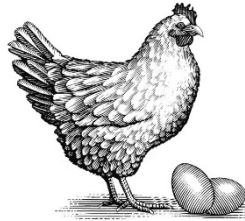


POULTRY FARMERS ALERT: HPAI AVIAN FLU CONFIRMED IN U.S.



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As if Americans don't have enough medical concerns, poultry farmers now have an additional challenge to face: the discovery of bird flu in the U.S. The Animal and Plant Health Inspection Service (APHIS) of the United States Department of Agriculture (USDA) recently confirmed the detection of a highly pathogenic Eurasian H5 avian influenza (HPAI) in a wild American wigeon duck in Colleton County, South Carolina. This is the first time the virus, **Eurasian H5 HPAI**, has been detected in a wild bird in the United States since 2016; previously, there was a case of HPAI (H7N3) in one commercial meat turkey flock in South Carolina in 2020 due to a North American lineage virus.

Avian influenza is caused by an influenza type A virus, which can infect poultry such as chickens, turkeys, pheasants, quail, domestic ducks, geese, and guinea fowl and is carried by free-flying waterfowl such as ducks, geese and shorebirds. The last time the U.S. experienced a major outbreak of highly pathogenic avian influenza was in 2015, when a strain of the virus, H5N2, swept through the Midwest. Nationally, that virus led to the death of more than 48 million chickens and turkeys on 223 farms across 21 states.

In response to the recent detection, APHIS advises that everyone involved with poultry production -- from the small backyard to the large commercial producer -- to review their biosecurity activities to assure the health of their birds. The agency has free tutorial materials about biosecurity, including videos, checklists, and a toolkit available online at <https://www.aphis.usda.gov/...>

Core protective measures include:

1. ***Always practice good biosecurity.*** Review the 14 National Poultry Improvement Plan (NPIP) Biosecurity Principles (www.poultryimprovement.org/documents/StandardE-BiosecurityPrinciples.pdf) and create a biosecurity plan for your premises.
2. ***Protect yourself.*** Wear gloves when handling poultry, and avoid direct skin contact as much as possible. Because wild birds can be infected with these viruses without appearing sick, also minimize direct contact with wild birds by using gloves. Wash your hands and face

before and after coming into contact with domestic poultry or wild birds. If you do not have ready access to soap and water, use hand sanitizer.

3. ***Put control programs in place***. In addition to shielding against contact with wild birds (including their feces and their feathers), safety programs should target disease transmitting pests such as rodents and insects. Clean and disinfect any poultry equipment before and after use.
4. ***Monitor your flock's health***. Know the signs of disease and check your flock daily for any signs of illness. Quarantine sick birds right away, and report sick birds or unusual bird deaths to state or federal officials, either through their state veterinarian or through USDA's toll-free number at (866) 536-7593.
5. ***Call USDA toll-free at (866) 536.7593 to reach APHIS veterinarians***. USDA can test your birds ***free of charge*** to make sure they don't have a serious poultry disease.

The Centers for Disease Control and Prevention considers the risk to humans from HPAI H5 infections to be low. Nevertheless, the risk to poultry farmers and their families should not be taken lightly. More than 30 countries ended up banning poultry exports from infected states in the last avian flu outbreak of 2015, and a few countries banned all U.S. poultry products. At the same time, egg production fell roughly 9% in 2015 from 2014 figures nationally. Turkey production nationwide also fell 4% from 2014 (while Minnesota, the nation's largest turkey-producing state, saw production fall 12%) because of the virus.

Fortunately, the United States has one of the strongest food safety surveillance programs in the world, and USDA is working with its partners to actively look for the disease in commercial poultry operations, live bird markets, and in migratory wild bird populations. As demonstrated by this most recent incident, APHIS Wildlife Services collected the HPAI sample from the hunter-harvested American wigeon, and it was initially tested at the Clemson Veterinary Diagnostic Center (a member of the National Animal Health Laboratory Network). The presumptive positive samples were then sent to APHIS' National Veterinary Services Laboratories (NVSL) for confirmatory testing.

For more information on the risks associated with Eurasian H5 HPAI, avian flu generally, and the risk reduction measures recommended to protect domestic poultry flocks, call the USDA/APHIS at (866) 536-7593, or contact GrayRobinson's Nationwide Food Law Group either via telephone at (866) 362-5132 or by sending an e-mail to foodlaw@gray-robinson.com.



[Richard M. Blau](#) leads GrayRobinson's [Nationwide Food Law Group](#), focusing on the laws that govern the production, importation, processing, marketing, distribution, and sale of foods and beverages throughout the United States. Richard works with all levels of the food industry. He has represented international importers and domestic manufacturers, statewide wholesaler trade groups and regional distributors, and retailers (including multistate restaurant and grocery store chains) across the United States. Richard has achieved numerous peer-related accolades for his legal work, including: **Chambers and Partners** - Nationally ranked as "Band 1" for Food and Beverage Law; **Best Lawyers in America** - Nationally listed for Food and Beverage Law; and **Super Lawyers** - Elected member.