S. HRG. 109–798

TO REVIEW THE UNITED STATES DEPARTMENT OF AGRICULTURE NATIONAL RESPONSE PLAN TO DETECT AND CONTROL THE POTENTIAL SPREAD OF AVIAN INFLUENZA INTO THE UNITED STATES

HEARING

BEFORE THE

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY UNITED STATES SENATE

ONE HUNDRED NINTH CONGRESS

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TO REVIEW THE UNITED STATES DEPARTMENT OF AGRICULTURE NATIONAL RESPONSE PLAN TO DETECT AND CONTROL THE POTENTIAL SPREAD OF AVIAN INFLUENZA INTO THE UNITED STATES

THURSDAY, MAY 11, 2006

U.S. SENATE,
COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY,
Washington, DC.

The committee met, pursuant to notice, at 10:32 a.m., in room SD–106, Dirksen Senate Office Building, Hon. Saxby Chambliss, Chairman of the committee, presiding.

Present or Submitting a Statement: Senators Chambliss, Thomas, Harkin, and Dayton.

STATEMENT OF HON. SAXBY CHAMBLISS, A U.S. SENATOR FROM THE STATE OF GEORGIA, CHAIRMAN, COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The CHAIRMAN. Good morning. I welcome you all to this hearing to review the U.S. Department of Agriculture's National Response Plan to detect and control the potential spread of avian influenza in the United States.

We are fortunate to have the administrator of the Animal and Plant Health Inspection Service, or APHIS, of USDA here with us today to provide our committee with valuable information on this topic of concern to all Americans.

I thank you, Dr. DeHaven, for your participation in this hearing, and welcome to those who are listening via our Web site.

In November of last year, this committee held a hearing on the role of U.S. agriculture, including Federal, State, and local governments and private industry, in the fight against avian influenza. Today's hearing will focus solely on the role of the USDA in this coordinated effort.

In April of this year, USDA's APHIS released its draft National Avian Influenza Response Plan. The draft plan details how our Government will rapidly detect and quickly respond to highly pathogenic avian influenza if and when it reaches America's shores.

The plan, according to USDA, is intended to complement regional, State, and industry plans. I look forward to hearing how this plan will be utilized in conjunction with the President's National Strategy for Pandemic Influenza and regional and State plans to control and eradicate avian influenza.

Many experts agree that the form of avian influenza that has rapidly spread across Southeast Asia, Africa, and parts of Europe and the Middle East is likely to reach the United States either through migratory birds or through birds smuggled illegally into our country from affected regions.

While the arrival of the H5N1 virus in America is not a certainty, it is in the best interest of all Americans that we operate under the assumption that it will arrive. This will ensure that through advance planning, we will be prepared. I hope to hear more details today on how USDA is preparing to address avian influenza should it be found in the United States.

Avian influenza has caused a great deal of concern among American families. But let us be clear to all of those listening. If the H5N1 form of avian influenza should appear in America tomorrow, it would not signal the onset of a human pandemic. The disease is, first and foremost, an animal disease.

The current outbreak we see on news broadcasts and in dramatic made-for-television movies is almost exclusively a disease of birds. A limited number of human beings who have been in direct contact with sick birds have become infected, and some, unfortunately, have died.

But to date, the virus has not shown the ability to efficiently pass directly from human to human. And it is not clear if it ever will do so. However, the threat does exist that the virus might mutate to allow for a human pandemic, and thus, we must be ever-vigilant and take appropriate precautions.

The key to limiting the potential for a human pandemic is to focus our efforts on the current virus in birds. On the front lines of those efforts is the United States Department of Agriculture. USDA has a long history of addressing avian influenza in our domestic and wild bird populations.

While we have not experienced an outbreak of the H5N1 strain of the virus that has captured the fascination of the media, USDA has long been charged with protecting our U.S. poultry industry from avian influenza. And to date, they have done a commendable job. However, we cannot become complacent.

The USDA National Response Plan is based on the invaluable experience of Government officials who have addressed avian influenza and other foreign animal disease threats in the past. Even so, I am encouraged that USDA considers this a living document and has sought the input from other stakeholders.

I hope that USDA will strongly consider and evaluate the input provided and continue an open dialog with State and local governments, as well as with industry. A transparent and communicative approach will be a key asset in our fight to control this disease.

Many of you listening here today likely watched a fictional, made-for-television movie on ABC-TV Tuesday night that dramatized a theoretical outbreak of the H5N1 bird flu virus. In the movie, the virus quickly mutated into a form easily spread between humans, resulting in a worldwide pandemic.

This work of fiction has undoubtedly alerted the American public to the potential threat of an influenza pandemic, and perhaps that is a good thing. However, I am concerned that sensationalist movies and inaccurate media portrayals may do more to alarm Ameri-

cans than to increase their awareness. I am particularly concerned with how Americans might view the U.S. poultry industry with all of this increased attention.

With all we know at this moment, even if the H5N1 were present in the United States, properly cooked poultry would remain completely safe for American consumers. I look forward to further clarifying that point and some of the movie's other misleading assertions with Dr. DeHaven today.

We must all be mindful that viruses and pandemics do not operate on the timetable of man. Though our interest in the H5N1 strain of avian influenza may be heightened at this time, our interest alone does not make the next pandemic any more certain or likely.

In our world, we are constantly bombarded by naturally occurring biological threats. Pandemics have occurred throughout the course of human history, and we undoubtedly will be faced with this and other threats in the future. But it is only arrogance that will lead us to state with certainty that the H5N1 strain will cause the next pandemic.

Rather than act in a reactionary and irresponsible fashion, the U.S. must make broad preparations for the next pandemic, in whatever form it might take, with purpose, guile, and compassion. Our preparations in the fight against avian influenza, if done correctly, will serve the American people well in this and other challenges to come.

And again, Dr. DeHaven, we thank you for being here today, and we are going to look forward to your testimony.

Before we go to you, Senator Thomas, if you have any opening comments to make, we will look forward to that.

Senator THOMAS. Thank you, Mr. Chairman.

I really don't have an opening comment. I am interested in finding out more information about it, and therefore, I appreciate your having this.

And Doctor, I am glad you are here. I am kind of interested in the $7 billion we are talking about spending. I know all of it is not in the Department of Agriculture, but nevertheless. So thank you very much, and I am looking forward to the testimony.

The CHAIRMAN. Thank you.

At this time, I will turn to Dr. Ron DeHaven, the administrator of Animal and Plant Health Inspection Service, U.S. Department of Agriculture, here in Washington, D.C.

Dr. DeHaven, you have been with us several times before. Welcome back to the committee. We look forward to your testimony on this extremely interesting subject this morning.

STATEMENT OF RON DEHAVEN, ADMINISTRATOR, ANIMAL AND PLANT HEALTH INSPECTION SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Dr. DEHAVEN. Chairman Chambliss, thank you for the opportunity to testify before the committee about our preparations for a potential introduction of highly pathogenic H5N1 avian influenza virus into U.S. poultry.

We appreciate your continued support for our efforts, and I would like to begin this morning by briefly touching on a few key

funding and program initiatives that have unfolded since November 2005, when I last testified before this committee.

Last week, President Bush announced his Implementation Plan for the National Strategy for Pandemic Influenza. The implementation plan takes the major components of the President's National Strategy for Pandemic Influenza and breaks them down into more than 300 critical actions.

As the lead agency in terms of dealing with the disease in poultry, the implementation plan directs the U.S. Department of Agriculture to play either a leadership or coordinating role in 98 of those 300 critical actions.

These include initiatives such as continuing our support of efforts overseas to slow the spread of the disease in poultry, expanding our domestic surveillance and early warning systems, and ensuring that we have a strong plan in place to respond to a detection of highly pathogenic H5N1 in poultry here in our country.

USDA will continue to use a four-pronged approach to complete these and other critical actions. First, we are focused on slowing the spread of the disease overseas by assisting other nations.

Second, we are conducting a proactive messaging campaign designed to educate the American public and poultry owners on this animal disease. We want to inform, while not alarming.

Third, we are conducting an aggressive surveillance program that focuses on four key areas—wild bird surveillance, commercial poultry operations, live bird markets, and backyard flocks.

And finally, we are prepared, when necessary, to execute our response plans. As the committee knows, we have a long and successful history of dealing with foreign animal diseases and, in particular, handling avian influenza in conjunction with our State and industry partners.

Last December, Congress approved and the President signed into law a supplemental funding bill for pandemic influenza preparedness that included $91.35 million for the U.S. Department of Agriculture. Since that time, we have been working to ensure that our plans for using these funds are strategically sound and fully coordinated with our many international, Federal, State, local, and industry cooperators.

We are using approximately $20 million to help affected countries overseas in collaboration with international organizations. We are participating in a coordinated effort by various interested U.S. Government agencies led by the Department of State to work with affected countries through the United Nations Food and Agriculture Organization and the World Health Organization, as well as the World Organization for Animal Health, or the OIE.

On the domestic front, we are utilizing approximately $72 million of the supplemental appropriation to enhance anti-smuggling programs, continue research into the avian influenza virus, strengthen wild bird and other domestic surveillance efforts, increase the current animal vaccine stockpile, and improve a variety of other preparedness activities.

Another area where we have taken steps to obtain better information is migratory bird surveillance. Wild birds are considered to be the natural reservoirs for many common, relatively harmless strains of avian influenza. We know that migratory birds have been

implicated in the spread of this highly pathogenic H5N1 virus as well.

On March 20th of 2006, the Department of Agriculture, the Department of Interior, and the Department of Health and Human Services released an interagency strategic plan that expands the monitoring of migratory birds in the United States for this highly pathogenic H5N1 virus and establishes common protocols for testing birds and tracking the data.

The plan targets bird species in North America that have been the highest risk of being exposed to or infected with highly pathogenic H5N1 because of their migratory movement patterns.

APHIS officials have begun sampling efforts in Alaska, and our National Wildlife Research Center has also begun processing environmental, water, and fecal samples from areas in Alaska that harbor high-risk migratory birds. Other States will begin surveillance and the collection of environmental samples in June based upon migratory sampling.

Now I would like to update you on our plans for responding to a detection of any highly pathogenic AI virus in commercial poultry. Recently, APHIS posted to its Web site a draft summary of the National Avian Influenza Response Plan. This plan would guide the steps taken by USDA and our State and industry partners following the detection of highly pathogenic H5N1 avian influenza in domestic poultry.

USDA has placed a robust emergency response program designed to complement all of our surveillance efforts. When we have unexpected poultry or other livestock disease illnesses or deaths on the farm, we immediately conduct a foreign animal disease investigation. We have a cadre of 450 specially trained veterinarians who can be on the site within 4 hours to conduct an initial examination and submit initial samples for tests, for laboratory testing.

In conjunction with our State colleagues, APHIS maintains State-level emergency response teams on the standby. These teams will typically be onsite within 24 hours of a presumptive diagnosis of avian influenza or any other significant animal disease.

Destruction of the affected flocks would be our primary course of action for highly pathogenic H5N1. We would also work with State or tribes to possibly impose State-level quarantines and movement restrictions.

For highly pathogenic avian influenza, as well as for low pathogenic H5 and H7 subtypes of the virus, the response plan provides guidelines as to how APHIS would work with States to quarantine affected premises and clean and disinfect those premises after the birds have been properly depopulated and disposed. Surveillance testing would also be conducted in the quarantine zone and surrounding area to ensure the virus had been completely eradicated.

APHIS maintains a bank of avian influenza vaccines for animals in the event that the vaccine would be a potential course of action in any outbreak situation. I do want to stress, however, that widescale vaccination of poultry is not our primary strategy against avian influenza. Rather, poultry vaccination could be used in response to a widespread detection of the disease to create barriers against further spread and to assist with our overall control and eradication efforts.

The response plan's focus, first and foremost, is on quickly containing and eradicating the virus before it has a chance to spread further in our poultry population. Our ability to respond swiftly is linked directly to the strong cooperation efforts APHIS is engaged in with our State and industry partners.

The U.S. Poultry and Egg Association convened an industry-wide meeting in Atlanta, Georgia, on April 27th to facilitate dialog with our State counterparts, USDA officials on many operational policy and communications issues relative to our cooperative AI response and preparedness efforts.

Many APHIS senior animal health staff and I personally attended this meeting, which we felt was extremely beneficial. There was a lot of discussion regarding how the response plan draws on our ongoing partnerships with other Federal agencies, State agriculture departments, State veterinarians, the poultry industry, and the conservation and wildlife communities.

The plan is designed to be flexible and does not supersede any State response plans. Rather, it complements such plans already in existence or already under development. It incorporates much positive feedback. And by releasing a summary and posting it online, we fully expect further review and comment by our stakeholders.

In this way, we intend for the response plan to be an evolving, dynamic document that takes into account the latest scientific information and approaches to emergency preparedness and response.

Allow me to close by offering a couple of thoughts that you have heard me say before and I believe are worth repeating. First, just like people, there are many, many strains of influenza that affect birds with varying degrees of impact and importance.

Second, a detection in birds in the United States of highly pathogenic H5N1 does not signal the start of a human pandemic. The virus is not easily transmitted from person to person. Human illnesses overseas have resulted from direct contact with sick or dead birds.

Third, a detection in wild birds does not mean that the virus will reach a commercial poultry operation. We are certainly preparing as if it will, but the U.S. poultry industry employs a very sophisticated system of firewalls to protect the safety of their animals and the product that they produce. In addition, the wild migratory bird surveillance plan is serving as an early warning system for commercial operations.

Fourth, even if the virus reaches a commercial operation, there is no reason for consumers to be concerned about the safety of poultry that they purchase and consume. I believe that our state of readiness for such an event is high. Our response plans would guide a swift, comprehensive response designed to minimize further spread of the disease.

And finally, when it comes to food safety, consumers have the power to protect themselves. Quite simply, proper handling and cooking of poultry kills the virus and other food-borne pathogens. Properly prepared poultry is safe to eat.

Mr. Chairman, thank you again for the opportunity to testify before the committee, and I look forward to answering the questions.

The CHAIRMAN. Thank you very much, Dr. DeHaven.

I understand that we have a special group here today. There are 25 of Indiana's brightest and most beautiful ladies with us. And we certainly welcome you here. I understand you are with the Lugar Institute.

And normally, Senator Lugar sits to my immediate left here, and I will have to tell you that your senator is not just one of the very best members of the U.S. Senate, he is one of the real true gentlemen of the U.S. Senate. So we welcome you here this morning.

Dr. DeHaven, poultry growers in Georgia have raised some concerns regarding the USDA indemnification program for avian influenza. They are concerned that if the USDA does not provide 100 percent indemnity for low pathogenic AI, early detection and eradication efforts might be compromised.

There have also been documented cases in North America where low path strains have mutated into the high path strains, and the World Organization for Animal Health, the OIE, considers high path avian influenza, as well as low path H5 and H7 strains, reportable diseases.

Does the USDA intend to propose 100 percent indemnification for H5 and H7 low path AI affected flocks to ensure that all potential cases are reported?

Dr. DEHAVEN. Mr. Chairman, thank you for the question.

Indeed, the current regulations that we have in place for low pathogenic H5 and H7 subtypes do provide for up to 50 percent indemnity, that being 50 percent of the fair market value of the birds.

And indeed, your comment about the potential for H5 and H7 low pathogenic AI viruses to mutate to high path is accurate and, in fact, that is why we are developing a low path H5, H7 response plan. Part of that process to put that program in place is to do a rulemaking that will give us the appropriate authorities, enhance the National Poultry Improvement Program to provide for a greatly enhanced level of surveillance testing that, by the way, would be useful not just for low path H5 and H7, but also for early detection of this highly pathogenic H5N1 virus.

The rule that we have drafted at this point is going to the final clearance process. Because of the rulemaking restrictions, I can't at this point in time, unfortunately, divulge the content of that rule. I will say that it does address the indemnity issue.

We certainly recognize that indemnifying owners for any losses that they might incur in association with the disease eradication effort is critical. We think that some of the problems that have been encountered overseas in some of the developing countries that have this highly pathogenic H5N1 virus are because of their inability to pay indemnity. So we recognize that as a critically important component of our overall program.

Just one last thing to add, and that is historically, with the incursion of a highly pathogenic AI virus in the United States, we have typically depended upon the Commodity Credit Corporation or emergency funding for our operation and indemnity costs. And with a highly pathogenic virus, we have historically provided 100 percent indemnity of fair market value of the birds that were destroyed. I have no reason to suspect that that would be any dif-

ferent if we were to find this highly pathogenic virus in commercial poultry.

The CHAIRMAN. I know this rulemaking process has been ongoing now for a couple of years, and I hope we are getting to the end of that so that we can start to get some certainty here.

Dr. DEHAVEN. Mr. Chairman, it is our expectation to have that rule published this summer.

The CHAIRMAN. It appears the USDA is taking the proper steps to ensure an efficient and functional response system. In any system as complex as this one, the true test of success is in the implementation. What steps are being taken to train and position the proper employees to carry out the implementation of this plan?

Is USDA planning to conduct any training, tabletop exercises, or simulations to identify areas of the plan that may need to be strengthened, and who will be in charge of the oversight of this plan?

Dr. DEHAVEN. Mr. Chairman, we have in place, as you know—and have had for a number of years—an avian influenza response plan. The time that we have to prepare for this particular virus has allowed us to greatly enhance and bolster our overall response and detection efforts.

To focus on your specific issues, in fact, there have been a number of tabletop exercises at various levels of Government from the very top levels, where there was a White House test exercise, tabletop exercise on the incursion of this highly pathogenic virus.

Secretary Johanns had a senior department-level tabletop exercise, and indeed, part of the use of the supplemental funds that have been provided is to conduct 50 or more tabletop exercise at the State level. So, indeed, we plan to do a lot of exercising of those response plans. And as you point out, one of the best ways to find out if those response plans are complete and thorough is to test them.

This would also include some efforts underway to develop some computer simulation models that if the virus were to find its way into the United States through various pathways, what would be the likely means of spread of the virus, and what would be the impact of various response mechanisms that we might put in place? So that, again, is part of our intended use of those response plans.

We have within our Veterinary Services Unit within APHIS an emergency management program. And one individual, Dr. Larry Granger, who is the associate deputy administrator for emergency management, who has taken this on as a full-time job, preparing for highly pathogenic avian influenza.

He is working closely with State and industry counterparts, as we are finding that virtually every State has some level of response plans. The industry has done a tremendous job in developing their response plans. And now we are working to make sure that those response plans are coordinated for everything from how we would humanely euthanize animals, how we would dispose of the carcasses, and ensuring that we have appropriate levels of personal protection for our employees.

The CHAIRMAN. You mentioned that we are coordinating with the various State plans. Is there any review by USDA of the various

State plans around the country to determine the adequacy of those plans?

Dr. DEHAVEN. Part of our emergency management system within our veterinary services organization is to place area emergency coordinators in the States, working with the States as they develop their plans. This is to ensure that those State plans are not only complete, but also complementary and consistent with the national plans that we have in place.

In the State of Georgia in particular, with an outstanding State veterinarian in the form of Lee Meyers, those plans are exceptionally well prepared and consistent and complement our Federal response plans. Other States, it depends on the State itself. Some are in better shape than others, quite frankly.

But we are focusing, as you might imagine, with regard to highly pathogenic H5N1 on those States that have significant poultry populations. I think it is safe to say that those plans are in remarkably good shape at this point. Now the exercise is to make sure that State, Federal, and industry plans are coordinated.

The CHAIRMAN. In March 2003, more than 1,800 of USDA's plant protection and quarantine inspectors were transferred to the Department of Homeland Security's Customs and Border Protection Division. There is concern that these transfers may reduce USDA's ability to respond to agricultural emergencies.

What is being done to detect and eliminate illegal imports of live birds, including wildlife, fighting cocks, and poultry, and poultry products from H5N1–infected countries? And do we have any gaps in these specialists as a result of the transfer of these employees to DHS?

Dr. DEHAVEN. Mr. Chairman, as you might guess, going back to March of 2003 with the transfer of that many employees to a new agency that was just standing up, there were some bumps along the way. And in fact, not everything was in place as we would like to see it. I am pleased to report that there has been remarkable improvements in that regard.

Initially, there were a number of vacancies within the agricultural specialists within the Customs and Border Protection. They have hired hundreds of new employees. APHIS is continuing to train those employees, and those agricultural specialists within the Customs and Border Protection are actually going through the same 8–week training program that they underwent when those employees still worked for APHIS.

We have in place now an auditing system, a joint USDA-CBP auditing system, where we are going to those ports and borders and auditing their systems to make sure that they are identifying the problems and that those problems are being corrected.

We have sent several alerts to Customs and Border Protection with regard to looking out for poultry and poultry products and other birds that might be coming from high path AI H5N1 affected countries to ensure that they are stopping those products as they might be entering the border.

And in fact, I think some numbers that reflect the adequacy of that system with regard to smuggling interdiction activities, both with our own teams in APHIS as working side by side with Customs and Border Protection—in our fiscal year 2005, they had 129

seizures from highly pathogenic AI infected countries. So far in fiscal year 2006, there have been 63 seizures of illegal product found at our ports and borders. So, in fact, we have, indeed, bolstered that effort.

Of the supplemental funding, $9 million is going to enhance our smuggling interdiction activities, and so we are still in the process of adding additional employees toward that effort to further bolster those activities at our ports and borders.

The CHAIRMAN. Senator Harkin?

STATEMENT OF HON. TOM HARKIN, A U.S. SENATOR FROM IOWA, RANKING MEMBER, COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Senator HARKIN. Thank you very much, Mr. Chairman. I apologize for being late.

Dr. DeHaven, I read your statement before, and I appreciate your being here and your leadership in this area. I would just ask that my statement be made a part of the record, Mr. Chairman. I appreciate that.

The CHAIRMAN. Without objection.

[The prepared statement of Senator Harkin can be found on page 22 in the appendix.]

Senator HARKIN. But I am told, again, we all know that this H5N1 is not just a possibility, but that it is coming. Just a matter of time and hasn't gotten here, and it is just a question of when.

My concern is, are we ready? Are you working across lines with CDC, with Health and Human Services, with State agencies to make sure we have a good plan in place?

The other question I have is what do we do when we have an outbreak among a chicken flock someplace or some bird someplace in this country? It might be some other animal. But I suppose maybe probably chickens. What do we do? And what kind of quarantine do we have?

And are you satisfied with the status right now of preparations for the first bird with H5NI and that is going to be headlines. It is going to be headlines across America. It is going to be on the evening television shows.

And with this show I just saw the other night on ABC News a lot of it was not quite right. I understand that. But still, people are going to get concerned about it.

That first bird that gets analyzed that has H5N1, and then the destruction of the flock is going to be big news across America. What do we do? What happens then? And are you convinced that we have the things in place right now to get on top of it in a hurry?

Dr. DEHAVEN. Thank you, Senator Harkin, for your comments and question.

The short answer would be, yes, I think that we are prepared. We have been responding to incursions of avian influenza in the United States successfully for a number of years. So while this particular virus is new, and it is unique, it is not new and unique for APHIS to respond to working closely with our State and industry colleagues, respond to and successfully contain and eradicate avian influenza viruses.

Having said that, I would be the first to say, without question, this particular virus does represent some unique challenges. We are, in fact, working very closely with our colleagues in other Federal agencies and also working very closely with State departments of agriculture, State wildlife departments, as well as our industry colleagues, who, as you might guess, on the commercial side have done a tremendous job in preparing for a potential response.

We are satisfied that we, in fact, will be able to respond quickly, effectively, to contain and eradicate the incursion if it happens. Having said that, I think if we ever get to the point where we are complacent and think that we have arrived, if we ever think that we can't improve upon the existing plans is a very, very dangerous position to be in.

So while I think we are prepared, we are far better prepared today than we were 6 months ago or a year ago, we can always improve.

In terms of what happens when we find the virus, we would estimate that the first inclination will probably be a very significant increase in mortality in a commercial flock. We will see far more birds dying than what would ordinarily die in a large commercial operation.

We would immediately dispatch one of our foreign animal disease diagnosticians, collect samples, and within hours would have test results as to whether or not we, based on presumptive laboratory results, are dealing with an H5 type virus. If we have presumptive laboratory indication that we have an H5 virus, plus we have clinical signs in that flock suggestive of a highly pathogenic virus, we would start depopulation immediately.

So that depopulation effort involves placing a quarantine under the affected flock, establishing a control zone probably about 10 kilometers or 6.2 miles around that infected premises, where we control all movement of poultry, poultry products, poultry equipment, anything on or off those farms, and then, of course, begin the depopulation process.

Once the birds are humanely destroyed, we would also clean and disinfect the premise. We would do surveillance testing in that 10–kilometer or 6.2–mile zone, and we would also start an epidemiological investigation. What has come onto that premises, what has left that premises, and——

Senator HARKIN. Trying to find out how it got there in the first place?

Dr. DEHAVEN. Correct.

Senator HARKIN. Dr. DeHaven, the supplemental appropriation provided $91 million for USDA avian flu prevention and control activities. Eighteen million of that was allocated to international biosecurity and surveillance and diagnostic measures. I understand that less than $10 million has been set aside to assist States in their preparedness plans.

Is the $18 million enough to continue and expand the efforts on the international efforts to eradicate H5N1 in Asia? That is what that $18 million was for. Let me ask you, do you have any idea—if you don't know right now, could you get it to me—what is the total dollar amount the U.S. has spent on international efforts to eradicate H5N1 in Asia?

Dr. DEHAVEN. That $18 million was money, as you indicated, out of the supplemental appropriation that the Department of Agriculture identified for use in international efforts to assist affected countries. By itself, that $18 million does not go very far, given the fact that we now have some 50 affected countries, and we are dealing with this virus on 3 continents.

When that request was generated, we were dealing with 7 or 8 countries on 1 continent. So, indeed, that $18 million was not intended to respond to the scope of what we are looking at. No one anticipated the rapidity with which that virus has spread.

But I would also point out that our $18 million is just one small contribution in a sea of contributions. You will recall that there was a donors conference in Beijing in January of this year, and the international community pledged $1.9 billion toward this overall effort, recognizing that perhaps one of the, if not the best, ways that we can protect public health is to attack this virus at its source in birds.

So our $18 million, while seemingly a small amount, is part of a much larger contribution where, at the Beijing conference, a recognition that virtually half of the $1.9 billion that was pledged needs to go toward better attacking this virus at its source in animals.

Senator HARKIN. Mr. Chairman, I just have one last question. You said something about this 10–mile radius, I picked up. But I understand that under the department's plan, response plan that the entire State would be quarantined. Am I missing something here?

Dr. DEHAVEN. Let me clarify. We would anticipate, under the typical scenario where we have a single-point source of infection, a single flock where we have the virus, where we have found the virus, that our typical response would be a 10–kilometer or 6.2–mile control zone, where we would control movement and conduct intensive surveillance.

If we are faced with a scenario where we think that there may be multiple outbreaks, and we haven't been able to determine exactly where that virus might or might not be, we, in fact, could quarantine an area as large as the entire State. We wouldn't take that action lightly, recognizing the impact that that might have on commercial industry.

So we are modifying the draft National Response Plan that we have published on our Web site to clarify how and when we would use various quarantines. That 6.2–mile or 10–kilometer zone, by the way, is consistent with the OIE standard, the requirement that would be expected, recognizing that based on specific circumstances we may need to adjust that even to the extent of potentially quarantining an entire State. We wouldn't anticipate that being the case.

Senator HARKIN. Thank you, Dr. DeHaven.

Mr. Chairman, again, I thank you for having this hearing. I hate to say this, but we may have to have more. A lot of people think of avian flu as only the human aspect of transmission. But the impact it could have on our livestock producers. We didn't even get into swine, and we now know that it is transmissible to swine. But what it could do to our poultry flocks.

And then if it goes into swine, what it could do to swine in America would be just devastating economically to this country. We know about it. But I don't think a lot of the American people have really focused on this.

And I hope through this hearing and through our Agriculture Committee efforts here, we can alert the American people that there is more to this than just the human aspect. We hope it never transmits into humans, but we know that it is transmissible in poultry and now in swine.

And we just have to be on top of this thing. I say "if"—we obviously hope that it doesn't happen here. But everything I have been led to believe is that somehow it is going to get here—migratory fowl, imported birds, something like that. It is going to get here some way or another.

So the American people really need to understand that we need to come up front with the money, and we need to have our plans in place when this happens.

Thank you, Mr. Chairman.

The CHAIRMAN. Senator Harkin, you are absolutely right. It may be just a matter of when, not if it is going to happen. But whether it is this strain or not, the next strain may be the one that ultimately arrives in the United States, or the next one after that. So preparedness is of utmost importance.

Senator Dayton?

Senator DAYTON. Thank you, Mr. Chairman. And I thank you for holding this very important hearing.

I have been attempting unsuccessfully to get the Committee on Homeland Security and Governmental Affairs on which I serve to hold a similar hearing on our preparedness, and I thank you very much for your initiative and leadership in doing so.

I hear not as frequently from my constituents back home as I do about energy prices, but I hear very frequently people's concerns about this. So I know it is very much on their minds. And coming, as both of my colleagues do here, from an agricultural State, I think even more so people are aware of the presence of turkeys, chickens. And you know, Senator Harkin pointed out, it is not limited to that, but it is on everybody's mind as they see this and calculate their own exposure.

I also, Dr. DeHaven, wanted to thank you publicly for your terrific response a couple of months ago when some Minnesota farmers up in the northwestern part of our State suffered the loss of their entire farms because of a bovine tuberculosis outbreak.

And I want to just read for the record part of my letter to Secretary Johanns, which I said, "I would like to acknowledge Animal and Plant Health Inspection Service administrator Ron DeHaven for releasing urgently needed funds for the owners of Minnesota's fifth infected herd last Friday, January 20th. Dr. DeHaven's quick work was a welcome lifeline to the three ranchers who had suffered more than $43,000 in loss due to bureaucratic delays, nearly driving their farm into bankruptcy."

So I thank you very much. It was really a remarkably quick response on your part and the Secretary's. And the farmers up there had seen some of their neighbors devastated by a flood in 2002 and

suffering through a lack of Federal responsiveness from FEMA, and they were just astonished that they got such a swift response.

So I thank you on their behalf. And anytime you would like to take over the administration of FEMA, please let me know. I will be glad to submit your name for consideration.

Dr. DEHAVEN. Senator, thank you for your kind comments. I am thoroughly enjoying my current position. Thank you very much. And will just add that, as you know, we have a lot of work to do yet in Minnesota with regard to TB.

Senator DAYTON. I wanted to read something that the Minnesota Department of Health has a fact sheet, March 2006, for Minnesotans concerns about this danger. I would just ask if this is accurate and if there is anything else that we need to do to assist in its further development?

It says, "Wildlife biologists, migratory bird specialists, veterinarians, and epidemiologists from the USDA, DOI, and Health and Human Services (HHS), along with the International Association of Fish and Wildlife Agencies, the National Association of Public Health Veterinarians, and the State of Alaska have developed an early detection system for Asian H5N1 highly pathogenic avian influenza in wild migratory birds—U.S. interagency strategic plan."

Is that interagency strategic plan complete? Are the States informed? Is everything being done that needs to be done? Do you have resources, funding necessary to continue that? If not, what else do you need?

Dr. DEHAVEN. Thank you, Senator Dayton, for the question.

And in fact, we are just now embarking on the implementation portion of our wild bird surveillance program. It has been an excellent partnership with our colleagues in HHS, Department of Interior, the State agencies, the International Association of State Wildlife Agencies. Great partnership.

And we are now beginning to see the fruits of that labor in terms of some of the actual sampling of those birds just now beginning.

Let me clarify in that we are currently seeing the arrival of migratory birds, not only from North America along our Pacific flyway, but also birds from Asia that are now arriving at nesting and breeding grounds in the State of Alaska. So we will be testing those birds throughout the summer. And so far, in fact, we have collected some 250 samples from live birds, dead birds, water, environmental sample. Of course, they are all negative. And we will continue and expand that testing through the summer.

The concern is that there might be birds that are carrying that virus from Asia that would mingle with our North American birds. And then late summer, early fall when those North American birds migrate south, they could bring the virus to the continental United States.

So the second part of that implementation plan is late summer, early fall, testing those birds as they are migrating south. We have four major flyways—not just the Pacific flyway, but Central, Mississippi, and Eastern flyway. We will be doing surveillance testing in all four of those flyways, looking, as that press release or that statement from the Minnesota Department of Public Health indicated, that this provides an excellent early warning system.

If we find that virus in migratory birds, it provides us the opportunity to respond in the appropriate geographical area relative to that finding and bolster surveillance and biosecurity efforts.

Senator DAYTON. Thank you. One more question, if I may, Mr. Chairman?

The University of Minnesota is a national leader in the surveillance of avian flu. The Minnesota poultry testing laboratory in Willmar, Minnesota, tests every flock in the State, more than 70,000 samples each year. And yet they are starved for funding, and that is partly or largely a State government responsibility.

But what do you consider to be the role of grassroots programs like the one in Minnesota in this united effort to prevent an outbreak of avian flu? And of the $7.1 billion requested by President Bush, how much of that will flow to the States through cooperative agreements with USDA? And you can give me that answer for the record later if you would prefer, sir.

Dr. DEHAVEN. OK. Let me explain some of the interaction that we have with the States. Much of it, of course, goes to our overall response plans, where if we have an outbreak in a given State, the response will be a State-Federal joint effort, working close with the industry to respond to that overall effort.

Many of the monies that have been made available are going to provide for the equipment, supplies, those kinds of things that would be necessary for a State-Federal task force. So, indirectly, much of those monies would be going to the States.

We have greatly expanded our laboratory testing capacity as well. We recognize that if we have widespread outbreak of highly pathogenic AI, that we may need to run literally thousands and thousands of samples.

We now have certified some 39 State diagnostic laboratories to do some of that testing for us, making sure that they have the equipment, and then we, of course, would provide the reagents for them to do that testing. So that we would have the capacity to run up to 18,000 samples per day, if that became necessary in a widespread outbreak situation.

We are also partnering very closely with the University of Minnesota's Center for Food Safety and Animal Health. We are working for them in collaboration with our APHIS unit in Fort Collins to become an OIE collaborating center, doing not only outreach domestically, but doing outreach internationally, training experts in terms of assisting underdeveloped countries with their overall response programs.

So our whole response effort, much of our education and outreach is totally dependent upon State partners, much of that at the university level. So I think that partnership is there. And H5N1, with all of the dark clouds, does provide some silver lining in terms of enhancing already-existing partnerships.

Senator DAYTON. I thank you for your efforts, and I would just say if you need any resources for anything related to this effort and for the State partnerships, please let us know.

Thank you, Mr. Chairman.

Dr. DEHAVEN. Thank you, Senator.

The CHAIRMAN. Thank you.

Dr. DeHaven, in December 2005, Congress approved an emergency supplemental funding bill for pandemic influenza preparedness and included $91.35 million in funding for USDA-specific efforts. Again, you have talked a little bit about this. But just for the record, how much of that funding has actually been obligated and to what specific programs or program areas?

Dr. DEHAVEN. Chairman Chambliss, we have, as of today, obligated a relatively small portion of that money. Obligations as of May 10th were $5.1 million out of the $91 million.

Having said that, we are on the verge of letting a number of contracts, signing a number of cooperative agreements. And so, we would anticipate that by September of this year, we will have obligated over $66 million of that $91 million, which would provide for a carryover of approximately $14 million.

In terms of what the monies have been spent for, a number of areas to enhance cooperative agreements for domestic surveillance and diagnostic activities. This would be some of the cooperative agreements with the States to improve their response plans, as well as some of the efforts at those State laboratories to provide additional diagnostic capability.

We have expended some of those monies in enhancing our antismuggling and regulatory enforcement efforts, to bolster our activities at the ports and borders. But also going to some of the retail outlets where some of these prohibited products might be found and then tracing them back to their point of origin.

There has been $1.7 million expended to enhance the national veterinary stockpile. These would be monies for vaccine, supplies such as Tyvek suits, respirator masks, gloves, all of the equipment and supplies that we might need to respond, with the concept of preparing "push packs."

These would be packs of materials that would be ready to go, everything that 10 people would need for 10 days that are palletized and be ready to go onsite in an outbreak situation.

We are working to provide for in-country experts and experts at the Food and Agriculture Organization and the Organization of International Epizootics, or the OIE, as they are working internationally to provide assistance. In fact, I just returned from the Food and Agriculture Organization headquarters in Rome, where I have been working internationally to help them stand up a crisis management center.

If we were to have an outbreak in the United States at the national level, we would have an overall coordinating organization in our national emergency operation center. The concept for the FAO is the same, except on a global scale.

This is a situation where they have not had to respond in this order of magnitude in the past, and they haven't had before the mechanism to coordinate the efforts ongoing in many countries simultaneously. So helping them stand up this emergency operation center will go a long way toward helping them globally to better respond to that effort. So we pledged a considerable sum toward that overall effort.

So, again, the short answer is we have only obligated as of today $5.1 million. We would expect by September for that number to increase to over $66 million.

The CHAIRMAN. Let me ask that, say, in 30–day intervals. I don't expect you to do it every time you execute a contract. But in 30–day intervals between now and the end of the fiscal year, if you would provide the committee with contracts you have entered into and funding that is obligated and for what purpose? It would be very good information for us to have.

Dr. DEHAVEN. We would be glad to do so, Mr. Chairman, and, in fact, can give you that initial report very quickly.

The CHAIRMAN. Very good.

On Tuesday night, ABC aired this movie entitled "Fatal Contact: Bird Flu In America." The movie was full of frightening images to secure ratings. But unfortunately, it did little to educate the public on the realistic threats associated with a pandemic.

I would have been pleased if the movie had simply raised the awareness of the American public and encouraged them to play an active role in the fight against avian flu. But unfortunately, the movie provided a worst-case scenario that likely confused and scared many Americans.

In your testimony, you stated that proper precautions in the preparation and the cooking of poultry will protect consumers from avian influenza. This is an important point to address, and I would ask you to comment again on that and emphasize with some certainty exactly what people need to think of in terms of cooking poultry and how safe it is.

Dr. DEHAVEN. Thank you, Mr. Chairman.

Let me start at the beginning. First of all, we think we have in place an excellent surveillance and detection system. So that if the virus does arrive in the United States, we think that we would find it very quickly, particularly in commercial poultry, which is the concern, obviously, from a food safety standpoint.

We would very quickly, within those affected flocks, work to contain and eradicate it, to ensure that birds that might be in those infected flocks never make it into the food chain.

To the extent that there would be an early infection that went undetected on the farm, I would point out that we have Food Safety Inspection Service there doing inspection at slaughter, and they are trained to recognize any of the signs, symptoms, post mortem lesions that would be characteristic of a disease like highly pathogenic avian influenza. So the second level of protection is the onsite inspection at those slaughter plants.

If by some rare occurrence product were to make its way into the food chain, and I think this focuses on the nature of your question, that is where just good sanitation practices and cooking will take over and provide all of the protection. And indeed, the consumer has the ability to provide all the protection that is necessary with regard to poultry or poultry products.

And providing those protections for avian influenza also provides the protection for a number of potential food-borne pathogens. So these should be practices that are already in place in every kitchen in the country. But it is things like making sure that you don't cross-contaminate cooked poultry with raw product. If you are using a knife or other utensil on raw product, make sure that you wash it before it is used on a cooked product.

Any surfaces utensil that would come in contact with raw poultry should be properly cleaned and sanitized before it would have the opportunity to come in contact with a cooked product.

And then the last thing is normal cooking temperatures. If poultry is raised to the internal temperature of 165 degrees, it not only will kill any avian influenza virus, it will render harmless a number of other potential food-borne pathogens.

So, in summary, I think simply by practicing good sanitation, hygiene practices in the kitchen, proper cooking temperatures, there is no risk to the consumers from poultry or poultry products.

The CHAIRMAN. Very good.

Again, with reference to the movie, it showed a Virginia salesman that caught a virus in Hong Kong, returned home, and it showed him spreading the virus through napkins, by an olive in his martini, by simply touching a woman on the shoulder, by handshakes, or through just about any other way imaginable. Any of that realistic?

Dr. DEHAVEN. Well, we are delving into the human health aspect of this virus. And so, let me tread cautiously, recognizing that my area of expertise is limited to animals.

But I would simply point out that there is a seasonal flu every year in this country, and I think our public forgets the fact that that seasonal flu virus that we have every year typically kills in the neighborhood of 36,000 people in this country. So let us not lose sight of the fact that that occurs on a regular basis.

What is common to that seasonal flu virus that is not common to this bird virus that we are currently seeing in other parts of the world is the ability to transmit easily from person to person. And the concern, of course, is that through mutation that the H5N1 highly pathogenic virus would mutate and be one that is spread easily from person to person.

We can only surmise that that spread would be or the ability of the virus to spread would be comparable to the seasonal flu virus that we experience every fall, winter, and early spring in this country.

And so, yes, indeed, the virus potentially could be one that would be easily spread from person to person. It would be my estimation that the movie on TV depicted the absolute worst and perhaps exaggerated scenario of that.

The CHAIRMAN. Gentlemen, any other questions?

Senator HARKIN. The only other thing I would have, Mr. Chairman, is when you talk about depopulating flocks and stuff, obviously, you have got to train some people to do that out there. You don't have the personnel to do that if you are going to depopulate flocks, I assume. And so, you are going to have to train people.

Are you doing that now—training personnel on how to depopulate a flock?

Dr. DEHAVEN. Correct. Well, Senator Harkin, again, dealing with avian influenza is not something that is new to us.

Senator HARKIN. So you know how to do depopulation anyway?

Dr. DEHAVEN. We do know how to do that and, in fact, destroyed several million birds in southern California and other Southwestern States as part of our Exotic Newcastle Disease outbreak. So whether it is for Exotic Newcastle Disease, low pathogenic avian

influenza, or this highly pathogenic virus, we do, in fact, have considerable expertise in depopulating flocks and taking care of carcasses.

Having said that, I think the level of awareness, the level of preparation within the industry is higher than it ever has been. So I think we will have willing and experienced partners in the form of industry as well. The industry that already has catch crews that are involved in catching birds to take them to slaughter, et cetera, and those simple skills come in handy in this situation as well.

But they are also being trained in terms of employing appropriate personal protective measures. And therein, I think, lies the area. We are, indeed, providing additional training to our people, State employees, and will be coordinating very closely with the industry in terms of training that is provided.

Senator HARKIN. Thank you very much, Mr. Chairman.

The CHAIRMAN. I did have one other question. Throughout your travels around the world, you have witnessed firsthand the veterinary infrastructure and biosecurity capabilities of many countries affected by avian influenza. A key component of the National Response Plan is preventing the spreading of avian influenza and controlling the virus in foreign countries where it currently exists.

Could you talk for a minute about what we are doing relative to having a presence in countries where we know this virus already exists and what we are doing with regard to in-country work there, both from a personnel standpoint and otherwise to make sure it doesn't come here?

Dr. DEHAVEN. Let me address that in two ways. APHIS has responded in a number of countries where specific requests were made for particular areas, particular expertise, whether it be poultry virology, diagnostic capability, emergency response. And so, we have provided a number of people for weeks to months in country in countries that had requested and needed that kind of assistance.

We have also put on a number of training courses, both in terms of emergency response training, on laboratory diagnostic capability, and those kinds of things. So we have provided that as requested response on a country-by-country basis.

But we are also attacking it more globally by forming a coalition of like-minded developed countries, working initially with the World Organization for Animal Health, the OIE, to develop an assessment tool and then training teams of experts that can go into affected countries for the mid-and long-range effort of assessing what is their strategy for attacking the virus, assessing whether that strategy is appropriate given the level of virus, the sophistication or lack of sophistication of their industry, and their overall wherewithal to respond—is that an appropriate strategy?

And if so, what is it that they need to better address the needs and attack the virus in accordance with that strategy. So we are now at the point of working with the OIE to start those training courses. Teams of experts would be trained to use this assessment tool and go in country, do the assessment, and find out what their needs are.

Once the needs have been identified, working with funding countries and the World Bank, ensuring through the FAO that those needs are satisfied. This then goes to the FAO, that would take the

lead in terms of implementation and making sure those needs were met. This goes to the crisis management center at the global level that I mentioned, having the regional OIE and FAO structure to oversee the activities in a region of the world, and then actually working in country to provide the expertise, the equipment, the resources that they need.

So we think that the appropriate strategy to attack the virus is through international organizations working with like-minded developed countries that have the resources and the experts to provide the assistance and providing the FAO and the OIE what they need to better attack the virus.

[The prepared statement of Mr. DeHaven can be found on page 24 in the appendix.]

The CHAIRMAN. Dr. DeHaven, thank you very much for appearing today. Thanks for the good work you are doing down there. We look forward to staying in touch.

And hopefully, we will, at some point in time, be celebrating the fact that the United States escaped the introduction of this virus into the United States.

So thank you very much, and this hearing is now concluded.

Dr. DEHAVEN. Thank you, Mr. Chairman.

[Whereupon, at 11:35 a.m., the committee was adjourned.]

APPENDIX

MAY 11, 2006

Appendix

STATEMENT OF SENATOR TOM HARKIN (RANKING DEMOCRATIC MEMBER)
COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY
HEARING ON THE U.S. DEPARTMENT OF AGRICULTURE AVIAN INFLUENZA RESPONSE PLAN
MAY 11, 2006

Thank you, Mr. Chairman, for holding this hearing to examine the Department of Agriculture's avian influenza response plan, released in draft form last month. Of course, it is critically important USDA have a strong, effective and dependable plan for prevention, surveillance, preparedness, and response to highly pathogenic avian influenza, especially the current strain of H5N1.

The H5N1 strain of avian influenza remains primarily an animal disease. But its ability to infect humans may increase over time, and it could change enough to cause a human pandemic. That is a possibility we have to prepare for. In agriculture, H5N1 is not a possibility; it is a reality. Agriculture is already on the front lines of fighting highly pathogenic avian influenza overseas. The experts tell us it is not a matter of if the current H5N1 strain will reach birds in the United States. The question is when.

We must ensure that we have all the tools ready and all the plans in place to contain the disease and minimize the impact on the economy and food supply. USDA does have extensive experience with dealing with avian influenza. However, not all states have that same experience. I am concerned about the abilities of states to fight an introduction of highly pathogenic avian influenza, especially if a particular outbreak is widespread and covers multiple states. In such a scenario, state resources will be taxed and USDA resources may be spread too thin. I am interested in hearing what kind of feedback USDA has received from states on its response plan.

USDA must also work closely with other agencies across the federal government, obviously with the Centers for Disease Control and Prevention and the Department of Health and Human Services. It has become apparent that smuggling of poultry and exotic birds may be more important to the spread of avian influenza than the migratory patterns of wild birds. The H5N1 strain is thought to have gotten to Nigeria through illegal importation of infected poultry from Asia. We have to make sure that USDA and the Department of Homeland Security can keep out avian influenza that may come in through smuggling of birds.

USDA's avian flu response plan highlights many problems the Department will have to deal with. It is obvious an outbreak would cause tremendous disruption. Quarantine procedures and restrictions on animal movements in areas where there has been an HPAI outbreak would disrupt normal operating procedures in surrounding livestock as well as poultry operations. USDA must be working with poultry producers as well livestock producers to ensure that business is minimally impacted while containing a bird flu outbreak. Certainly first responders to an HPAI outbreak must be protected as well. I am concerned about whether employees on poultry farms are receiving training and health protections, and whether USDA is playing a role in these efforts.

The threat of avian influenza has sobering potential ramifications in animal and human health, and in economic and social impacts. I hope that the issues we bring up

here today will help our nation prepare for the potentially devastating effects of avian influenza.

Prepared Statement of Dr. Ron DeHaven
Administrator, Animal and Plant Health Inspection Service
U.S. Department of Agriculture
Before the Senate Agriculture, Nutrition and Forestry Committee's
Hearing on Avian Influenza Preparedness and Response
May 11, 2006

Chairman Chambliss, Ranking Member Harkin, thank you for the opportunity to testify before the Committee this afternoon. The Department of Agriculture (USDA) appreciates your continued support of our efforts to ensure that preparedness for a potential introduction of highly pathogenic H5N1 avian influenza virus into the U.S. poultry population remains high. I welcome the opportunity to provide you with updates on several of our most important initiatives, including our development of a draft National Avian Influenza Response Plan to guide our actions, in conjunction with involved State and industry personnel, in the event of a detection of the disease in poultry.

But first, I would like to briefly touch on a few other key funding and program initiatives that have unfolded since November 2005, when I last testified on avian influenza before the Committee.

National Implementation Plan for Pandemic Influenza

Most notably, just last week, President Bush announced his Implementation Plan for the National Strategy for Pandemic Influenza. The Implementation Plan takes the major components of the President's National Strategy for Pandemic Influenza and breaks them down into more than 300 critical actions. The Plan directs involved Federal

agencies to carry out these critical actions within prescribed amounts of time. The Plan is helping to ensure that the Federal government, along with our State and local partners, continues to take appropriate steps in preparation for a possible influenza pandemic in the country.

As we know, this disease, first and foremost, continues to affect birds. However, we know it has caused acute illness and, in some cases, death in people who have had direct contact with sick birds. We know that the virus, through mutation, could present a much greater risk to human health worldwide. So, there are both animal health and human health aspects of the Federal government's preparations.

As the President's Implementation Plan makes clear, these preparations are being closely coordinated among several departments, as well as with States and industry. USDA is the lead agency in terms of dealing with the disease in poultry. The Implementation Plan directs USDA to play either a leadership or coordinating role in 98 critical actions. These include initiatives such as continuing our support of the coordinated efforts overseas to slow the spread of the disease in poultry; expanding our domestic surveillance and early warning systems; and ensuring we have a strong plan in place to guide, along with our partners, the swift, decisive response to any eventual detection of highly pathogenic H5N1 in poultry here in our country.

As we work to complete these critical actions in the coming weeks and months, USDA will continue to use a four-pronged approach to combating avian influenza. First,

we are focused on keeping this threat offshore by supporting other nations affected with this virus through robust support to the International Partnership on Avian and Pandemic Influenza and by adopting a coordinated approach to work with affected countries through the United Nations' Food and Agriculture Organization (FAO) and the World Health Organization (OIE). Second, we are conducting a proactive messaging campaign designed to educate the American public and poultry owners on this animal disease. We want to inform while not alarming. A third pillar of our doctrine is an aggressive surveillance program that focuses on four key areas: wild bird surveillance; commercial poultry operations; live bird markets; and backyard flocks. The fourth and final pillar of our doctrine is, when necessary, to execute our existing plans. As the Committee knows, we have a long and successful history of dealing with foreign animal diseases and, in particular, handling avian influenza.

I want to emphasize to the Committee that in taking this multi-faceted approach, we are not waiting for the virus to reach our shores before we begin coordinating our preparedness and response efforts with our partners. For us, the threat is real and many important planning and coordination efforts are already well underway. Our strategy is that we are preparing as if the virus will reach U.S. poultry, while taking measures where possible to prevent it. I believe this approach is the right one to take, and will pay off greatly in the event this highly pathogenic H5N1, or another serious avian influenza virus, reaches our country.

Summary of Pandemic Influenza Supplemental Funding for USDA

Last December, Congress approved, and President Bush signed into law, a supplemental funding bill for pandemic influenza preparedness that included $91.35 million for USDA. Since that time, we have been working expeditiously to ensure that our plans for using these funds are strategically sound and fully coordinated with our many international, Federal, State, local, and industry cooperators. We have taken these responsibilities so seriously, in fact, that we have utilized USDA's and APHIS' emergency operations centers to coordinate our efforts. Our animal health officials have also worked under an incident command structure to maximize their communications, planning, and logistical capabilities.

Let me quickly summarize the international and domestic initiatives funded by supplemental appropriations:

- We are using approximately $20 million to help affected countries overseas in collaboration with international organizations. We are participating in a coordinated effort by the various interested U.S. Government agencies, led by the Department of State, to work with affected countries through the United Nations' Food and Agriculture Organization (FAO), the World Health Organization (WHO), and the World Organization for Animal Health (OIE). I just returned from a meeting in Rome regarding the FAO's development of an emergency operations command center within its headquarters to better track the spread of the H5N1 virus in poultry and coordinate response efforts.

- On the domestic front, we are utilizing approximately $72 million from the supplemental appropriation, in part, to:
  - Enhance smuggling interdiction and trade compliance ($9 million);
  - Continue research and development of improved tools like vaccines, genome sequencing; environmental surveillance and biosecurity measures ($7 million);
  - Enhance surveillance of wildlife/bird flyways ($18 million);
  - Strengthen other domestic surveillance and diagnostics (about $18 million);
  - Increase the current animal vaccine stockpile and stock other response supplies ($10 million);
  - Enhance planning, equipment, and preparedness training, and the development of simulation models ($9 million); and
  - Improve a variety of other preparedness activities ($1 million)

Migratory Bird Surveillance

Another area where we have taken steps to obtain better information regarding any potential disease threat to U.S. poultry is migratory bird surveillance. Wild birds, in particular certain species of waterfowl and shorebirds, are considered to be the natural reservoirs for many common, relatively harmless strains of avian influenza.

On March 20, 2006, the Departments of Agriculture, the Interior, and Health and Human Services released an inter-agency strategic plan that expands the monitoring of

migratory birds in the United States for the highly pathogenic H5N1 virus and establishes common protocol for testing birds and tracking the data.

"An Early Detection System for Asian H5N1 Highly Pathogenic Avian Influenza in Wild Migratory Birds -- U.S. Interagency Strategic Plan" reflects the best possible scientific information on the highly pathogenic H5N1 virus and the migratory patterns of wild birds. In addition, the plan draws on ongoing partnerships with State and private wildlife experts, animal health experts, as well as public health officials.

The plan targets bird species in North America that have the highest risk of being exposed to, or infected with, highly pathogenic H5N1 because of their migratory movement patterns. Key species of interest include ducks, geese, and shorebirds.

Personnel from USDA, Department of the Interior, State wildlife agencies, and other cooperators will work closely to obtain samples and test them for avian influenza viruses of concern.

Under the new enhanced surveillance program for migratory birds, APHIS officials began sampling efforts in Alaska in late April. I would note here that between 1998 and 2005, USDA's Agricultural Research Service and the University of Alaska partnered to test some 12,000 samples taken from wild migratory birds in Alaska for avian influenza viruses of concern, as well as exotic Newcastle Disease (END). All these samples were negative for avian influenza viruses of concern to us, as well as END.

In other areas under the enhanced migratory bird surveillance plan, APHIS has also begun sampling Eastern wild turkeys in collaboration with the Vermont Fish and Wildlife Department. And just last week, our National Wildlife Research Center began processing environmental water and fecal samples collected from areas of Alaska that harbor high-risk waterfowl and shorebirds. Other states will begin collecting similar high-risk environmental samples in June based on migration patterns.

State and Industry Cooperation on Avian Influenza

I would like to turn now to the strong cooperative efforts APHIS is engaged in with our State and industry partners relative to avian influenza. The U.S. Poultry and Egg Association convened an industry-wide meeting in Atlanta, Georgia, on April 27, to facilitate dialogue with State and USDA officials regarding the many operational, policy, and communications issues related to our cooperative avian influenza preparedness efforts. I, and many of APHIS' senior animal health staff attended the meeting, which was extremely beneficial to all who attended.

I believe APHIS is in an excellent position to maintain these kinds of effective working relationships because of the partnerships we have forged with State animal health officials and the poultry industry over the years. Several programs are helping to foster close relations with States and industry. One of them is the longstanding National Poultry Improvement Plan (NPIP), a cooperative Federal-State-industry program designed to enhance the health and marketability of commercial U.S. poultry. The other

is our new low-pathogenic avian influenza program—which this Committee has supported. These are serving as springboards as we enhance surveillance efforts, enter into additional cooperative agreements with States, and tighten our emergency response plans.

We are using approximately $5.9 million in supplemental funding for the NPIP cooperative effort to enhance the testing of commercial flocks—broilers, layers, turkeys, and their respective breeding flocks—for avian influenza viruses of concern. The supplemental also includes $2.9 million for surveillance by APHIS' National Veterinary Services Laboratories (NVSL). This funding will allow NVSL to provide support to approved laboratories for the processing of samples. This includes all segments of the surveillance program for H5N1, including samples collected from wildlife, commercial poultry, and the live bird marketing system in the United States.

This funding will also allow NVSL to develop and contract out the production of agar gel immunodiffusion (AGID) testing reagents to be distributed at no charge to laboratories approved to participate in the surveillance effort. In this way, we will meet the poultry industry's desire to test all broiler flocks in the United States for avian influenza and, more broadly, surveillance across the board will be strengthened.

The Draft National Avian Influenza Response Plan

Now that I have touched on all of our plans to bolster domestic surveillance for avian influenza, I'd like to update you on our plans for responding to a detection of any highly pathogenic avian influenza in commercial poultry.

Prior to poultry industry meeting in Atlanta, APHIS posted to its website a draft summary of the National Avian Influenza Response Plan. This plan would guide the steps taken by USDA and our State and industry partners following a detection of highly pathogenic H5N1 avian influenza in domestic poultry. It reflects USDA's scientific expertise on highly pathogenic avian influenza viruses, as well as our real world experience in planning for, and responding to, incursions of significant animal diseases into the United States.

In addition, the plan draws on our ongoing partnerships with other Federal agencies, State Agriculture Departments, State Veterinarians, the poultry industry, and the conservation and wildlife communities. In this way, the plan is designed to be flexible and does not supersede any State response plans. Rather, it complements such plans already in existence, or under development.

As a result of tabletop exercises and numerous meetings and discussions with our partners, the response plan incorporates much positive feedback. In releasing a summary of the draft document and posting it online, we fully expect further review and comment by stakeholders. In this way, we intend for the response plan to be an evolving document

that takes into account the latest scientific information and approaches to emergency preparedness and response.

Let me elaborate a bit further on the Response Plan. As the Committee knows, USDA has in place a robust emergency response program designed to complement all of our surveillance efforts. When we have unexpected poultry, or for that matter livestock, illnesses or deaths on a farm, we immediately conduct a foreign animal disease investigation. We have a cadre of specially trained veterinarians who can be on site within four hours to conduct an initial examination and submit samples for additional laboratory testing. Also, HHS is providing occupational health guidance on the use of personal protective equipment and antiviral prophylaxis treatments to USDA and other departments that have personnel in direct contact with live infected or dead poultry.

In conjunction with our State colleagues, APHIS maintains State-level emergency response teams on standby. These teams will typically be on site within 24 hours of the initial examination and diagnosis of a presumptive diagnosis of avian influenza or any other significant foreign animal disease. Destruction of the affected flocks would be our primary concern and course of action. We would also work with State or tribes to possibly impose State-level quarantines and movement restrictions.

For highly pathogenic avian influenza as well as for low pathogenic H5 and H7 subtypes, the Response Plan provides guidelines as to how APHIS would work with States to quarantine affected premises and clean and disinfect those premises after the

birds have been depopulated and disposed. Surveillance testing would also be conducted in the quarantine zone and surrounding area to ensure that the virus has been completely eradicated.

I would like to note here that APHIS also maintains a bank of avian influenza vaccines for animals in the event that the vaccine would be a potential course of action in any outbreak situation. I need to stress here, however, that wide-scale vaccination of poultry is not our primary strategy against avian influenza. Rather, poultry vaccination could be used in response to widespread detection of the disease in the United States to create barriers against further spread and assist with our overall control and eradication measures.

The Response Plan's focus, first and foremost, is on quickly containing and eradicating this virus before it has the chance to spread further in the poultry population.

Conclusion

Allow me to close by offering a couple of thoughts that I believe are absolutely central to our discussion today. These points are also a critical part of understanding the broader context in which I believe avian influenza should be viewed.

First, just like in people, there are many strains of influenza that affect birds, with varying degrees of impact and importance.

Second, a detection of the highly pathogenic H5N1 avian influenza virus circulating overseas in birds here in the United States does not signal the start of a human pandemic. This virus is not easily transmitted from person to person. As I said, human illnesses overseas have resulted from direct contact with sick or dead birds.

Third, a detection in wild birds does not mean the virus will reach a commercial poultry operation. We are certainly preparing as if it will, but the U.S. poultry industry employs a very sophisticated system of firewalls to protect the safety of their product. In addition, the wild migratory bird surveillance plan is serving as an early warning system for commercial poultry operations.

Fourth, even if the virus reaches a commercial poultry operation, there is no reason for consumers to be concerned about the safety of the poultry that they purchase and eat. Again, I believe that our state of readiness for such an event is high, and our Response Plan would guide a swift, comprehensive response designed to minimize further spread of the disease.

Finally, as always, consumers should take proper precautions in preparation and cooking, which will also protect them from avian influenza. Properly prepared poultry is safe.

Thank you again for the opportunity to testify before the Committee today. I will be happy to answer your questions.

DOCUMENTS SUBMITTED FOR THE RECORD

MAY 11, 2006

Statement by
Senator Charles E. Grassley

May 11, 2006
Committee on Agriculture, Nutrition and Forestry

Thank you Mr. Chairman for holding this hearing today on Avian Influenza.

It is not a matter of "if we get Avian Influenza," it's a matter of when.

We need to have the necessary tools in place to fight this virus that comes in two forms.

The low path form that causes mild illness and the high path strain that is extremely contagious and causes severe illness.

As a member of this Committee, we need to realize that by controlling the disease in animals we can prevent it from infecting humans.

I am pleased that Congress has been proactive on this measure by making sure that our federal agencies have the adequate funding.

Last year 91.4 million in emergency supplemental funding was appropriated to USDA for Avian Flu.

That is why I have been writing letters to USDA asking for them to have the necessary tools in place to contain or prevent this disease.

I am still awaiting a response to my letter dated April 4, 2006. I would appreciate a timely response by the Department related to my concerns in my letter.

With Iowa being number one in egg production and ranking in the top 10 for turkey production. I am concerned about how this virus could affect our agricultural economy negatively.

Just look at how the mention of the bird flu can shift the soybean market in a single day.

I want to end my statement by saying that we need to be ready to deal with this situation.

But we don't need to cause panic. I have been saying for years with the Mad Cow situation that we need to be basing our decisions off sound science.

From my understanding if the low path virus is discovered by a farmer they can contain the virus and eliminate the threat.

Since the livelihood of producers is dependent on the animals, how we respond to any detection is key. Especially where egg processing is involved, inventory systems are not designed to hold product for long periods.

So we need to examine what the plans are for allowing product movement so that it remains stable, consistent and predictable.

If I need to leave early I will submit my statement and questions for the record.

I look forward to hearing the testimony today,

Thank you Mr. Chairman.

Written Statement by Senator Pat Roberts
Senate Committee on Agriculture, Nutrition, and Forestry
Hearing on USDA's Avian Flu Response Plan
May 11, 2006

Mr. Chairman, thank you for holding this hearing today and thank you as well to Dr. DeHaven – not only for your efforts on this issue but for your actions on the BSE front and the prevention and response to animal and plant diseases in general.

Mr. Chairman, there is no issue directly related to both human and animal health that has caught more attention in the past year than the threat of highly pathogenic Avian Influenza.

We have heard reports from Secretary Johanns, Secretary Leavitt and other officials that it is not a matter of if, but when avian flu reaches our shores in our poultry. I have heard fears that if this virus becomes easily transmissible from human to human it could be as lethal of the 1918 Spanish Flu which killed 50 million people worldwide.

Mr. Chairman, I am particularly sensitive to these concerns. In 1918, the first human cases of the Spanish Flu in the U.S. were discovered in my home state of Kansas at Fort Riley. The flu spread through our soldier population and then made its way across the country.

Earlier this year, I participated in a tabletop exercise for avian flu at the National Defense University. This exercise, called Global Tempest, started with an outbreak of avian flu in the poultry population in Southeast Asia and then ultimately spread to the U.S. in both our poultry and human populations. I learned many valuable lessons from this exercise, but the most important was the need to be prepared before a pandemic begins.

This is why I joined with Senator Clinton to introduce important legislation in the HELP Committee to help us prepare our flu vaccine system and public health infrastructure on the human side. And, I am very pleased to see the actions that USDA has taken on the poultry front in regards to planning, surveillance and response.

Mr. Chairman, I know that there is a possibility that the avian flu virus could enter the United States through the migratory bird population. I look forward to learning more about this possibility from Dr. DeHaven and any efforts USDA is taking to monitor, or do predictive modeling, of this potential source of entry.

Mr. Chairman, I thank you again for calling this most important hearing and I look forward to Dr. DeHaven's testimony.

May 11, 2006

Dear Chairman Chambliss and Ranking Member Harkin,

We are writing to express our concern about the U.S. Department of Agriculture's draft plan to respond to the arrival of avian flu in the United States, the subject of your hearing today. We represent consumers, family farmers, and advocates for animal welfare. All of these groups have an interest in a thorough, effective and transparent federal response in the event that avian influenza is detected in this country. While we appreciate the efforts of the USDA and other federal agencies to combat avian influenza abroad and to prepare for its arrival here, we are concerned that the USDA's draft plan has several major flaws.

1. The plan downplays the risk of industrialized poultry operations.

The Senate Agriculture Committee should examine the plan's evident bias towards poultry operations that keep birds indoors. The response plan summary repeatedly states that it is preferable to raise poultry inside buildings. This position ignores the vulnerability to disease created by keeping tens of thousands of genetically similar birds in tight quarters. The agency's emphasis on the supposed advantage in bio-security offered by confinement operations is overstated and ignores the many routes by which the virus can still find its way to these flocks, including wild birds or other animals that get into poultry houses, the movement of people, equipment, feed, and other materials between poultry operations, and the necessary intake of fresh air into the buildings.

The portrayal of avian flu in the media, and in the draft response plan being presented by USDA, is that the virus has primarily afflicted backyard and outdoor poultry flocks. This corresponds to a focus on wild migratory birds as the vector responsible for spreading the disease. Yet outbreaks have occurred in large confinement poultry operations in Laos, Egypt, Nigeria, Vietnam, Russia, Cambodia, India, Japan and the Ukraine. In some cases, a plausible explanation for the spread of the disease is the movement of equipment, manure (used as fertilizer and an ingredient in animal feed) and chickens themselves, through legal and illegal channels. Yet contact between wild migratory birds and outdoor poultry flocks is often presented as the sole explanation for the virus' spread.

We urge the members of the Agriculture Committee to instruct the USDA to investigate the role of large confinement poultry operations in this country's vulnerability to avian flu. Additionally, we urge you to ask the agency to reevaluate its assumption that confined poultry are somehow safer from the virus than outdoor flocks. We also believe that the USDA should develop an avian influenza surveillance program with mandatory implementation for selected confined poultry feeding operations.

2. The plan could have devastating impacts on family farmers and producers of outdoor poultry.

The USDA's response plan is necessarily focused on the structure of government teams that would be mobilized to deal with the discovery of avian flu. The plan implies that critical decisions such as the use of vaccination, the extent of areas subject to quarantine, and the timing of culling efforts will be determined on a case-by-case basis. This leaves us to rely on agency officials' media statements to learn what the agency is thinking about the vital next steps in containing the disease. One example comes from APHIS Administrator Dr. DeHaven, who told the *Associated Press* on April 19th that flocks could be culled even before test results were known and that he considered free-range and other outdoor poultry to present the greatest risk of the disease. This creates the impression that those in charge of the USDA's response have already decided that if avian flu arrives, they are coming for free-range and outdoor poultry first, regardless of whether or not the disease is actually present in those flocks. USDA's emphasis on discouraging outdoor poultry operations is more than a little disturbing to those whose farms rely on keeping their poultry outdoors.

We ask the members of the Agriculture Committee to require USDA to document the impact its response plan could have on producers of free-range, organic and outdoor poultry. Additionally, we urge the members of the committee to require USDA to clearly communicate to producers the procedural steps that must take place before culling of flocks begins. The agency should consider modifying its plan so that culling does not begin before test results prove that the disease is present.

3. The plan does not include compensation for all types of producers.

The process for compensating producers for destroyed flocks does not appear to cover the contract growers that have put a significant amount of capital into their poultry operations. The plan states that "[t]he USDA pays compensation to the owner when it takes or destroys an asset." Therefore, contract growers that do not own the birds will get nothing for the flock destroyed and time spent without flocks. The U.S. poultry industry is dominated by arrangements in which farmers raise birds that do not belong to them. These farmers are saddled with large amounts of debt from building and improving poultry houses. In the event that their flock must be culled to prevent the spread of avian flu, contract growers who raise poultry owned by another party must also be included in provisions for compensation.

The methods for determining the value of destroyed flocks should be based on the average value of the last six flocks plus any supplemental adjustments that would normally be paid within the time frame or on flocks involved if the flock is over three weeks old. Growers should also be paid for their time without flocks. The compensation for the time without flocks beyond the flock that was destroyed should be computed using the historical average daily income for a grower multiplied by the number of days exceeding the typical layout period between flocks (time between flocks moved for slaughter to time of placement of new flocks for raising)

multiplied by 80%.[1] The timing of the payment should be based upon the normal payment schedule.

The government should directly cover all the associated costs of the depopulation of the flock in a humane and environmentally sound way. This includes disposal of carcasses and waste (manure), any method used to sanitize and/or rid the poultry facilities of disease including any permitting fees, any alteration, modification, or destruction of the farm property, and costs for the poultry facilities to be returned to their original condition prior to the depopulation of the flock.

Additionally, the plan does not consider the impact that the response to avian flu could have on small processors, if quarantines or depopulation eliminate their supply of poultry.

4. The plan does not specify how humane euthanasia will be achieved.

The response plan summary states "[h]umane standards [for euthanasia] are defined in the most current Report on Euthanasia of the American Veterinary Medical Association." Unfortunately, the latest such report was published in 2001. Thankfully the report also says "APHIS would also consider new humane depopulation methods resulting from future research or as described in the World Organization for Animal Health manual or by resolution from AVMA, USAHA or NIAA." We urge the committee to instruct USDA to at least follow the latest 2005 World Organization for Animal Health recommendations.[2]

The agency should consider using controlled atmosphere killing using inert gas mixtures. Any method that does not require restraint or handling is preferred, such as the introduction of non-aversive gasses into sealed broiler chicken sheds or for egg-laying hens, the induction of anesthesia through anesthetics added to the feed or water followed by killing.

5. The plan does not include protections for workers.

The response plan does not address the risk faced by workers in the poultry industry. Those who handle live poultry and process poultry should be included in recommendations for protecting potentially exposed populations, such as first responders and agency personnel. Appropriate personal protection equipment should be provided to all workers exposed to potentially infected birds and contaminated surfaces. Additionally, poultry industry workers and others who may identify sick birds or report suspected cases of avian flu should be covered by whistle blower protections.

6. The plan does not include ways to reduce risk from movement of poultry products.

The risk for spreading avian flu from movement of poultry products, through legal channels as well as smuggling, and the use of poultry litter as a fertilizer and feed ingredient are not given much weight in the USDA's plan for preventing the entry of avian flu into the U.S. The United

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[1] The grower should receive 80% of the normal payment since he/she will not have to pay for utilities or labor during the time without poultry.

[2] http://www.aphis.usda.gov/vs/ncie/oie/pdf_files/tahc-guide-hum-kill-jan05.pdf

Nation's Food and Agriculture Organization recommends a ban on feeding poultry litter in countries infected with or at risk of infection from avian influenza. We believe that the U.S. should follow this recommendation.

Additionally, the Agriculture Committee should instruct USDA to examine the potential for restricting the movement and sale of poultry litter as a way to prevent the spread of the disease, and to examine what disposal methods for poultry waste would prevent the least risk for spreading avian flu.

USDA's Food Safety and Inspection Service recently approved the import of processed poultry products from the People's Republic of China (see 71 FR 20867-20871). While the rule adopted by FSIS would prohibit the PRC from using its own domestic poultry for processing (the rule states that only poultry from the United States or from a country that is already approved to ship poultry to the United States can be processed in the PRC), there are no guarantees that this is going to occur. USDA should be concerned that the PRC has had numerous outbreaks of H5N1 among its poultry flocks. And while the rule prohibits the PRC from using its own domestic poultry for processing, USDA inspectors will not be permanently stationed in exporting facilities to ensure that this condition is met and that poultry is being cooked at the proper temperatures at all times, which is necessary to kill the H5N1 virus or other food borne pathogens.

There have been documented cases of smuggling of illegal poultry products from the PRC into the United States over the past year. Since smuggling of poultry has been identified as a probable vector for the transmission of the H5N1 from country to country, the rule-making process for the processed poultry imports from China should have been terminated last fall. It seems counterproductive to the government's efforts to try to contain the possible introduction of H5N1 into the U.S. to open the doors to poultry products from a country that has had a history of this disease.

We ask the committee to instruct the USDA to examine the risk of avian flu introduction presented by the approval of imported processed poultry products from the People's Republic of China.

We thank the committee for holding a hearing on this important issue, and hope you question USDA about its plan to ensure that response to avian flu will serve the interests of all producers, as well as consumers and animals. Please contact any of our groups if we can provide information or testimony for future efforts on this issue.

Sincerely,

Community Nutrition Institute

Farm Sanctuary

Food & Water Watch

Institute for Agriculture and Trade Policy

National Family Farm Coalition

Rural Advancement Foundation International - USA

Sustainable Table

The Humane Society of the United Sates

Cc: Senator Richard G. Lugar
Senator Thad Cochran
Senator Mitch McConnell
Senator Pat Roberts
Senator Jim Talent
Senator Craig Thomas
Senator Rick Santorum
Senator Norm Coleman
Senator Mike Crapo
Senator Charles E. Grassley
Senator Patrick J. Leahy
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