

# NOTICES

## DEPARTMENT OF AGRICULTURE

### General Quarantine Order; Exhibition of Ornamental Feathers, Unfertilized Eggs, Market Poultry and Feathers Used for Arts and Crafts

[54 Pa.B. 1682]

[Saturday, March 30, 2024]

#### *Recitals*

- A. Avian influenza is an infectious and contagious disease of poultry.
- B. Avian influenza is designated a "dangerous transmissible disease" of animals under the provisions of the Domestic Animal Law (3 Pa.C.S.A. §§ 2301—2389), at 3 Pa.C.S.A. § 2321(a) (6).
- C. Avian Influenza can be transmitted between poultry and may be transferred and spread through the movement of poultry, eggs, and poultry products; by people, vehicles, equipment, and other fomites, as well as by aerosol.
- D. Avian Influenza has caused substantial loss in the past to the Pennsylvania poultry industry and the virulent form of the disease has caused widespread losses to the poultry industry in states in which poultry have been infected.
- E. Avian influenza is of particular concern to the entire Pennsylvania poultry industry as Highly Pathogenic Avian Influenza (HPAI) will result in the death or destruction of infected poultry, thus causing severe economic loss, and may severely limit the market for Pennsylvania poultry products.
- F. The Highly Pathogenic Avian Influenza (HPAI) Eurasian lineage goose/Guangdong H5 clade 2.3.4.4 virus has been confirmed in wild birds and in poultry flocks across the United States in 2023.
- G. The Department, under the provisions set forth at section 2329 (related to quarantine) of the Domestic Animal Law (3 Pa.C.S.A. § 2329) has the authority to establish three different types of quarantine orders—Interstate and International (3 Pa.C.S.A. § 2329(c)), General (3 Pa.C.S.A. § 2329(d)) and Special (3 Pa.C.S.A. § 2329(e)).
- H. As set forth at section 2329(a) (relating to power to establish and enforce), the Department may establish a Quarantine Order, "Whenever a dangerous transmissible disease. . .exists anywhere within or outside of this Commonwealth, or whenever it is deemed advisable to test or treat any domestic animal upon the reasonable suspicion that it has contracted or been exposed to a dangerous transmissible disease. . .or whenever the testing or treatment of a domestic animal indicates that the domestic animal has been exposed to a dangerous transmissible disease. . .so as to render future accurate testing for recent exposure of that domestic animal to that dangerous transmissible disease. . .impractical or impossible, the department shall have the power to establish and enforce quarantines of any such infected, exposed, contaminated, suspected or susceptible domestic animal. In addition to the aforescribed domestic animals, a quarantine may apply to any goods, products, facilities, containers, vehicles or materials that may carry dangerous transmissible disease. . .and

may be applied on or in or against any premises, area or locality as defined in this chapter." (3 Pa.C.S.A. § 2329(a)).

I. An exhibition is defined as a show or display of animals.

J. Under the authority established in the Domestic Animal Law (3 Pa.C.S.A. §§ 2301—2389) and specifically the authority to establish general quarantine orders as set forth at section 2329 of the Domestic Animal Law (3 Pa.C.S.A. §§ 2329(a) and 2329(d)), the Pennsylvania Department of Agriculture (Department) hereby establishes a General Quarantine Order related to poultry and poultry products, at Venues and Fairs within the Commonwealth of Pennsylvania.

K. This General Quarantine Order is established to reduce the risk of infection of backyard and commercial poultry in Pennsylvania with avian influenza. The transportation of poultry and poultry products, and materials contacting poultry, poultry products, containers, conveyances and goods, in addition to the congregation of poultry and poultry products at Venues and Fairs within the Commonwealth has the potential to transfer and spread Highly Pathogenic Avian Influenza.

### *Order*

1. The Department hereby enters a General Quarantine Order, incorporating the foregoing recitals as if fully set forth hereunder and establishing a temporary prohibition against the display, exhibit or presence of poultry and poultry products at any Venue or Fair within the Commonwealth of Pennsylvania with limited exception established under paragraph 7 of this Order.

2. This Order is entered under authority of the Domestic Animal Law (3 Pa.C.S.A. § 2329) and § 1702 of the Administrative Code of 1929 (71 P.S. § 442), and establishes the following quarantine restrictions with respect to the presence or exhibition of poultry and poultry products at Venues and Fairs within the Commonwealth of Pennsylvania.

3. *Quarantine Area.* The area covered by this General Quarantine Order is the entire Commonwealth of Pennsylvania.

4. *Definitions.* The following terms when used in this Order have the following meanings:

*Accredited veterinarian.* A licensed veterinarian jointly accredited by APHIS-USDA and the Department in the state the veterinarian is licensed to perform official duties on behalf of APHIS-USDA or the Department in the state the veterinarian is licensed to practice veterinary medicine. See accreditation standards established by 9 CFR Parts 160 and 161 (relating to definition of terms; and requirements and standards for accredited veterinarians and suspension or revocation of such accreditation).

*Animal Exhibition.* Any temporary spectacle, display, event, exhibition or act featuring performing animals including, but not limited to, circuses, pony rides, animal exhibits, weight pull events, and petting zoos. This definition shall exclude zoologic exhibits and Pennsylvania Game Commission managerie permit holders.

*Avian.* Relating to birds.

*Certificate of Veterinary Inspection (CVI).* An official document issued by a federal, state, tribal, or accredited veterinarian certifying that the animals identified on the document have been inspected and were found to satisfy the regulations pertaining to their intended movement—within the same state, between states, or internationally.

*Direct movement to slaughter.* Transported to a facility for slaughter, without stops or unloading except for feeding and watering, during which the animals are not commingled with any other

animals unless all are destined for slaughter.

*HPAI.* The term "HPAI" stands for and shall mean any strain of Highly Pathogenic Avian Influenza.

*Poultry.* The term "poultry" includes all domesticated fowl, including chickens, turkeys, ostriches, emus, rheas, cassowaries, waterfowl, and game birds (pheasants, partridge, quail, grouse, and guineas); but excludes doves, pigeons, psittacine and passerine birds.

*Poultry products.* The term shall mean products of or made from poultry, including eggs, poultry parts or any goods or items containing poultry or made or derived from poultry, such as but not limited to, feathers including ornamental feathers and feathers and down used for arts and crafts, beaks, feet, down, or poultry parts.

*Venue or Fair.* The term shall mean any Fair, show, exhibition or other such venue within the Commonwealth of Pennsylvania which is sponsored by or receives funding from the Pennsylvania Department of Agriculture or receives funding pursuant to the Pennsylvania Agricultural Fair Act (act of July 8, 1986, P.L. 437, No. 92) (3 P.S. §§ 1501—1510).

5. *Purpose.* This Order allows for a proactive and deterrent approach to prevent the spread of Highly Pathogenic Avian Influenza affecting poultry related to the exhibition of poultry or poultry products at Pennsylvania Venues or Fairs while allowing limited exhibition of certain poultry and poultry products during periods of low risk for the dangerous transmissible disease Highly Pathogenic Avian Influenza.

6. *Prohibition.* Notwithstanding and in abrogation of the provisions relating to avian influenza of the General Quarantine Order; Cancellation of Exhibition of Poultry and Their Hatching Eggs Due to Highly Pathogenic Avian Influenza (52 Pa.B. 2223) (Saturday, April 16, 2022) during the time period of this General Quarantine Order, no poultry or poultry products shall be transported to, brought onto the premises of or displayed or exhibited or present at any Venue or Fair within the Commonwealth of Pennsylvania that is sponsored by or receives funding from the Pennsylvania Department of Agriculture or receives funding pursuant to the Pennsylvania Agricultural Fair Act (act of July 8, 1986, P.L. 437, No. 92) (3 P.S. §§ 1501—1510) with limited exception set forth in paragraph 7 of this Order.

7. *Exception.* Poultry and poultry products may only be brought onto the premises of or displayed or exhibited or present at any Venue or Fair, if the Department has determined that there are currently no active HPAI control areas or surveillance zones in place in Pennsylvania. The Department will provide notification to fair managers if any active HPAI control areas or surveillance zones are in place in Pennsylvania at the beginning of the 2024 fair season and will provide updates throughout the season as necessary. The placement of a HPAI control area or surveillance zone in Pennsylvania will result in the immediate reinstatement of the prohibition of exhibition for all poultry and all poultry products in the Commonwealth of Pennsylvania (Pennsylvania), as established in the Department's General Quarantine Order; Cancellation of Exhibition of Poultry and Their Hatching Eggs Due to Highly Pathogenic Avian Influenza (52 Pa.B. 2223) (Saturday, April 16, 2022).

8. *Standards imposed when Exception Applies.* When the exception in paragraph 7 applies, the following standards shall apply and shall be imposed and enforced by Department and the Venue or Fair and followed by all exhibitors.

a. *Direct to Slaughter.* All poultry exhibited shall be moved directly to slaughter. There is no exception to this standard, and no exhibited poultry may be sent back to its premises of origin or to any other premises or establishment, held at the Venue or Fair or held over at any other premises or establishment.

b. *Transportation.* Transportation of poultry or poultry products, or both, to the Venue or Fair and to the Department or United States Department of Agriculture (USDA) licensed slaughter plant shall be done in a biosecure manner and all vehicles, conveyances, crates, equipment or other materials used in the transport of the poultry or exposed to the poultry shall be cleaned and disinfected and meet the standards imposed by the Department's "Interstate and General Quarantine Order; Virus Control for Highly Pathogenic Avian Influenza Vehicle, Container and Material Standards" (45 Pa.B. 4930, Saturday, August 22, 2015).

c. *Exhibition of Poultry:* The following standards apply to the exhibition of poultry at a Venue or Fair under this exception.

i. All poultry entering an exhibition must bear an official Department issued leg band. Ratites must be identified with a neck band or an electronic implant device (the exhibitor must supply a reader).

ii. Poultry may be exhibited only if they will be moved immediately after judging directly from the Venue or Fair to a licensed slaughter facility.

iii. All poultry exhibited in Pennsylvania at Department sponsored or funded exhibitions shall move as all-in and all-out directly to a Department or USDA licensed slaughter facility following the animal exhibition and may not be diverted to premises other than a licensed slaughter facility.

iv. Waterfowl for exhibit shall be kept separate and apart from other poultry in a biosecure manner.

iv. Arrival, exhibition and departure of the poultry shall occur within a 72-hour window. The 72 hours begin when the first poultry arrive on the Venue or Fair grounds, whether unloaded or not, and ends when the last poultry physically leave the Venue or Fair grounds in a vehicle or conveyance.

v. Exhibition of poultry shall require Department issued "Owner Endorsed Avian Health Certificate and Biosecurity Statement" which will be provided by the Department. If a CVI is provided for entry, endorsement of biosecurity on the "Owner Endorsed Avian Health Certificate and Biosecurity Statement" shall also accompany the poultry.

vi. All poultry on the Venue or Fair grounds shall be monitored for signs of illness, and any signs of illness shall be reported to the Department immediately (717-772-2852).

vii. All poultry on the Venue or Fair grounds shall be displayed behind barriers such as ropes to prevent public access to the poultry, with signage to prevent the public from crossing the barrier.

viii. Conveyances shall be cleaned and disinfected before loading to transport poultry to the Venue or Fair, and after returning to the premises of origin, and shall meet the requirements imposed by the Department's "Interstate and General Quarantine Order; Virus Control for Highly Pathogenic Avian Influenza Vehicle, Container and Material Standards" (45 Pa.B. 4930, Saturday, August 22, 2015).

ix. *Avian Influenza Testing and Verification:* Avian influenza testing and verification shall meet the following requirements.

(aa) All samples shall be collected by a Certified Poultry Technician or a Category II Accredited Veterinarian and shall be tested in a National Animal Health Laboratory Network (NAHLN) laboratory.

(bb) All poultry shall originate from a flock in which a random, representative sample of a minimum of 30 birds, 3 weeks of age or older, were tested for avian influenza within the 14 days

prior to opening date of the exhibition.

(cc) For waterfowl, cloacal swab samples shall be collected for testing. Swabs from geese and ducks may not be combined in the same tube for testing.

(dd) For chickens, turkeys, game birds, and ratites, blood samples (AGID testing) or tracheal or oropharyngeal swab samples (PCR testing) are acceptable samples. Samples from more than one species may not be combined in the same tube for testing.

(ee) The poultry, in addition to the documentation required in subparagraph c.v. of this Order, shall be accompanied by the most recent test report (copy acceptable). Test results must be negative or the poultry may not be shipped to, accepted by or unloaded at the Venue or Fair, and upon arrival at the Venue or Fair must be immediately denied entry and sent back to the premises of origin or quarantined until a Department or USDA veterinarian can inspect the poultry. All non-negative test results shall be reported to the Department immediately.

(ff) If there are fewer than 30 birds in the poultry flock, all birds of age in that flock shall be tested.

(gg) Untested poultry shall not be comingled with or added to the tested flock after negative samples have been collected and may not be added to the poultry that are shipped to the Venue or Fair.

(hh) Sample collectors and testers must maintain records of animal identification, testing records, any other records required by the Domestic Animal Law and any Order issued by the Department for a minimum of two years and must make such records available to the Department upon request.

(ii) National Animal Health Laboratory Network (NAHLN) protocols for sample collection, including the number of swabs or tubes of viral transport media, and testing shall be followed. All samples must be tested at a NAHLN laboratory.

d. *Exhibition of Poultry Products.* Unfertilized eggs, ornamental feathers, and feathers used for arts and crafts may be allowed to be exhibited at a Venue or Fair with the written permission of the Department, and at the Department's discretion.

e. *Exhibition of Ornamental Feathers.* When such an exhibition is approved by the Department, the following standards and requirements apply to the exhibition of ornamental feathers at a Venue or Fair under this exception.

i. All ornamental feathers shall be sourced in the United States.

ii. Ornamental feathers, sourced from poultry, that will be displayed, exhibited, entered into a competition, or that are or will be used to produce jewelry or other items that will be exhibited, or sold, or both, shall be free of visible manure, litter, or other debris.

iii. Transport containers shall have been cleaned and disinfected before being used to transport feathers to the Venue or Fair. Where feathers arrive at the Venue or Fair in containers that are not clean, or that have any manure, litter or debris on the container, the feathers shall not be allowed to be unloaded at, exhibited or sold at the Venue or Fair and shall be required to be immediately transported off of the premises of the Venue or Fair.

iv. Exhibition of ornamental feathers shall require a Department issued "Owner Endorsed Avian Health Certificate and Biosecurity Statement." If a CVI is provided for entry, endorsement of biosecurity on the "Owner Endorsed Avian Health Certificate and Biosecurity Statement" shall also accompany the feathers.

v. Ornamental feathers, sourced from poultry, that will be displayed, exhibited, entered into a competition, or that are or will be used to produce jewelry or other items that will be exhibited, or sold, or both, shall originate from a poultry flock that has been properly tested, as set forth in paragraph 8.c.ix. of this Order, and that is not known to be infected with avian influenza. This requirement can be met by using one of the following methods.

(aa) The ornamental feathers shall originate from a poultry flock which has had a negative Avian Influenza test meeting the requirements set forth in paragraph 8.c.ix. of this Order, within the 14 days prior to the feathers being displayed, exhibited, entered into a competition, sold or made into jewelry for exhibit, or sale at a Venue or Fair. The feathers shall be accompanied by the most recent avian influenza test report, meeting the requirements set forth in paragraph c.ix of this Order, related to the poultry flock from which they were harvested (copy acceptable).

(bb) The ornamental feathers shall be clean, and held in a clean area separate from poultry and other poultry products for at least 120 days, at a minimum of 68 degrees Fahrenheit before being shipped to the Venue or Fair. Records shall be kept by the person seeking to display, exhibit, sell, or enter the feathers into a competition or to make jewelry from the feathers for display, exhibition, competition or sale of the date the feathers were moved to a holding area, along with the holding temperature. Those records shall be included with the "Owner Endorsed Avian Health Certificate and Biosecurity Statement."

f. *Exhibition of Feathers Used for Arts and Crafts:* When such an exhibition is approved by the Department, the following standards and requirements apply to the exhibition of feathers used for arts and crafts at a Venue or Fair under this exception.

i. Poultry feathers, shafts, and down shall be sourced and packaged in the United States or meet USDA import requirements.

ii. Poultry feathers, shafts, and down shall be washed or steam-treated and dried before packaging.

iii. Records evidencing the poultry feathers, shaft and down meet the criteria established in subparagraphs i. and ii. above shall accompany them to the Venue or Fair and shall be made available to the Department and the Venue or Fair organizers upon request.

g. *Exhibition of Unfertilized Poultry Eggs.* When such an exhibition is approved by the Department, the following standards and requirements apply to the exhibition of Unfertilized Poultry Eggs at a Venue or Fair under this exception.

i. The poultry eggs shall be washed and sanitized in a 100—200 ppm chlorine solution, or other disinfectant approved by the Environmental Protection Agency for use on poultry eggs, which is effective in destroying influenza virus. The poultry eggs shall then be dried before being placed in a carton or other container as allowed under subparagraph ii below.

ii. The poultry eggs shall be packaged in a new cardboard or Styrofoam carton or in a plastic carton which has been cleaned, disinfected, and dried prior to shipment to the Venue or Fair.

iii. Once the poultry eggs have been washed and sanitized as required in subparagraph i. above, the poultry eggs shall not come into contact with any other unwashed and unsanitized poultry eggs, other poultry products or poultry.

iv. Exhibition of poultry eggs shall require a Department issued "Owner Endorsed Avian Health Certificate and Biosecurity Statement." If a CVI is provided for entry, endorsement of biosecurity on the "Owner Endorsed Avian Health Certificate and Biosecurity Statement" shall also accompany the poultry eggs.

v. The poultry eggs shall originate from a poultry flock which has had a negative avian Influenza test meeting the requirements set forth in paragraph 8.c.ix. of this Order, within the 14 days prior to the eggs being displayed, exhibited, entered into a competition, sold or offered for sale at a Venue or Fair.

vi. The poultry eggs shall be accompanied by the most recent avian influenza test report, meeting the requirements set forth in paragraph 8.c.ix. of this Order, related to the poultry flock from which they were harvested (copy acceptable).

vii. The hatchlings from any poultry eggs that hatch at the Venue or Fair shall be immediately removed from the premises of the Venue or Fair, in a biosecure manner, and returned to the farm of origin.

9. *Violations/Penalties.* Any person violating the requirements of this Order shall be subject to enforcement and penalties as are allowed under the provisions of the Domestic Animal Law (3 Pa.C.S.A. § 2301 et seq.), which include revocation of license, criminal prosecution, civil penalties of up to \$10,000 per violation, injunctive relief or any combination of those penalties.

10. *No Restriction on Further Action by Department.* This Order shall not be construed as limiting Department's authority to establish additional quarantine or testing requirements or take any actions otherwise permitted under applicable statute or regulation.

11. *Contact information.* Questions regarding this General Quarantine Order shall be directed to the Commonwealth of Pennsylvania, Department of Agriculture, Bureau of Animal Health, 2301 North Cameron Street, Harrisburg, PA 17110 or by telephone at 717-772-2852, or email at RA-ahds@pa.gov.

12. *Effective Date.* This Order shall be immediately effective upon the date of publication in the *Pennsylvania Bulletin*, and shall remain in effect unless rescinded or modified by subsequent order.

RUSSELL REDDING,  
Secretary

[Pa.B. Doc. No. 24-432. Filed for public inspection March 29, 2024, 9:00 a.m.]

---

No part of the information on this site may be reproduced for profit or sold for profit.

This material has been drawn directly from the official *Pennsylvania Bulletin* full text database. Due to the limitations of HTML or differences in display capabilities of different browsers, this version may differ slightly from the official printed version.

---

Top

Bottom