



STATE OF DELAWARE

DEPARTMENT OF AGRICULTURE

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First Modification to Control Order Restricting Movement and Spreading of Poultry Litter

This current modification to the Control Order Restricting Movement and Spreading of Poultry Litter issued on March 8, 2022, supersedes the previous Control Order issued under the authority of the Delaware Department of Agriculture.

The Department has confirmed positive High Path Avian Influenza cases in New Castle and Kent Counties, Delaware, and additional cases have been confirmed in Maryland. To prevent the spread of this highly infectious and injurious virus, the Delaware Department of Agriculture issues this Control Order limiting the movement and spreading of poultry litter.

This Control Order is in effect until further notice.

The following restrictions are in place for Delaware, in its entirety:

- For any poultry farms that had birds present on the premises on or after March 1, 2022, poultry litter may be transported off the farm 14 days after the birds have been taken for processing. There are no restrictions on litter being moved on the farm (e.g., from the poultry house to manure storage or being able to be spread on that farm).
- In addition, for all poultry farms in a 10-km "Control Area" of an affected farm, the farm owner must obtain a permit from the Delaware Department of Agriculture's Nutrient Management Program, prior to moving poultry litter. The permit application is available online at <https://de.gov/poultry>.

This **Control Order** is issued by the authority of the Delaware Department of Agriculture under the General Provisions of the Department, Ref. Title 3, Ch. 1, § 101(8)(9):

(8) Exercise authority and make and adopt regulations covering the possession, control, care, and maintenance of, and take measures necessary to control disease in and ensure the welfare of, the following domesticated species: poultry and livestock, including but not limited to bovine, camilid, cervidae, equine, swine, ruminants, ratites, rabbits, poultry, and other animals harvested for food, fiber, fur or leather;

(9) Devise and execute measures necessary to mitigate disease occurrences in animal species, if such disease is able to affect poultry or livestock or is capable of causing disease in humans. For rabies refer to Chapter 82 of this title.

Authorized By:

Michael T. Scuse, Secretary
Delaware Department of Agriculture