

**Department of Health and Human Services**  
**42 CFR Part 72 | RIN 0905-AE70**

**Appendix A to Part 72-Select Agents**

**Viruses**

1. Crimean-Congo haemorrhagic fever virus
2. Eastern Equine Encephalitis virus
3. Ebola viruses
4. Equine Morbillivirus
5. Lassa fever virus
6. Marburg virus
7. Rift Valley fever virus
8. South American Haemorrhagic fever viruses (Junin, Machupo, Sabia, Flexal, Guanarito)
9. Tick-borne encephalitis complex viruses
10. Variola major virus (Smallpox virus)
11. Venezuelan Equine Encephalitis virus
12. Viruses causing hantavirus pulmonary syndrome
13. Yellow fever virus

Exemptions: Vaccine strains of viral agents (Junin Virus strain candid #1, Rift Valley fever virus strain MP-12, Venezuelan Equine encephalitis virus strain TC-83, Yellow fever virus strain 17-D) are exempt.

**Bacteria**

1. *Bacillus anthracis*
2. *Brucella abortus*, *B. melitensis*, *B. suis*
3. *Burkholderia (Pseudomonas) mallei*
4. *Burkholderia (Pseudomonas) pseudomallei*

5. *Clostridium botulinum*
6. *Francisella tularensis*
7. *Yersinia pestis*

Exemptions: vaccine strains as described in Title 9 CFR, Part 78.1 are exempt.

## **Rickettsiae**

1. *Coxiella burnetii*
2. *Rickettsia prowazekii*
3. *Rickettsia rickettsii*

## **Fungi**

1. *Coccidioides immitis*

## **Toxins**

1. Abrin
2. Aflatoxins
3. Botulinum toxins
4. *Clostridium perfringens* epsilon toxin
5. Conotoxins
6. Diacetoxyscirpenol
7. Ricin
8. Saxitoxin
9. Shigatoxin
10. Staphylococcal enterotoxins
11. Tetrodotxin
12. T-2 toxin

Exemptions: Toxins for medical use, inactivated for use as vaccines, or toxin preparations for biomedical research use at an LD50 for vertebrates of more than 100 nanograms per kilogram body weight are exempt. National standard toxins required for biologic potency testing as described in 9 CFR Part 113 are exempt.

## **Recombinant organisms/molecules**

Genetically modified microorganisms or genetic elements from organisms on Appendix A, shown to produce or encode for a factor associated with a disease.

Genetically modified microorganisms or genetic elements that contain nucleic acid sequences coding for any of the toxins listed in this Appendix, or their toxic subunits.

## **Other restrictions**

The deliberate transfer of a drug resistance trait to microorganisms listed in this Appendix that are not known to acquire the trait naturally is prohibited by NIH "Guidelines for Research Involving Recombinant DNA Molecules," if such acquisition could compromise the use of the drug to control these disease agents in humans or veterinary medicine.

## **Additional Exemptions**

1. Products subject to regulation under the Federal Insecticide Fungicide and Rodenticide Act (7 U.S.C. § 136 et seq.) and the Toxic Substances Control Act (15 U.S.C. § 2601 et seq.) are exempt.
  2. Additional exemptions for otherwise covered strains will be considered when CDC reviews and updates the list of select agents in this Appendix. Individuals seeking an exemption should submit a request to CDC that specifies the agent or strain to be exempted and explains why such an exemption should be granted. Future exemptions will be published in the Federal Register for review and comment prior to inclusion in this Appendix.
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