



**MEMORANDUM ORDER**

No. 29  
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 *Chile***

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**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 Chief (Jefe) of the de la División de Protección Pecuaria del Servicio Agrícola y Ganadero (SAG), Republic of Chile to the World Organisation for Animal Health (WOAH) on 13 March, 2023, there was an outbreak of H5N1 Highly Pathogenic Avian Influenza in Rubiana 1, Comuna de Rancagua last 10 March 2023 affecting domestic birds as confirmed by the Laboratorio Lo Aguirre (National laboratory);

**WHEREAS**, there is a need to prevent the entry of HPAI virus to protect the health of the local poultry population;

**NOW, THEREFORE**, this Order is hereby issued to institute the following emergency measures for the importation of domestic and wild birds and their products from Chile:

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 Chile that are IN TRANSIT/LOADED/ACCEPTED UNTO PORT before the official communication of this Order to the Chilean Authorities shall be allowed provided that the products were slaughtered/produced on or before March 10, 2023;
4. Shipments that have not complied with the conditions outlined in Item 3 shall be dealt with as per DA AO 9 s. 2010 Section VII.D; and
5. Stoppage and confiscation of all shipments of the above-stated commodities (with the exception of heat-treated products<sup>1</sup>) into the country by all Veterinary Quarantine Officers/Inspectors at all major ports of entry.

This **ORDER** shall take effect immediately and shall remain enforced unless revoked in writing. All orders inconsistent herewith are deemed revoked.

Done this 19<sup>th</sup> day of April 2023.

  
**DOMINGO E. PANGANIBAN**  
Senior Undersecretary

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<sup>1</sup>Heat-Treated products are acceptable following Chapter 10.4 of the WOHAT Terrestrial Animal Health Code of 2019 provided that in addition to the Veterinary Health Certificate (VHC), the competent authority will include in the certification the following:

1. Temperature and the duration of heating or pasteurization of products; and
2. There is no commingling of raw materials with any other materials of animal origin