

# Avian Influenza

**Protecting U.S. Agriculture**

IMPORTS OF  
LEGAL BIRDS AND  
BIRD PRODUCTS



*The United States is the world's largest producer and exporter of poultry meat and the second-largest egg producer. The total U.S. poultry production is valued at \$29 billion yearly. The U.S. Government's anti-smuggling efforts are critical in ensuring that birds smuggled into the United States are seized. Seizure of these birds and bird products helps reduce any risk of introducing a foreign poultry disease into this country, and any impact to U.S. poultry production.*

*As part of the U.S. Government's anti-smuggling efforts, the U.S. Departments of Agriculture (USDA), Homeland Security (DHS), the Interior (DOI), and Health and Human Services (HHS) are part of a global surveillance and enforcement network aimed at keeping contagious diseases, such as highly pathogenic avian influenza (HPAI) out of the United States.*

*Imports of poultry and poultry products, as well as other live birds and bird products can be a source for potentially introducing avian influenza and other diseases. Measures are in place to restrict or prohibit the importation of avian commodities from HPAI H5N1-affected countries and/or regions. The primary tools for reducing the risk of introducing avian influenza are quarantine and effective border controls.*

## Role of the Federal Government

- USDA maintains and imposes trade restrictions and prohibitions on poultry and poultry products, quarantines and tests poultry and pet birds, and investigates instances of poultry and pet birds illegally entering the country.
- DHS enforces USDA regulations on prohibited or restricted agricultural products that might introduce harmful agricultural pests and diseases into the United States.
- DOI monitors and regulates wildlife shipments at U.S. ports of entry and conducts investigations involving the smuggling and interstate trafficking of endangered and protected species.
- HHS, as part of its human health mission, also maintains restrictions on imports of birds and bird products from HPAI H5N1-affected countries and/or regions.



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## Trade Restrictions on Imports from HPAI H5N1-Affected Countries and/or Regions

### POULTRY AND POULTRY PRODUCTS

- To help protect the United States from the introduction of HPAI, USDA maintains trade restrictions on the importation of live poultry, commercial birds, pet birds, “hatching eggs,” and unprocessed poultry products originating in countries and/or regions where the HPAI H5N1 strain has been detected in commercially or traditionally raised poultry. USDA regulations require that import permits accompany properly sanitized or processed poultry products, such as feathers.
- USDA establishes the regulations for these restrictions and enforces them for live poultry and pet birds. The DHS Customs and Border Protection (CBP) personnel are responsible for enforcing the regulations regarding unprocessed poultry products. USDA continually updates its import procedures to reflect the most current disease status information that could affect U.S. imports. In addition, to minimize the human health threat that any HPAI strain could pose, the HHS Centers for Disease Control and Prevention (HHS/CDC) also maintains restrictions that are similar to those imposed by USDA but that reflect HHS/CDC’s human health mission.
- USDA also prohibits the entry of poultry products from any country whose food safety inspection standards are not equivalent to that of the United States. USDA has Import Surveillance Liaison Officers stationed at ports of entry and other border entry points into the United States. These officers, working in association with other import inspection personnel, ensure that poultry products imported from other countries are properly inspected and certified prior to entry and that the products are from properly certified establishments within eligible countries.

## WILD AND PET BIRDS

- The DOI/U.S. Fish and Wildlife Service (DOI/USFWS) inspection program is the Nation's front-line defense against illegal international trade in wildlife and wildlife products – a trade that threatens species worldwide. DOI/USFWS also employs a cadre of criminal investigators with special training and experience who conduct investigations involving the smuggling and interstate trafficking of endangered and protected species.
- Imports of wild bird species and wild bird parts and products must comply with DOI/USFWS-enforced conservation laws and treaties, including the Convention on International Trade in Endangered Species, the Wild Bird Conservation Act, the Migratory Bird Treaty Act, the Endangered Species Act, and the Lacey Act.

USDA quarantines and tests live birds imported into the United States to ensure they are not carrying any poultry diseases of concern, such as the HPAI H5N1 virus. Except for birds imported from Canada, all pet birds and live poultry presented for entry into the United States must be quarantined for at least 30 days at a USDA animal import center. Live birds from Canada are exempt from this quarantine requirement; however other certification is required.



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## Border Controls

### POULTRY AND POULTRY PRODUCTS

- USDA is responsible for investigating allegations of poultry products illegally entering the United States. USDA employs a cadre of investigators to review and monitor the activities of transporters and activities in warehouses and distribution centers, thus ensuring that only safe, wholesome, and properly labeled poultry products reach consumers.
- To combat smuggling of pet birds and poultry, USDA maintains a special Smuggling Interdiction and Trade Compliance program, through which officers work cooperatively with DHS/CBP Agriculture Specialists at U.S. ports of entry. These officers also educate DHS and other State and Federal partners about prohibited products and restricted commodities.
- USDA's Smuggling Interdiction and Trade Compliance program and organizations supporting this mission also work within the United States to find illegal birds and bird products at retail markets, specialty shops, restaurants, agricultural fairs, and other venues.
- When smuggled products are intercepted in the marketplace, USDA officers and inspectors from the Animal and Plant Health Inspection Service, Food Safety and Inspection Service, and Office of Inspector General conduct product traces to determine the pathways through which the prohibited products were smuggled into U.S. markets and to ensure that additional prohibited products are not allowed entry into the country. These officers also conduct traces to determine the distribution of prohibited items.

- Any contraband discovered is disposed of by appropriate methods under the supervision of regulatory officers. If a potential violation is identified during the trace work, USDA officers are notified and will pursue a thorough investigation. USDA may pursue penalties or criminal charges against violators with the assistance of DHS/CBP.
- DHS/CBP field operations inspect travelers, cargo, carriers, and vehicles for the presence of smuggled birds at ports of entry.
- DHS/CBP Border Patrol Agents play a major role in the interdiction of smuggled birds and disease-infected travelers at ports of entry.

## WILD BIRDS

- DOI/USFWS monitors international trade through the inspection and clearance or refusal of wildlife shipments, and it conducts thorough investigations of trade patterns that target wildlife importers known to be engaged in smuggling wild birds into the United States. Through investigation of trade patterns, DOI/USFWS monitors smuggling routes and methods, and it targets shipments as well as flights and vehicles entering the United States that are most likely to contain smuggled birds.
- DOI/USFWS inspectors also stop shipments from countries covered by USDA and CDC trade bans. In close coordination with USDA and DHS/CBP, the DOI/USFWS inspectors automatically seize any smuggled birds or bird products that are detected.



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## Penalties

- Up to **\$250,000** fine and **5 years in prison** for any individual
- Up to **\$500,000** fine and **5 years in prison** for any business or organization

**\$250,000 to  
\$500,000 fines  
for an individual,  
a business, or  
organization and . . . .**

**PENNA**



A photograph showing a person's hands gripping metal prison bars. The person is wearing a light-colored t-shirt and dark pants. A keyhole is visible on the door behind the bars. The entire image has a blue color overlay.

... 5 years  
in prison

ILITIES

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## **More Information**

Current Listing of Countries/Areas Affected with HPAI H5N1:

**[www.usda.gov/birdflu](http://www.usda.gov/birdflu)**

U.S. Department of the Interior, U.S. Fish and Wildlife Service,  
Office of Law Enforcement:

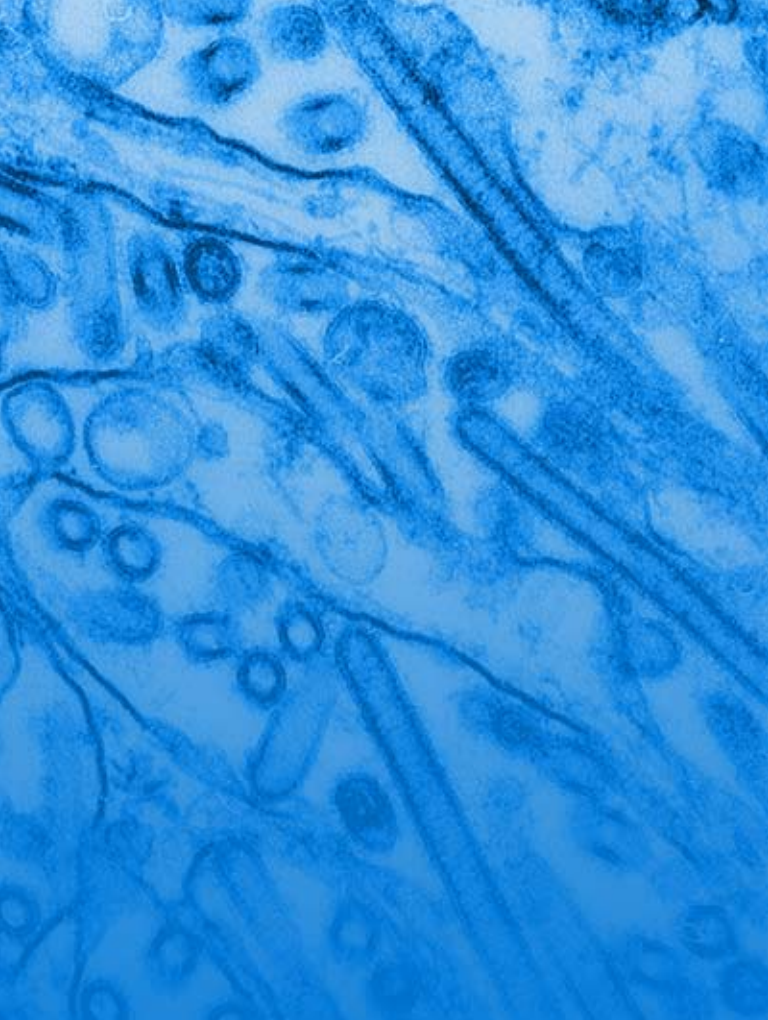
**[www.fws.gov/le](http://www.fws.gov/le)**

Report bird smuggling into, or undeclared bird products into  
the United States:

**1-800-BE ALERT**

U.S. Government efforts on avian influenza and human  
pandemic preparedness:

**[www.avianflu.gov](http://www.avianflu.gov)**



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