

STATE OF MARYLAND  
MARYLAND DEPARTMENT OF AGRICULTURE

ORDER OF:

\* ORDER # 02-2017

THE SECRETARY OF AGRICULTURE

\* AUTHORITY: Agriculture  
Article, §§ 3-101 *et seq.*,

TO PREVENT THE SPREAD OF  
ANIMAL DISEASES IN THIS STATE

\* Annotated Code of Maryland

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(Effective January 1, 2017)

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**ORDER OF THE SECRETARY  
GOVERNING THE MOVEMENT OF POULTRY AND HATCHING EGGS INTO  
MARYLAND, AND IMPLEMENTING CERTAIN BIOSECURITY REQUIREMENTS**

WHEREAS, Maryland poultry growers and owners could now experience significant economic losses from Avian Influenza, a contagious and infectious disease,

WHEREAS, in the past, Avian Influenza outbreak eradication efforts and indemnity payments have been costly to the federal government and to the State of Maryland,

WHEREAS, another serious outbreak of Avian Influenza could threaten the future of the Maryland poultry industry,

WHEREAS, there has been an outbreak of Avian Influenza in certain other states, which has resulted in the destruction of flocks in those states,

WHEREAS, to protect the health of poultry in this State, the Secretary of Agriculture has determined that it is necessary to take prompt action pertaining to the importation of hatching eggs, and other poultry into this State, and

WHEREAS, the Secretary has determined that there is a need to extend the requirements of Order # 03-2016, with amendments, due to the continuing threat of an Avian Influenza outbreak in this State into and throughout the upcoming waterfowl migration season,

NOW THEREFORE, pursuant to Agriculture Article, §§ 3-101 *et seq.*, Annotated Code of Maryland, the Secretary of the Maryland Department of Agriculture, on this 1st day of January 2017, having found cause to extend with amendments Order #03-2016 (that was issued on July 1, 2016 and expired on December 31, 2016) for an additional six months, hereby **ORDERS**:

A. Terms Defined. For the purposes of this Order, the following terms have the meanings indicated:

- (1) "Baby Poultry" means newly hatched poultry.
- (2) "Control Zone" means any area or region designated by a State or Federal Animal Health official that restricts movement of animals for purposes of disease control.
- (3) "Department" means the Maryland Department of Agriculture.
- (4) "Department Approval" means a written statement, which generally will be accompanied with a control number, that the Department issues to the poultry importer for poultry or hatching egg moving out of a Control Zone indicating the State Veterinarian's approval to permit movement of poultry and hatching eggs into Maryland from another state (such approval may have quarantine, inspection or testing requirements once the poultry is allowed into the State as a condition of approval).
- (5) "Flock" means any group of poultry which is segregated from another group and has been so segregated for a period of at least 21 days.
- (6) "Grower" means a commercial poultry grower.
- (7) "NPIP" means the National Poultry Improvement Plan, a cooperative, industry, state, and federal program to improve poultry and poultry products.
- (8) "Official Certificate" means a written document, such as the VS Form 9-3, issued by a State or Federal agency certifying the health of animals, and documenting any required testing or other information necessary for animal movement.
- (9) "Poultry" means any domesticated fowl, including but not limited to chickens, turkeys, ostriches, emus, rheas, cassowaries, waterfowl, and game birds.

B. Importation requirements governing hatching eggs and poultry.

- (1) A person may not import, ship, or otherwise move poultry, hatching eggs, and baby poultry into Maryland if that person knows or has reason to know that the poultry or, in the case of hatching eggs, the flock from which they originated, are infected with Avian Influenza.
- (2) A person may not import, ship, or otherwise move poultry into Maryland unless:
  - (a) The poultry meets at least one of the following requirements:
    - (i) The poultry originates from a flock that participates in and meets the requirements of the NPIP "U.S. Avian Influenza Clean" program in Code of Federal Regulations, Title 9, Parts 145-147, or an equivalent State H5/H7 Avian Influenza Monitoring program; or

- (ii) The poultry, if destined for immediate slaughter (within 72 hours of entry) and going directly to a USDA approved and inspected slaughter facility, originates from a flock that participates in and meets the requirements of the NPIP "U.S. Avian Influenza Monitoring" program in Code of Federal Regulations, Title 9, Parts 145-147; or
  - (iii) The poultry originates from a flock in which a minimum of 30 birds, 3 weeks of age or older, or the complete flock if it is fewer than 30 birds, are found negative for Avian Influenza (H5 and H7) within 21 days before entering Maryland.
- (b) The person importing, shipping, or otherwise moving poultry into Maryland:
- (i) Includes a completed Official Certificate with the shipment and, if applicable, a copy of the laboratory report documenting the requisite Avian Influenza testing, or alternatively, a statement that the owner of the flock(s) shipping the poultry participates in and meets the requirements of the NPIP "U.S. Avian Influenza Clean" program, or an equivalent State H5/H7 Avian Influenza Monitoring program; and
  - (ii) Submits a copy of the Official Certificate to the State Veterinarian within 7 days of movement, whose address is: Maryland Department of Agriculture, 50 Harry S. Truman Parkway, Annapolis, MD 21401 (email: [animalhealth.mda@maryland.gov](mailto:animalhealth.mda@maryland.gov)).
- (3) A person importing, shipping, or otherwise moving poultry into Maryland shall follow Avian Influenza testing methods and use an authorized laboratory for testing that meets the requirements in Code of Federal Regulations, Title 9, Part 147.

C. Requirements governing poultry and hatching eggs in a Control Zone.

A person may not move poultry, baby poultry, or hatching eggs from a Control Zone into Maryland:

- (1) Without Department Approval [telephone: (410) 841-5810]; and
- (2) The poultry have met additional testing, biosecurity requirements, and epidemiological assessments as determined by the Department.

D. Biosecurity and Sanitation Requirements governing all growers.

- (1) Each grower shall maintain a sanitary, bio-secure premise for poultry that the grower is keeping at that location. At a minimum, each grower shall:
  - (a) Restrict access to areas where poultry are housed or kept (the grower may accomplish this by posting a sign stating "Restricted Access," securing the area with a gate, or both).

- (b) Take steps to ensure that contaminated materials on the ground are not transported into the poultry growing house or area. The grower shall provide the following items to any person entering or leaving any area where poultry are kept: (i) Footbaths with disinfectant, (ii) Foot mats with disinfectant, (iii) Boot washing and disinfectant station, (iv) Footwear change, or (v) Foot covers.
  - (c) Cover and secure feed in a manner that prevents wild birds, rodents or other animals from accessing the feed.
  - (d) Cover and properly contain poultry carcasses, used litter, or other disease-containing organic materials that prevents: (i) Wild birds, rodents or other animals from accessing the materials; and (ii) Movement of the materials by wind.
- (2) Each grower shall allow the Department to enter the premises during normal working hours to inspect the biosecurity and sanitation practices that the grower is implementing.

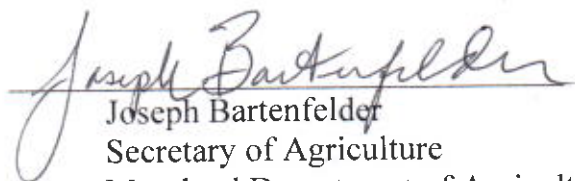
E. Limitations of Order. Nothing in this Order shall apply to:

- (1) Any poultry or hatching egg passing directly through Maryland to another state without being removed from its primary container; or
- (2) Birds other than poultry.

F. Duration. This Order takes effects immediately and shall be effective through June 30, 2016, unless revoked earlier by the Secretary.

G. Violations. A person who violates this Order is subject to criminal and administrative penalties as provided under Maryland law. In addition, the Secretary of Agriculture may impose a quarantine order on any poultry or hatching eggs found in this State in violation of this Order.

H. Contact Person. If a person affected by this Order has questions, the person may contact the Office of the State Veterinarian at (410) 841-5810.



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