

**CHAPTER 9  
AVIAN INFLUENZA**

**Authority**  
N.J.S.A. 4:5-1 and 4:5-10.

**Source and Effective Date**  
R.1996 d.400, effective July 26, 1996.  
See: 28 N.J.R. 2815(b), 28 N.J.R. 3915(a).

**Executive Order No. 66(1978) Expiration Date**  
Chapter 9, Avian Influenza, expires on July 26, 2001.

**Chapter Historical Note**  
Chapter 9, Avian Influenza, was originally adopted as R.1986 d.250, effective July 7, 1986. See: 18 N.J.R. 870(a), 18 N.J.R. 1370(a). Pursuant to Executive Order No. 66(1978), Chapter 9 expired on July 7, 1986. Chapter 9 was readopted as new rules by R.1991 d.430, effective August 19, 1991. See: 23 N.J.R. 1485(a), 23 N.J.R. 2498(a). Pursuant to Executive Order No. 66(1978), Chapter 9 was readopted as R.1996 d.400, effective July 26, 1996. See: Source and Effective Date.

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**SUBCHAPTER 1. INDEMNIFICATION**

**2:9-1.1 Indemnities**

(a) The handling and disposition of any and all poultry, poultry products or equipment, which is in the opinion of

the Department of Agriculture likely to spread or harbor Avian Influenza shall be dealt with in accordance to the directives of the Division of Animal Health of the New Jersey Department of Agriculture.

(b) Indemnity to be paid for any bird destroyed pursuant to an order of the Department shall be the market value of the type and classification of the average bird of such type and kind. No indemnity for any one bird shall exceed \$20.00 per bird.

(c) No indemnity shall be paid for any actions not taken pursuant to a directive of the Department, or in contradiction of a directive of the Department.

**2:9-1.2 Disposal costs**

(a) The disposal costs of any birds destroyed pursuant to a directive of or by the Department shall be paid as follows:

1. Should the owner undertake to dispose of the birds pursuant to the directives of the Department, the owner shall submit the disposal bill to the Department. If the Department finds the bill reasonable, the Department shall reimburse the bill, or such costs as the Department deems reasonable.

2. No disposal undertaken without Department supervision, or in contradiction to the directives of the Department, shall be paid.