

ORDER OF THE CENTERS FOR DISEASE CONTROL AND PREVENTION,  
DEPARTMENT OF HEALTH AND HUMAN SERVICES

ACTION: Amendment of February 4, 2004, order to embargo birds and bird products imported from Nigeria.

SUMMARY: On February 4, 2004, the Centers for Disease Control and Prevention (CDC) issued an order immediately banning the import of all birds (Class: Aves) from specified Southeast Asian countries, subject to limited exemptions for pet birds and certain bird-derived products. CDC took this step because birds from these countries potentially can infect humans with avian influenza (influenza A [H5N1]). The February 4 order complemented a similar action taken by the U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS). On March 10, 2004, CDC lifted the embargo of birds and bird products from Hong Kong Special Administrative Region because of the documented public health and animal health measures taken by Hong Kong officials to prevent spread of the outbreak within Hong Kong and the absence of avian influenza cases in Hong Kong's domestic and wild bird populations. USDA/APHIS took a similar action. On September 28, 2004, CDC extended the embargo on birds and bird products to include Malaysia because of the documented cases of influenza A (H5N1) in poultry in Malaysia. On July 20, 2005, USDA/APHIS adopted as a final rule the interim rule effective February 4, 2004, amending its regulations to prohibit or restrict the importation of birds, poultry, and unprocessed birds and poultry products from regions that have reported the presence of highly pathogenic avian influenza H5N1 in poultry. (*See* 70 Fed. Reg. 41608 [July 20, 2005].) As cases have been confirmed in areas, additional countries have been added to the USDA/APHIS ban. On December 29, 2005, CDC added Kazakhstan, Romania, Russia, Turkey, and Ukraine to its current embargo because of documented cases of influenza A (H5N1) in poultry in those countries.

Currently, the CDC and USDA/APHIS bans include Cambodia, Indonesia, Japan, Kazakhstan, Laos, Malaysia, the People's Republic of China, Romania, Russia, South Korea, Thailand, Turkey, Ukraine, and Vietnam.

On February 7, 2006, the World Organization for Animal Health (OIE) confirmed the presence of highly pathogenic avian influenza H5N1 in poultry in Nigeria. At this time, CDC is adding Nigeria to its current embargo. This action is effective on February 8, 2006, and will remain in effect until further notice.

#### SUPPLEMENTAL INFORMATION

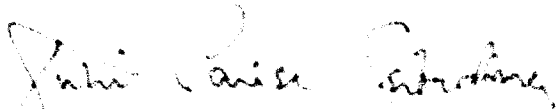
##### Background

An outbreak of highly pathogenic avian influenza H5N1 in Nigeria was confirmed by an OIE reference laboratory in Padova, Italy, on February 7, 2006. The outbreak occurred in a commercial poultry farm in Jaji in Kaduna State, and suspect cases in poultry were reported as early as January 10, 2006.

Introduction of birds infected with highly pathogenic avian influenza H5N1 into the United States could lead to outbreaks of disease among birds and among the human population, a significant public health threat. Banning the importation of all avian species from affected countries is an effective means of limiting this threat. CDC is therefore taking this action to reduce the chance of introduction or spread of influenza A (H5N1) into the United States.

Immediate Action

Therefore, pursuant to 42 CFR 71.32(b), the February 4, 2004, order is amended to add Nigeria to the list of countries subject to the order's embargo of birds and products derived from birds. All other portions of the February 4, 2004, order, as further amended on March 10, 2004, September 28, 2004, and December 29, 2005, shall remain in effect until further notice.



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