



# Maryland Department of Agriculture

Office of the Secretary

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## MARYLAND DEPARTMENT OF AGRICULTURE

### LEGISLATIVE COMMENT

**DATE: January 22, 2019 BILL NO: SB 56**

**SUBJECT:** SECRETARY OF AGRICULTURE - REGULATION OF  
POULTRY TO PROTECT ANIMAL HEALTH AND CONTROL  
AVIAN INFLUENZA

**COMITTEE:** EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS

**MDA POSITION:** SUPPORT

#### EXPLANATION:

Passage of the this act will authorize the Maryland Secretary of Agriculture to adopt an annual licensed Animal Health Protection Program that will be applicable to certain live poultry market operators, production facility operators or poultry dealers for the purpose to protect animal health and to control avian influenza.

#### COMMENT:

Senate Bill 56 is repealing and reenacting with amendments the Maryland Annotated Code; Ag Article Sections 3-801 through 3-803 “Subtitle 8. *Regulation of Poultry to Control Avian Influenza*”. The new act will have the same sections 3-801 through 3-803, but will have the amended subtitle: “Subtitle 8. *Regulation of Poultry to Protect Animal Health and Control Avian Influenza*”.

Senate Bill 56 will repeal and reenact a law that took effect on October 1, 2005 after the 2004 Avian Influenza Incident in Maryland. At that time, the Avian Influenza was transmitted to Maryland commercial poultry from live bird markets in New York. Today, there are new emerging poultry markets like swap meets, flea markets, internet sales, and poultry dealers selling and moving poultry products that require the department’s attention on safeguarding our state from Avian Influenza.

Repealing and reenacting the current law will grant the Secretary the authority needed to regulate these new emerging poultry markets. The successful passage of Senate Bill 56 will grant the department the regulatory authority to adopt animal health protection programs to control Avian Influenza incidents that threaten these emerging poultry markets. The development of Animal

Health Protection Programs may have some economic impact on the new emerging poultry markets. These markets will need to keep and maintain records of sales and interstate movements for the department. If needed, the department will have that crucial ability in the initial report of an Avian Influenza incident to quickly use the sales records for disease tracing to the origin of that Avian Influenza incident. The sooner the origin of an Avian Influenza disease incident is known the faster the Avian Influenza incident will be controlled.