

**STATE OF MARYLAND
DEPARTMENT OF AGRICULTURE**

**ORDER OF: THE SECRETARY *
OF AGRICULTURE, RESTRICTING *
THE MOVEMENT OF POULTRY *
LITTER GENERATED IN CERTAIN *
AREAS IN THIS STATE ***

ORDER No. 2022-04

**Authority: Agriculture Article,
§2-103.1, §§ 3-101 *et seq.*,
Annotated Code of Maryland**

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ORDER

WHEREAS the Secretary of Agriculture, State of Maryland, has broad powers to prevent the spread of contagious or infectious diseases to protect the health and well-being of the State’s domestic animals;

WHEREAS Highly Pathogenic Avian Influenza (HPAI), a highly infectious and contagious disease, has been detected on certain farms located in Cecil County, Maryland and Queen Anne’s County, Maryland;

WHEREAS HPAI poses a major health threat to the State’s poultry;

WHEREAS HPAI can devastate the economically important poultry industry in this State;

WHEREAS the movement of poultry litter poses a high risk of disease spread;

WHEREAS to prevent the possible spread of this disease, it is urgent and necessary to restrict the movement of poultry litter generated in certain areas of the State.

NOW, THEREFORE, I, Joseph Bartenfelder, the Secretary of Agriculture, State of Maryland, by virtue of the authority vested in me by Agriculture Article, §2-103.1, §§

3-101 through 3-119, Annotated Code of Maryland, on this 9th day of March, 2022, hereby issue this Order, subject to the terms, conditions, and restrictions as follows:

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

(1) “Person” means an owner or operator of a poultry farm within the Restricted Area.

(2) “Poultry Production Area” means the immediate area in and around the chicken houses and manure storage structures on a poultry farm.

(3) “Restricted Area” includes Cecil County, Maryland, Kent County, Maryland and portions of Queen Anne’s County, Maryland and Caroline County, Maryland; and more specifically includes the area beginning in Queen Anne’s County, Maryland that is:

(a) North of Maryland Route 287;

(b) North of Maryland Route 313 from Goldsboro, Maryland to Ingleside, Maryland;

and

(c) North of Maryland Route 19 from Ingleside, Maryland to Church Hill, Maryland.

B. Restricting the Movement of Poultry Litter.

(1) An owner or operator of a farm that is located in the Restricted Area may not send or transport poultry litter produced on that farm to another farm or receive poultry litter from another farm.

(2) A person may not deliver poultry litter produced on farms either within or outside the Restricted Area to a farm within the Restricted Area for any purpose including, but not limited to, the application to land or an alternative use.

(3) An owner or operator of a poultry farm that is located in the Restricted Area may not move poultry litter from the farm's Poultry Production Area.

(4) For existing stockpiles of poultry litter in fields on farms within the Restricted Area (i.e., those stockpiles that predate the effective date of this Order), the owner or operator of a farm may broadcast the litter on these same fields. However, the owner or operator of a farm may not create any new stockpile of poultry litter on the farm for this purpose or any other purpose.

(5) A person transporting poultry litter produced on farms outside the Restricted Area may continue to transport this litter on roads located within the Restricted Area to locations outside the Restricted Area. The person, however, may not stop at any farm located within the Restricted Area.

C. Duration. This Order takes effect immediately and shall be effective through August 8, 2022. If the danger of additional disease has not passed before this date, the duration of this Order may be extended. If the danger of additional disease has passed before this date, the Order may be rescinded before August 8, 2022.

D. Violations. Any person who violates the requirements of this quarantine order is subject to (1) criminal penalties as provided in Agriculture Article, §§ 12-101 *et seq.*, Annotated Code of Maryland; and (2) administrative penalties up to \$10,000 as provided in Agriculture Article, § 3-116, Annotated Code of Maryland.

E. Enforcement. As provided in Agriculture Article, § 3-106(c), Annotated Code of Maryland, any sheriff, deputy sheriff, or law enforcement officer is ordered to assist in

the execution or enforcement of this order.

F. 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.

G. Criminal and Administrative Penalties.

Any person who violates the requirements of this Order is subject to: (1) criminal penalties as provided in Agriculture Article, §§ 12-101 and 12-102, Annotated Code of Maryland; and (2) administrative penalties up to \$10,000 as provided in Agriculture Article, § 3-116, Annotated Code of Maryland.



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