

**Testimony of  
Joe Sullivan, DVM, MPH  
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Herbruck's Poultry Ranch, Inc.  
Before the  
Senate Committee on Agriculture, Nutrition and Forestry  
"Growing Jobs and Economic Opportunity: 2023 Farm Bill Perspectives  
from Michigan"**

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Chairwoman Stabenow, Ranking Member Boozman and distinguished members of the Committee: Thank you for the opportunity to testify today. My name is Joe Sullivan. I am a veterinarian working for Herbruck's Poultry Ranch, Inc., a multi-generational family-owned farm with headquarters in Saranac.

The Herbruck family has been in the egg business for nearly a century. The fourth generation of the family is now learning the ropes and preparing to lead the farm in the future. Herbruck's is an operation that was established in 1958 and has grown to be the largest cage free egg producer in Michigan and the largest Organic producer in the USA. Herbrucks offers several specialty eggs such as Cage Free, Non-GMO, Organic, and Free Range. Herbruck's proudly embraces the complete organic cycle, from the eggs produced, to feed for the birds, and the fertilizer produced that is used to start the cycle over. All of this is done while keeping a strong emphasis and commitment to animal health, welfare, and food safety. Herbrucks has maintained the drive to "serve the bird," and in doing so there are several key components that contribute to make this effective. A key component to caring for the birds and providing a good egg is the feed. Aside from the 1,700 acres that Herbruck's farms, we are a large buyer of corn from our local community. 100% of our conventional and Non-GMO corn comes from within the state of Michigan, as well as nearly 90% of the organic corn. Herbruck's strives to prevent waste and utilizes all aspects of the farm, we offer multiple forms of organic fertilizer. As the birds go through the process to create the fertilizer, it is dried and removed on belts to improve air quality and animal health. All forms of fertilizer are dried within the chicken house and helps to minimize odor and pests making it a better environment for both bird and human. Herbruck's Poultry Ranch offers much more than a nutritious safe egg. The egg is part of a sustainable organic cycle that is derived from an animal raised with integrity, while being fed quality feed that was raised with the fertilizer created from the birds.

Nationwide, the U.S. egg industry accounts for 119,080 jobs and over \$6.6 billion in wages to families throughout the country, with a total economic impact of \$34.7 billion. Like all farmers, we are directly and indirectly affected by farm bills and the programs they enact. We appreciate the Committee's leadership in preparing for the 2023 farm bill through this and subsequent hearings.

We also appreciate the committee's past work. In a moment, I will discuss highly pathogenic avian influenza. The only reason farmers are able to be indemnified for this devastating disease is the past work of this Committee and your colleagues in the House of Representatives to enact and amend the

Animal Health Protection Act. In a similar way, the Agriculture Committee provided invaluable help to animal agriculture in the 2018 farm bill through the National Animal Disease Preparedness and Response Program. Thank you all for your leadership in support of the barnyard.

I would like to mention a few issues that are important to egg farmers. Some of these issues can be directly addressed in the farm bill. Others probably cannot be, but Senators could still help our industry through advocacy with the executive branch or your colleagues on other committees.

- **Highly Pathogenic Avian Influenza:** U.S. poultry farms are currently dealing with an outbreak of highly pathogenic avian influenza (HPAI) that has already affected some 24 million layers. We commend the Animal and Plant Health Inspection Service (APHIS) for its prompt response to this crisis. It is critical for APHIS to have access to Commodity Credit Corporation (CCC) funds without restriction, in order to pay indemnities and related costs. In this regard, Senators could help us by urging the Office of Management and Budget to promptly meet any APHIS requests for CCC funds. In addition, APHIS needs to review its indemnity calculations and make them more transparent. Currently, indemnity formulas do not adequately cover all production types, such as organic production.
- **Low-Pathogenic Avian Influenza:** Although HPAI is the immediate concern, our industry also undergoes periodic outbreaks of low-pathogenic avian influenza (LPAI). These diseases are less severe than HPAI, but LPAI viruses have the potential to mutate quickly into highly-pathogenic varieties, and have done so. LPAI outbreaks need to be stamped out quickly before mutation occurs. LPAI control is critical. In the 2023 farm bill, Congress should require the use of CCC funds to indemnify LPAI and cover related costs.
- In addition to HPAI, we are continuing to see emerging infectious diseases, like infectious coryza and egg drop syndrome virus, in areas that have not had these diseases before. We have new challenges to our flocks as the landscape of how we raise our birds changes. We need to ensure funding to our National Animal Health Laboratory Network (NAHLN) that provides crucial resources to prepare and prevent a crisis and brings together the federal government, states, industry, and universities to:
  - Provide rapid detection and response capabilities
  - Develop mitigation and stamp-out technologies including vaccines
  - Identify and support critical research needs
- **Organic Livestock and Poultry Practices Rule:** We are concerned about a proposed rule, now under review at the Office of Management and Budget, that may be issued soon. In 2017, the Organic Livestock and Poultry Practices (OLPP) was rescinded, which freed farmers to use the space they had to raise broilers, layers and turkeys.

This should NOT become a rule. Farmers have invested millions of dollars into legacy systems, which have in the past been explicitly allowed by the National Organic Program. Introducing a

new and restrictive regulation will cause further market disruption, and increase the costs to raise Certified Organic eggs, chicken and turkey.

Furthermore, the OLPP regulation falls contrary to current safety protocols and best practices for poultry in our current HPAI environment. The 2017 regulation, which set welfare standards for organic livestock, states that “enclosed porches do not satisfy the organic agriculture requirement to provide daily outdoor access for livestock.” The safest way to protect poultry from HPAI is to keep them indoors. Forcing birds outside will increase the potential spread of HPAI and result in flock depopulation.

If our goal is to increase consumer adoption of Organic proteins, it needs to be the policy of this committee and the USDA to reduce the regulatory environment, so that costs can be reduced, not increased. Simply put, American families cannot withstand the price hike or the market disruption that this rule will incur.

- **Truthful Labeling:** This issue is not primarily under the jurisdiction of this committee, but it is important to us and to others in animal agriculture. We increasingly see plant-based imitation eggs and egg products using the word “egg” in their product names and on-pack statements, in ways that may confuse consumers and make them think the imitation products are nutritionally equivalent – which they often are not. Congress should instruct the Food and Drug Administration to enforce its own regulations against plant-based egg imitation products, many of which are currently misbranded under the Federal Food, Drug and Cosmetics Act.
- **Agricultural Labor:** We have the same problems many other industries do in attracting and retaining workers. The problem is not only in production but in ancillary areas like trucking. Congress should finally come together and pass legislation that will ensure access to a reliable farm labor supply, including reforms to the H-2A guest worker program to make it year-round so it works for animal agriculture. We fully realize the challenges Congress faces in this contentious area, but as employers, we are challenged too – labor is in short supply, supply chains are still distorted by pandemic effects, and we need our elected leaders to cooperate in finding real solutions that work for farms, businesses and workers alike.

Again, thank you for the invitation to testify today. I will be happy to respond to any questions you may have.