or unlawful discharge.

(4) Outdoor facilities shall be located and constructed to maximize the flow of free air to remove excessive heat, moisture, and obnoxious odors.

(c) Toilet Facilities:

(1) Toilet facilities for employees and visitors shall be installed according to the Uniform Building Code, and other applicable codes, in a conveniently located area or areas.

(2) Toilet rooms shall be completely enclosed and shall have tight fitting and self-closing doors. Windows with louvers, or sliding glass used for ventilation, shall be provided with screens of at least #16 mesh.

(3) Toilet facilities, including toilet fixtures and any related vestibules, shall be kept clean and in good repair at all times.

(4) Easily cleanable waste receptacles shall be provided for waste materials, and a supply of toilet paper shall be available at all times.

(5) A hand-washing notice shall be posted in each toilet room.

(d) Lavatories and Hand-Washing Facility for Employees:

(1) The structure shall have at least the minimum number of lavatories required by the Uniform Building Code and other applicable codes, and the lavatories shall be conveniently located.

(2) Lavatories shall also be located in, or immediately adjacent to, toilet rooms or vestibules.

(3) Each lavatory shall be provided with hot and cold running water tempered by means of a mixing valve or combination faucet.

(4) Lavatories, soap dispensers, hand-drying devices, and any related fixtures shall be kept clean and in good repair at all times.

(5) At least one (1) staff wash area shall be provided with surgical scrub. A supply of hand-cleansing soap or detergent shall be available at each lavatory. For hand-drying, a supply of sanitary, disposable towels or a mechanical device providing heated air shall be available at all times and conveniently located. Common or roll towels are strictly prohibited.

(6) Easy access to lavatories, free of physical impediments, shall be made

available to staff at all times.

(e) Plumbing and Water Supply:

(1) The water supply plumbing shall be sized, installed, and maintained according to the latest edition of the Uniform Plumbing Code at the time of construction, alteration, or required change. No cross-connections between the potable water supply and any non-potable system are allowed, nor shall any conditions that would allow back-flow or back siphonage at any fixtures or equipment in the potable water supply system exist. Back-flow prevention devices or measures shall be provided where necessary to protect the potable water supply.

(2) Basic plumbing fixtures shall include a sink with hot and cold running water capable of handling food preparation for the quarantined animals, and light washing in connection with such food preparation.

(3) Faucets supplied with hot and cold water and provided with hose connections must be conveniently located for hosing the kennels, walkways, and dog handling areas. Water should be applied at an average pressure of sixty (60) pounds per square inch (psi), with a minimum of forty (40) psi, utilizing the rubber hoses measuring at least three-fourths (3/4) inch as an inside diameter.

(4) A flush valve or source of high flow rate water shall be provided to allow flushing of gutters and drains.

(5) A mechanical utensil washer with hot water must be installed.

(6) A sufficient amount of an emergency non-potable water supply shall be maintained in case of water outages or shortages in the municipal supply.

(f) Sewage and Wastewater Disposal:

(1) All sewage, solid or liquid waste of any kind, shall be disposed of in a public sewerage system or in a separate septic tank and leaching field system for the facility, constructed and operated in accordance with Chapters 39 and 48 of Title 10, Guam Code Annotated, or other applicable law.

(2) Each kennel shall be provided with a floor drain or a gutter of its own with proper slope to collect flushed wastes from cleaning activities, and to avoid bringing animal waste in contact with any other cage, kennel or run in the facility. All drain openings shall be large enough for easy cleaning, with a minimum opening not less than six (6) inches in diameter with a drain grate covering the opening.

(A) Drain pipes shall be at least four (4) inches in diameter, and collector pipes at least six (6) inches in diameter, but sized according to the number of kennels and anticipated maximum flow rates expected to occur during cleaning activities to prevent clogging from waste material and to prevent cross-contamination of other runs from backed-up urine or feces.

(B) Gutters shall be designed with a minimum cross section of six (6) inches width and height, and the highest level of the gutter shall be at least four (4) inches lower than the lowest level of the kennel floor.

(g) Lighting and Electrical Wiring:

(1) Adequate lighting shall be provided in an indoor facility housing the kennels. A minimum of twenty-five (25) foot candles light intensity at thirty (30) inches from the floor shall be provided.

(2) When natural light is insufficient in an outdoor facility, it shall be supplemented by artificial light, properly diffused and distributed.

(h) Security Fences and Gates:

(1) Each kennel shall be provided with a padlock and latches or closures that cannot be opened by the confined dog or cat.

(2) The premises of a CQF shall be surrounded by a perimeter fence not less than eight (8) feet in height and topped with barbed wire tilted inward. Fencing wire shall be of a mesh size of two (2) inches by two (2) inches or less, and of no less than nine (9) gauge.

(3) Double door entrances and exits shall be provided to the CQF grounds.

(4) Dog kennels shall be secured and completely enclosed with a material that is capable of preventing escape, and is capable of preventing all contact between dogs, and is constructed of mesh no larger than two inches by two inches (2"x 2").

(5) Cat kennels shall be secured using a double door system and completely enclosed with a material that is capable of preventing escape and is constructed of mesh no larger than one inch by one inch (1" x 1"). Each kennel shall also be designed to prevent any contact with cats in adjacent kennels as well as feral animals which may enter the facility.

§4327. Sanitation Requirements. (a) Cleaning, Disinfection and General Sanitation of

Facilities:

- (1) The premises of a CQF shall be maintained in a sanitary condition at all times.
 - (2) The exterior areas of a CQF and all other areas used in connection with its operation shall be kept free of litter and overgrown vegetation.
 - (3) Each kennel shall be washed down daily, prior to being occupied, and immediately after being vacated. Where public water system line pressure and flow rate is insufficient, other means of daily cleaning acceptable to the Department shall be used.
 - (4) Following wash-down procedures, each kennel shall be thoroughly disinfected with an approved disinfectant prior to being occupied, at least weekly, and immediately upon release of a dog or cat.
- (b) Vector Control:
- (1) Effective and approved measures intended to minimize the presence of rodents, cockroaches, ticks and fleas on the premises shall be utilized. The premises shall be kept in such condition as to prevent the harborage or feeding of insects or rodents.
 - (2) Food storage areas shall be protected against the entrance of insects and rodents by tight-fitting, self-closing doors, closed windows, screening or other approved means.
 - (3) Screen doors, where installed, shall be self-closing and kept in good repair. Screening material shall not be less than sixteen (16) mesh to the inch.
- (c) Garbage and Refuse Disposal:
- (1) Quarantine facilities shall have a proper means of solid waste disposal, and shall conform to Chapters 33 and 51 of Title 10, Guam Code Annotated, or other applicable laws.
 - (2) Garbage and refuse shall be kept in durable, easily cleanable insect-proof and rodent-proof containers. Plastic bags and wet-strength paper bags may be used to line these containers.
 - (3) Containers stored outside the establishment shall be easily cleanable, shall be provided with tight-fitting lids, doors or covers, and shall be kept covered when not in actual use.

(4) There shall be a sufficient number of containers to hold the garbage and refuse that accumulates between disposal periods and in the event of temporary extended periods.

(5) Garbage and refuse shall be disposed of at least twice weekly to prevent the development of odor and the attraction of insects and rodents.

§4328. Inspections of and Access to CQF. The Department shall conduct inspections of each CQF at least once a week, or as often as may be deemed necessary for the enforcement of these rules or any other applicable law. Upon presentation of the appropriate credentials by the officer or other authorized representative of the Department conducting the inspection, the CQF shall admit entry to the facility and allow access to any part of the facility, including all records maintained as required by these rules or for quarantine purposes. The purpose of the inspection may be general in nature or to ensure compliance with these rules or applicable laws, or to investigate any information which the Department has received. Inspections may be conducted at any time.

§4329. Report of Inspections. Whenever an inspection of a CQF is made, the findings shall be recorded on a report form authorized by the Director, and shall summarize pertinent requirements of these regulations, violations thereof, and the corrective action to be taken. One copy of the report signed by the operator and the inspecting officer shall be given to the operator.

§4330. Posting of Sanitary Permit and Inspection Report. The sanitary permit to operate, and one copy of the most recent inspection report shall be posted in a conspicuous place on the premises of the quarantine facility as designated by the Director in an area clearly visible to the public. No person other than the Director shall remove, alter, or destroy the sanitary permit or reports.

§4331. Development of Rabies in Quarantine. Any dog or cat in quarantine which, in the opinion of qualified CQF staff or an officer of the Department, exhibits symptoms suggestive of rabies, shall be examined by a government veterinarian and a private veterinarian. If the government veterinarian determines that the dog or cat is exhibiting symptoms consistent with a diagnosis of rabies, the government veterinarian shall inform the Director and the animal's owner. The Department shall order the dog or cat to be destroyed and its brain examined for evidence of rabies by a laboratory approved by the Department. All expenses incurred by the Department in examining, monitoring, or destroying the diseased animal shall be at the expense of the animal owner.

§4332. Biting Animal in Quarantine. (a) Any dog or cat which, while in quarantine, has bitten any person or animal shall be examined by a government veterinarian and placed under post-bite rabies observation for ten (10) days. The biting dog or cat shall be removed from its assigned kennel and placed in isolation during the observation period.

(b) If the government veterinarian determines that the biting dog or cat is exhibiting symptoms consistent with a diagnosis of rabies, the government veterinarian shall inform the Department and the dog's or cat's owner. The Department shall order the dog or cat to be destroyed. When more than one (1) dog or cat occupies the same kennel, the non-biting dog or cat shall undergo a post-bite rabies vaccination at the expense of the owner.

(c) If the government veterinarian determines that symptoms consistent with a diagnosis of rabies are not present, the biting dog or cat shall be removed from isolation and returned to its designated kennel in the CQF.

(d) The decision to initiate post-bite rabies vaccination treatment on the person or animal bitten shall be determined by a licensed medical doctor and in accordance with guidelines on the treatment of animal bite wounds.

§4333. Termination of Commercial Quarantine Facility. (a) A CQF may voluntarily cease to operate only by submitting a letter stating this intention to the Department at least one hundred fifty (150) days before the intended termination date of operations. This letter shall be accompanied by a listing or listings of dogs and cats at the facility and the dogs and cats for which reservations have been made but which have not arrived.

(b) In the event of a voluntary termination, the CQF shall cease to accept new dogs or cats for quarantine on the day the letter is submitted to the Director. All quarantined dogs or cats shall remain confined at the terminating facility until the animals complete the required quarantine period.

(c) The operator is responsible for notifying all persons or animal owners who have made reservations at the facility, that the facility will cease operations and that their dogs or cats will not be accepted for quarantine after all.

(d) At the close of business on the last day of operation, or at some other time as may be mutually agreeable between the Department and the CQF operator, the Department shall conduct a final inspection to ensure that the provisions of this section have been complied with.

§4334. Certain Violations as Crimes. The following acts are considered crimes and may be reported as deemed necessary or appropriate to the Guam Police Department or to the Attorney General's office for their action:

(a) The release of a dog or cat from quarantine without the prior authorization of the Director;

(b) The importation into Guam of an animal by its owner without a valid entry permit;

(c) The boarding on a vessel of a dog or cat by a carrier for importation into Guam without a valid entry permit; and

(d) Falsified applications wherein the applicant certifies to the truth of the information.

§4335. Suspension or Revocation of Permits for Violations. The Department may suspend or revoke, as may be appropriate, and in accordance with the Administrative Adjudication Law, any permit which the Department has issued whenever a violation of these rules or other applicable laws has occurred.

§4336. Fines of Carriers for Illegal Boarding of Animals. Whenever a carrier boards on its vessel a dog or cat without a valid entry permit for import into Guam, then the Department may take action to fine the carrier in accordance with the Administrative Adjudication Law. The fine shall be at least Five Hundred Dollars (\$500.00), but no more than One Thousand Dollars (\$1,000.00) per animal.

NOTE: These rules are intended to supercede the existing 26 GAR §§4301, et seq. on this same subject.

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