



MEMORANDUM ORDER

No. 69

Series of 2023

SUBJECT: TEMPORARY BAN ON THE IMPORTATION OF DOMESTIC AND WILD BIRDS AND THEIR PRODUCTS INCLUDING POULTRY MEAT, DAY OLD CHICKS, EGGS AND SEMEN ORIGINATING FROM *the States of Minnesota and South Dakota, USA*

WHEREAS, Section 6 and 7 (2) and (4) of Executive Order no. 292 provides the authority and responsibility for the exercise of the mandate of the Department and for the discharge of its powers and functions shall be vested in the Secretary, who shall have supervision and control of the Department, to establish the policies and standards for the operation of the Department pursuant to the approved programs of government and promulgate administrative issuances necessary for the efficient administration of the offices under the Secretary and the proper execution of the laws relative thereto;

WHEREAS, Section 1770 of Act No. 2711 (Revised Administrative Code of 1917) which was adopted by incorporation together with Sections 1761-1769, in Section 5 of Act 3639 (Charter of BAI) empowers the Department Head to issue a general order preventing the entry of animals, animal effects, parts or products from any country with dangerous communicable animal disease;

WHEREAS, based on the official report submitted by the Deputy Administrator and Chief Veterinary Officer, Animal and Plant Health Inspection Service, Veterinary Services, United States Department of Agriculture, Washington, D.C., United States of America to the World Organisation for Animal Health (WOAH) and USDA Animal and Plant Health Inspect Service (APHIS) official website on October 2023, there were several outbreaks of H5N1 High Pathogenicity Avian Influenza in the States of Minnesota and South Dakota, United States of America (USA) affecting domestic birds as confirmed by the National Veterinary Services Laboratories (NVSL), Ames, Iowa (National Laboratory);

WHEREAS, the rapid spread of H5N1 Highly Pathogenic Avian Influenza in the United States of America (USA) in a short period of time since its first laboratory detection necessitates a wider coverage of trade restriction to prevent the entry of HPAI virus and protect the health of the local poultry population;

WHEREAS, given the geographical land mass of the USA, there has been a mutual HPAI-related agreement in 2016 between the veterinary authorities of USA and Philippines that a state-wide ban shall only be imposed if there are three (3) or more counties affected with HPAI in one state;

WHEREAS, the abovementioned states have three (3) or more counties affected with HPAI as reflected in their official reports in the WOA;H;

NOW, THEREFORE, I, **FRANCISCO TIU LAUREL, JR.**, Secretary of the Department of Agriculture, by the powers vested in me by law, do hereby institute the following emergency measures for the importation of domestic and wild birds and their products from the States of Minnesota and South Dakota, United States of America;

1. Banning the importation of domestic and wild birds and their products, including poultry meat, day old chicks, eggs and semen;
2. Immediate suspension of the processing, evaluation of the application and issuance of Sanitary and Phytosanitary (SPS) import clearance to the above stated commodities;
3. All shipments coming from the mentioned areas of the United States of America that are IN TRANSIT/LOADED/ACCEPTED UNTO PORT before the official communication of this Order to the American authorities shall be allowed provided that the products were slaughtered/produced 14 days before the first outbreak in the particular locality;
 - a. Minnesota's first outbreak in this event (Meeker County) - 14 October 2023
 - b. South Dakota's first outbreak in this event (Mcpherson and Faulk Counties) - 17 October 2023
4. Shipments which have not complied with the conditions set forth in Item 3 shall be dealt with as per DA AO 9 S. 2010 Section VII.D;

This **ORDER** shall take effect immediately.

Done this 23rd day of November 2023.

FRANCISCO TIU LAUREL, JR.
Secretary



DA-CO-USECL-MO20231110-00010