STATE OF MARYLAND

MARYLAND DEPARTMENT OF AGRICULTURE

ORDER OF:	*	**ORDER # AH 01-2025**
THE SECRETARY OF AGRICULTURE	*	**AUTHORITY: Agriculture Article, §§ 3-101 *et seq.*,**
TO PREVENT THESPREAD OF ANIMAL DISEASES IN THIS STATE	*	**Annotated Code of Maryland**
	*	**EFFECTIVE DATE: 3/18/2025**

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ORDER OF THE SECRETARY
GOVERNING POULTRY AUCTION MARKETS, LIVE BIRD MARKETS, OTHER MARKETS (NON-SLAUGHTER), AND EXHIBITIONS WHERE POULTRY BROUGHT FOR EXHIBITION OR SALE

WHEREAS, during the first two months of 2025, Highly Pathogenic Avian Influenza (HPAI), a contagious and infectious foreign animal disease, has been detected in five commercial flocks and two backyard flocks in Maryland, three commercial flocks and one backyard flock in Delaware, and one commercial flock and two backyard flocks in Virginia;

WHEREAS, since 2022, HPAI has affected more than 152 million birds in commercial, and backyard flocks in the United States (including 10 percent of all laying chickens in the last three months);

WHEREAS, HPAI has also been detected in the wild bird population in the State (native and migrating);

WHEREAS, HPAI continues to pose a threat to commercial flocks, backyard flocks, the wild bird population, and dairy cattle in this State and nationwide;

WHEREAS, in light of this threat, the movement and commingling of poultry for any purpose within, into, and out of Maryland poses a high risk of furthering disease spread;

WHEREAS, to limit this threat, temporary restrictions on the movement of poultry to Poultry Auction Markets, Other Markets (non-slaughter), and Exhibitions are needed;

NOW THEREFORE pursuant to Agriculture Article, §§ 3-101 *et seq.*, Annotated Code of Maryland, the Secretary of the Maryland Department of Agriculture ("MDA"), on this 18th day of March, 2025, hereby ORDERS:

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

(1) "Avian influenza" means an infection or disease of poultry caused by viruses in the family Orthomyxoviridae, genus Influenza virus A.

(2) "Department" means the Maryland Department of Agriculture or MDA.

(3) "Exhibition" means displaying or showing live poultry or hatching eggs other than for the primary purpose of sale, including, among other examples, county and state fairs, farm shows, petting zoos, races, and breeding shows.

(4) "Live Bird Market" means any facility, including botanica, poultry store, or custom slaughter that sells live poultry for on-site slaughter.

(5) "Market operator" means the person(s) primarily responsible for the daily operations of the market or event, including, but not limited to, managing seller information, and the purchases and sales of all livestock and poultry at the market or event.

(6) (a) "Other Market (non-slaughter)" means a place to purchase, sell, or barter poultry or their hatching eggs, including, but not limited to, farmers' markets, flea markets, swap meets, and botanicas, but is neither approved by USDA as an approved auction market nor approved by MDA as a live bird market or exhibition.

(b) Other Market (non-slaughter)" does not mean a farm or other location (e.g., a Tractor Supply store) selling poultry or hatching eggs that:

(i) Are derived immediately from flocks and hatcheries participating in the National Poultry Improvement Program or equivalent program; and

(ii) Are not and have not been commingled with other poultry.

(7) "Poultry" means any domesticated fowl, including, but not limited to, chickens, turkeys, ostriches, emus, rheas, cassowaries, waterfowl, and game birds (except doves and pigeons), which are bred for the primary purpose of producing eggs or meat.

(8) "Poultry Auction Market" means any place where a producer, dealer, wholesaler, distributor, or retailer meet to purchase or sell live poultry or hatching eggs at auction, which has been approved by the USDA and MDA to operate as an auction market.

B. Restrictions.

(1) A person may not operate a Poultry Auction Market, Other Market (non-slaughter), or Exhibition in Maryland where poultry are displayed, sold, exchanged, commingled, or otherwise held for such purpose;

(2) A person may not operate a Live Bird Market where poultry are sold for on-site slaughter and otherwise sell poultry or hatching eggs unless the following conditions are met:

(a) The poultry or hatching eggs offered for sale:

(i) Are derived immediately from flocks and hatcheries participating in the NPIP or equivalent program; and

(ii) Are not and have not been commingled with poultry from other flocks; and

(b)The person:

(i) Registers the poultry market premises under the Maryland Poultry Registration Program;

(ii) Provides at least 120 days advance written notice to the Department of its operations, stating the name of the market operator, the address of the event, its inclusive dates, and hours;

(iii) Keeps the following records, as applicable, for each sale or purchase of poultry:

1. The name, address, and phone number of the buyer and seller;
2. The quantity, type, and species of poultry bought and sold;
3. Official identification if applied; and
4. The date of the transaction;

(iv) Maintains the records noted in paragraph (iii) immediately above for one year from the date of each transaction (auction markets and live bird markets, however, shall maintain these records for three years from the date of each transaction); and

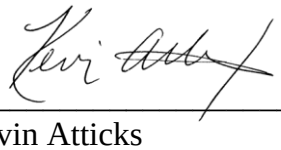
(v) Allows the Department to have access to and copy any required records.

C. The Secretary may order diagnostic testing, surveillance testing, quarantine, sell-down, depopulation, market closure, cleaning, disinfection, virus elimination or other actions, deemed necessary to control the introduction and spread of Avian Influenza or other contagious or infectious diseases at an auction market, live bird market, or at live bird sales (non-slaughter).

D. Duration. This Order takes effect immediately and expires on May 16, 2025.

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



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