

**STATE OF MARYLAND
DEPARTMENT OF AGRICULTURE**

**2ND AMENDED ORDER OF: THE
SECRETARY OF AGRICULTURE** *

RESTRICTING THE MOVEMENT *

OF POULTRY LITTER GENERATED *

IN CERTAIN AREAS IN THIS *

STATE *

**2ND AMENDED ORDER
No. 2022-06-A**

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

* * * * *

2ND AMENDED 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 this State;

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, in response to this threat, the Secretary of Agriculture, in an Order dated March 9, 2022, restricted the movement of poultry litter in certain areas in this State (that being, Order No. 2022-04);

WHEREAS the Secretary of Agriculture, in light of new information provided by

Veterinary Epidemiologists, determined that these restrictions can be altered, and on March 18, 2022, amended this Order (that being, Amended Order No. 2022-05A); and

WHEREAS the Secretary of Agriculture, in light of recent steps taken to control the spread of HPAI, has determined that it is now appropriate to lift certain areas from the Restricted Area (to wit: those areas within Queen Anne’s County Maryland and Caroline County, Maryland previously identified in Amended Order No. 2022-05A as being within the Restricted Area);

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 7th day of April, 2022, hereby issues this 2nd Amended Order (Order No. 2022-06-A), which supersedes the previous Orders issued restricting the movement of poultry litter in this State (that being: (1) Order No. 2202-04, dated March 9, 2022; and (2) Amended Order 2022-05A, dated March 18, 2022), subject to the terms, conditions, and restrictions as follows:

A. **Definitions.**

(1) “MDA” means the Maryland Department of Agriculture.

(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” means specific areas within Cecil County, Maryland and Kent County, Maryland that MDA has identified as being potentially impacted by HPAI.

(4) “Restricted Area Poultry Farm” means a poultry farm within the Restricted Area.

B. **Restricting the Movement of Poultry Litter.**

(1) **Transportation of litter from a Restricted Area farm.** For a Restricted Area Poultry Farm that receives poultry, a person, including a manure broker, may transport litter from the farm for land-application or for an alternative use if, in both instances, the following conditions are met:

(a) At least fourteen days have passed after the poultry have been taken to processing; and

(b) The person transporting the litter has received a permit from MDA to move the litter and complies with the terms of the permit.

(2) **Poultry Farms outside the Restricted Area.** For a poultry farm outside the Restricted Area that receives poultry, a person, including a manure broker, fourteen days after the poultry have been taken for processing, may transport the litter from the farm for: (i) land-application, or (ii) an alternative use. No permit from MDA is required to move this litter.

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.

C. **Violations.** A person who violates the requirements of this 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.

D. 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.

E. Contact Person. A person affected by this Order may contact Howard Callahan, MDA Nutrient Management Specialist, at howard.callahan@maryland.gov or (410) 279-4003.



Secretary of Agriculture
Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, MD 21401
Telephone: 410.841.5880