

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

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April 8, 2022

Order 958-AHO-22

ANIMAL HEALTH ORDER

Pursuant to Massachusetts General Laws ("M.G.L."), Chapter 129, § 2

ISSUED TO: All Individuals, entities, associations, and interested parties involved in the hosting or organization of any exhibition, show, swap or other in-person event encouraging the gathering or commingling of domestic fowl or poultry.

INTRODUCTION

This Order ("Order") is issued in response to the detection of Highly Pathogenic Avian Influenza ("HPAI") in domestic birds in the Commonwealth of Massachusetts.

JURISDICTION

This Order is issued under the authority vested in the Massachusetts Department of Agricultural Resources ("MDAR") under M.G.L. c. 129, § 2.

PARTIES

1. MDAR is a duly authorized administrative agency of the Commonwealth of Massachusetts acting pursuant to the provisions of M.G.L. c. 129, § 2.
2. All Individuals, entities, associations, and interested parties involved in the hosting or organization of any competition, exhibition, show, swap or other in-person event in Massachusetts encouraging the gathering or commingling of domestic fowl or poultry.

SUMMARY OF APPLICABLE LAW

3. M.G.L. c. 129, § 1 states, in part, the following:

"Domestic animals", all animals including poultry that are kept or harbored as domesticated animals. Poultry as used in this section shall include chickens, roosters, capons, hens, turkeys, pigeons, guinea fowl, and ducks and geese other than wild species."

4. M.G.L. c. 129, § 2 states the following:

"The director may make and enforce reasonable orders, rules, and regulations relative to the following: the sanitary condition of neat cattle, other ruminants and swine and of places where such animals are kept; the prevention, suppression and extirpation of contagious diseases of domestic animals; the establishing of disease-free herds of cattle and the issuing of certificates in connection therewith; the inspection, examination, quarantine, care and treatment or destruction of domestic animals affected with or which have been exposed

to contagious disease, the burial or disposal of their carcasses, and the cleansing and disinfection of places where contagion exists or has existed. No rules or regulations shall take effect until approved by the governor and council.”

FINDINGS OF FACT

5. HPAI is a highly contagious disease that affects both domestic and wild birds. This disease is deadly to many species of domestic birds and the spread of HPAI in domestic flocks may lead to interstate and international trade restrictions. Therefore, the prevention of the spread of the disease is of utmost importance to the residents and agricultural businesses located within the Commonwealth.
6. On March 1, 2022, the United States Department of Agriculture’s (USDA) Animal and Plant Health Inspection Service (APHIS) National Veterinary Services Laboratories (NVSL) in Ames, Iowa confirmed the presence of HPAI in Massachusetts in a wild bird. Since that time, HPAI has been detected in multiple counties across the Commonwealth in an additional 13 wild birds and one domestic flock.
7. The gathering of domestic fowl or poultry from different premises to a central location increases the risk of disease spread.
8. Animal Health Officials from all six New England States are recommending all competitions, exhibitions, shows, swaps or other in-person events encouraging the gathering or commingling of domestic fowl or poultry be postponed until at least July 1, 2022.

ORDER

NOW THEREFORE, based upon the above knowledge and information, the Director of Animal Health **hereby orders the cancellation or postponement of all competitions, exhibitions, shows, swaps or other in-person events encouraging the gathering or commingling of domestic fowl or poultry in Massachusetts until further notice.**

The above notice does not prohibit the movement of domestic fowl or poultry into slaughter channels, including licensed live bird market sales facilities.

This Order will be rescinded on July 1, 2022, unless circumstances demand an extension at that time.

Your cooperation in this matter is greatly appreciated. If you have any questions, please call 617-626-1795.



Michael Cahill, Director
Division of Animal Health