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APHIS Reopens Comment Period for Interim Final Rule Updating Indemnity Program for Highly Pathogenic Avian Influenza on Poultry Farms



Stakeholder Announcement

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WASHINGTON, March 13, 2025 – The U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) is reopening the public comment period on an interim final rule updating the conditions for poultry facilities to receive indemnity and compensation after testing positive for HPAI. Comments will be accepted for 30 days, until April 14, 2025.

Based on evidence that strong biosecurity measures remain the most effective strategy to combat HPAI, the rule requires that farmers pass a biosecurity audit before restocking their poultry after an HPAI detection, and before receiving future indemnity payments. APHIS will also require a biosecurity audit for commercial poultry premises within the "buffer zone" (minimal 7 km radius around the infected zone) of a control area prior to movement of poultry onto the premises if the owner wishes to be eligible for future indemnity for the poultry moved onto the premises. Additionally, APHIS will not pay indemnity for flocks moved onto premises in active infected zones if the flocks become infected with HPAI within 14 days following the dissolution of the control area around an active infected premises. A producer who does not make corrections recommended in APHIS's biosecurity audit will not be eligible for indemnity payments if the premises experiences future infections within the same outbreak.

While the rule was effective upon publication in the Federal Register on December 31, 2024, after the comment period closes, APHIS will publish another document in the *Federal Register* including a discussion of all comments received and any amendments the agency is making to the rule.

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