

## TIME TO WAKE UP TO THE SERIOUSNESS OF BIRD FLU



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Sometimes I feel like the Trojan seer Laocoon, whose warnings of future calamity went unheeded. My previous posts on the spread of the H5N1 virus to dairy herds across America are no longer accurate, but only because the danger has grown.

When the avian influenza virus, commonly known as “bird flu,” first struck dairy cattle a year ago, some ranchers argued that it might affect a few isolated herds at most but eventually would dissipate. Instead, the virus has infected more than one thousand herds across sixteen states, as well as dozens of people (killing one).

Specifically, H5N1-Type A has been confirmed in dairy cattle in the following states:

- 720 herds in California
- 64 in Colorado
- 35 in Idaho
- 30 in Michigan
- 27 in Texas
- 13 each in Iowa and Utah

- 9 each in Minnesota and New Mexico
- 7 in South Dakota
- 4 in Kansas
- 2 in Oklahoma
- 1 each in Nevada, North Carolina, Ohio, and Wyoming

And the outbreak shows no signs of abating.

### **What's even more alarming?**

Reported reinfections of herds suggest that the H5N1 virus could circulate on farms indefinitely, mutating into more dangerous forms. One distinct possibility is that bird flu endemically circulates in dairy herds without symptoms, obscuring rapid or easy detection.

If a larger outbreak were to erupt, the federal vaccine stockpile currently holds a few million doses of vaccine against H5N1. However, those vaccines likely will need updating to match any evolved form of the virus. Alternatively, the Centers for Disease Control and Prevention has recommended treatment with the antiviral Tamiflu in the past. However, studies have shown that the drug does very little to ease illness.

Without prompt and effective countermeasures now, it is possible that if bird flu finds the right combination of genetic mutations, an outbreak could quickly escalate. Since January 2022, when the virus was detected in wild aquatic birds in the United States, it has affected more than 136 million commercial, backyard, and wild birds, helping to send egg prices soaring.

For at least the past year, H5N1 has been infecting dairy cattle, which were previously not known to be susceptible to this type of influenza. Aside from the significant dangers of the disease being passed on to humans in unpasteurized milk, in some cows, exposure to H5N1 has had lasting effects, such as reducing milk production and increasing the odds of spontaneous abortions.

The reality we face is that an escalation of infections would present a material threat to America's food supply and, as such, escalate into the realm of national security.

### **It doesn't stop with the food supply. Spreading plus mutation equals a potential pandemic.**

In December 2024, scientists reported the discovery of a single mutation that helped the virus infect human cells more efficiently. While that research was conducted in a controlled, laboratory environment, it underscores the possibilities that might be developing among infected herds across America.

Late last year, two people, a 13-year-old Canadian girl and a Louisiana resident over age 65, became seriously ill with bird flu. Both patients had contracted a new version of the avian influenza virus that is distinct from the one in dairy cattle and is now widespread in birds. In both individuals, the virus gained mutations during the course of infection that might allow it to better infect people.

## What's to be done?

The U.S. Department of Agriculture's [bulk milk testing program](#) began in December 2024. Private sector testing companies assist USDA in monitoring the nation's commercial milk supply for bacteria, antibiotics, and other substances and may be evaluated for expanding their services to include H5N1 assays on the screening list.

Earlier this month, the federal government approved \$306 million in new funding, about one-third of it for surveillance, testing, and outreach to farmworkers.

At the state level, agriculture agencies may also enhance efforts to work with in-state ranchers, farmers, and dairy operators to implement prophylactic measures to reduce the risk of bird flu infection.

The Indiana State Board of Animal Health website provides [detailed protocols and additional information](#).

To learn more about the spread of the H5N1 virus to dairy herds across America, contact the GrayRobinson national [Food Law Team](#) at 866.382.5132 or [foodlaw@gray-robinson.com](mailto:foodlaw@gray-robinson.com).

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