



STATE OF DELAWARE

DEPARTMENT OF AGRICULTURE

2320 SOUTH DUPONT HIGHWAY

DOVER, DELAWARE 19901

AGRICULTURE.DELAWARE.GOV

TELEPHONE: (302) 698-4500

TOLL FREE: (800) 282-8685

FAX: (302) 697-6287

MICHAEL T. SCUSE
SECRETARY

May 27, 2022
DDA-HPAI-CO-03

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

Effective June 1, 2022, this current modification rescinds the Control Order Restricting Movement and Spreading of Poultry Litter issued on March 18, 2022, issued under the authority of the Delaware Department of Agriculture.

The Department has confirmed positive Highly Pathogenic Avian Influenza (HPAI) 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 issued a Control Order limiting the movement and spreading of poultry litter.

Since the last case announced on March 18, 2022, no further cases of HPAI have been identified in the State of Delaware, and all control areas will be released; therefore, beginning on June 1, 2022, the following restrictions are no longer in place:

- 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 Release** 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:

A handwritten signature in blue ink that reads "Michael T. Scuse".

Michael T. Scuse, Secretary
Delaware Department of Agriculture