

Preparing for another outbreak: HPAI

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Please read our alert titled ["New Conditions for Indemnification When Poultry Flocks Are Infected by HPAI"](#) published on January 28, 2025 which is an update to the alert below.

Agribusiness is keeping watch over the latest threat to the food system, an outbreak of HPAI - Highly Pathogenic Avian Influenza - that is affecting flocks of poultry across the globe.

HPAI is not new or novel. While it is [not thought to pose a significant threat to human health](#), an outbreak of this kind can decimate commercial flocks and significantly affect the food system.

Even before this most recent outbreak was first detected in North America in Newfoundland in December, officials and producers [have been watching as the outbreaks get closer](#). HPAI has been detected in wild flocks and domestic flocks in at least seven states in both noncommercial (backyard) flocks, and, of most concern, commercial poultry flocks as near as Delaware.

As the name suggests, HPAI is highly contagious, spreads rapidly and causes severe disease and high mortality rates. It can be transmitted through contact with infected wild bird populations, which can carry the disease to new areas as flocks migrate. It is a critical time for all commercial producers to review and update biosecurity plans and ensure that these plans are actually being followed and enforced stringently to ensure that commercial flocks are not exposed.

Areas that producers may want to focus on include but are not limited to:

The [National Poultry Improvement Plan](#) sets forth minimum biosecurity criteria that must be in place.

In case an outbreak cannot be prevented, producers must learn the symptoms of HPAI, and must not hesitate to report a suspected outbreak. They also need to seek industry and government assistance at the first sign of infection.

Both producers and dealers subject to poultry growing agreements should familiarize themselves with the terms of their contracts relating to disease, and the obligations if HPAI is detected in a subject flock. Producers may also have insurance that covers losses related to HPAI but must be aware of both triggering and exclusion events that affect their policies.

In addition to any contractual or insurance relief that may be available, the U.S. Department of Agriculture (USDA) offers indemnity payments for producers affected by HPAI. Producers may be compensated for losses of poultry and eggs destroyed as part of a disease response and for depopulation, disposal and virus elimination. Certain payments require a flock plan to be in place to be eligible for compensation. Producers must make a claim and provide certain information to USDA Animal and Plant Health Inspection Service to

process payments. All producers must have a "DUNS" number, obtained through the federal government's System for Award Management to receive payment.

For those concerned that HPAI may be transmitted in poultry food products, remember that all poultry products, including eggs, must be fully cooked to an internal temperature of at least 165 F, which is effective to kill bacteria and viruses, including HPAI. HPAI does not affect the safety or wholesomeness of poultry food products handled and cooked appropriately.

We are following the developments closely as HPAI spreads in the U.S. If you have any questions about protecting your flock and your business from HPAI, [contact EmmaRose Strohl](#), [Tim Dietrich](#) or anyone in [Barley Snyder's Food & Agribusiness Industry Group](#) for assistance.

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