VAFAW

Veterinary Association for Farm Animal Welfare

Outside Witness Testimony

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Prepared For:	The United States House Committee on Appropriations Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies
Date:	23 May 2025
Re:	The United States Department of Agriculture Agriculture Appropriations Bill, Fiscal Year 2026

The Veterinary Association for Farm Animal Welfare (VAFAW) is a 501(c)(3) nonprofit organization dedicated to advocating for animals used in food and fiber production by providing a veterinary perspective grounded in animal welfare and ethics. On behalf of the veterinarians, veterinary students, veterinary technicians, academics, researchers, and advocates who are VAFAW members, **we write to express our strong support for including the following report language in the Agriculture Appropriations Bill, Fiscal Year 2026.**

> *Nitrogen-Based Depopulation Methods.—The Committee directs the USDA to continue to utilize available funds through the National Animal Disease Preparedness and Response Program to facilitate and invest in research and development of whole house gassing with nitrogen and high expansion nitrogen gas-filled foam as methods of large-scale poultry depopulation, particularly during animal disease emergency response events.*

Further, the Committee directs the Secretary to provide a report to the Committee within 90 days of enactment on the current utilization of nitrogen-based depopulation methods within the animal agriculture industry and barriers to widespread use of these methods during animal disease emergency response events.

VAFAW is concerned about the widespread use of depopulation methods that severely compromise animal welfare, particularly ventilation shutdown plus heat (VSD+), which is often employed as part of efforts to "stamp out" highly pathogenic avian influenza (HPAI).[1,2] As members of the subcommittee may know, VSD+ involves killing birds through hyperthermia, or heatstroke, by shutting down the ventilation in a poultry house, sealing it, and injecting heat or heat combined with humidity until temperatures reach as high as 130 degrees Fahrenheit.[3] Studies have shown that VSD+ causes severe, prolonged suffering before death by heatstroke occurs.[4,5] Frequently, VSD+ fails to kill every bird and a secondary depopulation method must be utilized.[6]

[1] APHIS. (2022). Highly Pathogenic Avian Influenza Response: Ventilation Shutdown Plus (+) Policy. USDA. https://www.aphis.usda.gov/sites/default/files/ventilationshutdownpolicy.pdf
[2] APHIS. (2024). 2022-2023 Highly Pathogenic Avian Influenza Outbreak. USDA. https://www.aphis.usda.gov/sites/default/files/hpai-2022-2023-summary-depop-analysis.pdf
[3] USDA. (2023). HPAI Monitoring Depopulation Report Lancaster [Pennsylvania] 10/003KHH3. Obtained by Animal Partisan via under the Pennsylvania Right to Know Law, 65 § 66.1.
[4] Reyes-Illg, G., Martin, J. E., Mani, I., Reynolds, J., & Kipperman, B. (2023). The rise of heatstroke as a method of depopulating pigs and poultry: Implications for the US veterinary profession. *Animals*, *13*(1), 140. https://doi.org/10.3390/ani13010140.
[5] United Kingdom Department for Environment, Food and Rural Affairs - Animal Welfare Committee. (2023). Advice on emergency culling for the depopulation of poultry affected by high pathogenic avian influenza (HPAI) – consideration of ventilation shutdown (VSD). https://www.gov.uk/government/publications/advice-on-emergency-culling-for-the-depopulation-of-poultry-affected-by-high-pathogenic-avian-influenza-hpai
[6] APHIS. (2024). 2022-2023 Highly Pathogenic Avian Influenza Outbreak. USDA. https://www.aphis.usda.gov/sites/default/files/hpai-2022-2023-summary-depop-analysis.pdf

In contrast, nitrogen-based depopulation methods are readily scalable and adaptable to a range of farm conditions and, when properly implemented, better protect animal welfare. These methods rapidly induce unconsciousness in animals without causing pain and with little to no distress.[7,8] Additionally, the use of higher welfare methods help protect veterinarians, farmers, and other responders from the negative psychological impacts of depopulating large numbers of animals. Liquid nitrogen is affordable, widely available throughout the United States, and can be extracted from the atmosphere.

In February 2025, VAFAW hosted a webinar about nitrogen-based depopulation methods, including nitrogen whole house gassing and high expansion nitrogen foam. This webinar, which was presented by a VAFAW board member who has decades of field experience using a range of depopulation methods, was recorded and is available for viewing here (www.VAFAW.org/webinars).

As the payer of indemnity payments to control the spread of HPAI, the federal government is appropriately positioned to advance effective, higher welfare methods of depopulation. Inclusion of the proposed report language demonstrates a commitment to innovation and protection of the taxpayer dollars used during animal-related emergency response events. VAFAW appreciates the subcommittee's leadership on this important issue, and we are happy to serve as a resource to members of Congress and their staff.

[7] United Kingdom Department for Environment, Food and Rural Affairs - Animal Welfare Committee (2024). Opinion on the Use of High Expansion Nitrogen Foam Delivery Systems for depopulation of poultry flocks affected by notifiable disease in the UK. https://www.gov.uk/government/publications/awc-opinion-on-high-expansion-nitrogen-foam-for-culling-poultry/awc-opinion-on-the-use-of-high-expansion-nitrogen-foam-for-culling-poultry

[8] McKeegan, D. E. F., McIntyre, J., Demmers, T. G. M., Wathes, C. M., & Jones, R. B. (2006). Behavioural responses of broiler chickens during acute exposure to gaseous stimulation. *Applied Animal Behaviour Science*, *99*(3), 271–286. https://doi.org/10.1016/j.applanim.2005.11.002