



Office of the Secretary  
Washington, DC 20250

September 8, 2022

Ms. Cathy Liss  
President  
Animal Welfare Institute  
900 Pennsylvania Avenue, SE  
Washington, D.C. 20003

Dear Ms. Liss:

Thank you for your letter of July 19, 2022, regarding your concerns about poultry depopulation operations during the current Highly Pathogenic Avian Influenza (HPAI) outbreak.

We share your concern for the humane treatment of animals and appreciate your organization's ongoing engagement on this issue. The U.S. Department of Agriculture (USDA) takes very seriously its responsibility to develop strategies, policies, and response mechanisms to effectively manage HPAI and other foreign animal disease outbreaks. This responsibility often involves making difficult decisions—including those surrounding depopulation—to support rapid response and limit the overall scale and scope of an outbreak.

HPAI causes high morbidity and mortality in poultry, resulting in significant animal loss and economic consequences. Our primary control and eradication strategy for HPAI is to cull affected animals, which protects public health, the environment, and promotes agricultural security, secures the food supply, and further safeguards animal health. In the 2014-2015 HPAI outbreak, we learned that depopulating affected animals within 24 to 48 hours of a presumptive positive test result dramatically reduces lateral spread of the virus. According to the initial data from the current outbreak, efficient depopulation, combined with stringent biosecurity, greatly reduces farm-to-farm transmission. Over 85 percent of current detections have been attributed to wild bird introductions, which stands in contrast to the 2014-2015 outbreak, where the overwhelming majority of HPAI introductions were due to farm-to-farm transmission.

USDA relies on bird depopulation guidelines set by the American Veterinary Medical Association (AVMA), which has identified preferred, permitted, and non-recommended methods. The recommendations vary based on how the birds are housed. Prior to authorizing indemnity payments, we require State animal health officials justify the use of certain depopulation methods—including ventilation shutdown plus heat (VSD+). While USDA communicates to States and producers our preferred depopulation methods, when a positive flock is identified, State animal health officials and producers then decide how to depopulate affected animals.

When VSD+ is administered, we require an official with animal health expertise oversee all depopulation activities. If the method fails to meet AVMA standards, officials are authorized to stop activities and direct the responders to use other methods. We continue to work closely with States to expand the availability of specialized equipment and trained staff needed for preferred depopulation methods. However, large-scale or rapidly spreading outbreaks may quickly drain limited supplies during critical response windows. Even though VSD+ is considered an option of last resort, VSD+ is often the only AVMA-approved mass depopulation method that can meet the goal of depopulation within 24 to 48 hours when other methods are unavailable. In this way, VSD+ reduces suffering and total death loss by working rapidly to slow the spread of the disease and limit the scale of the outbreak.

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Regarding your concerns about cervical dislocation and blunt force trauma, the AVMA does approve these methods depending on the circumstances of their use. Cervical dislocation—whether mechanical or manual—and blunt force trauma are common industry practices that, when performed correctly, quickly euthanize the animal.

USDA's Animal and Plant Health Inspection Service continues to devote considerable resources to the development and use of whole house carbon dioxide gassing. However, given that applying carbon dioxide in an agricultural context is still an emerging practice, and the gas is produced on demand as a byproduct of other industrial processes, there are still significant logistical limitations involving both the quantity of gas available as well as the timely and effective delivery of the gas to affected facilities. Though the AVMA does not currently include nitrogen-based foam among its approved depopulation methods, USDA continues to invest in research and development of this option—and other large-scale depopulation technologies—through our [National Animal Disease Preparedness and Response Program](#).

While USDA continues to support development of highly effective HPAI vaccines, there are currently no vaccines licensed for use in the United States that target the current HPAI strain. Additionally, USDA does not have authority to prescribe flock sizes or densities either through the Animal Health Protection Act or any other law or regulation.

USDA will continue to employ every available resource to combat the current HPAI outbreak and is committed to conducting further in-depth assessments to improve depopulation options at large poultry operations.

Sincerely,

Thomas J. Vilsack  
Secretary