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AVIAN INFLUENZA H9 VIRUS - USA EX SAUDI ARABIA, 1998 (ILLEGAL)

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Dangers cited in alleged scheme

Agricultural experts say the recent indictment of former executives at a Maine biological laboratory for allegedly mislabeling and smuggling poultry viruses into the United States highlights illegal practices that could have caused disaster for the poultry industry. And the practices may be more widespread than anyone knows, because they are not easily uncovered by authorities.

"I would speculate that there is more of this going on than we know about," said Dr. Don Hoenig, Maine's state veterinarian.

3 former executives from Maine Biological Laboratories in Winslow face federal charges, including conspiracy and mail fraud, for allegedly smuggling the virus that causes avian influenza into the country from Saudi Arabia. A Saudi customer wanted the lab to use the virus to secretly manufacture a vaccine so that Saudi authorities would not find out about an outbreak of the potentially devastating disease in one of its flocks, authorities allege.

In addition to the smuggling allegations, the executives are accused of altering expiration dates on vaccine labels and mislabeling batches of vaccine for overseas customers to help them avoid import costs. In some cases, batches were mislabeled because the customers did not have the proper licenses and permits. In other cases, customers asked that multiple batches of vaccine be labeled as a single batch.

"They had to pay a fee for each batch, and if they call it all one batch then they only have to pay the fee once," said Assistant U.S. Attorney Toby Dilworth.

More worrisome, agricultural experts say, are charges that the laboratory sometimes sent a different vaccine to a customer than the one that was ordered -- without changing the label -- "to increase sales and profits." Customers had no idea they were not getting the product they paid for, according to the indictment.

Substituting even a similar vaccine for the one actually purchased could have terrible repercussions on poultry farms because immunity to disease is so specific, said Dr. John A. Smith of the United States Animal Health Association. Smith is a Georgia veterinarian who chairs the association's Committee on Transmissible Diseases of Poultry and Other Avian Species. He is also on the poultry health committee of the National Chicken Council. "If somebody pulled a switch like that on me, it could have serious consequences for my birds, and I would be very disturbed," Smith said.

The alleged smuggling scheme dates to 1998 and resulted in USD 895 704 in sales for Maine Biological Laboratories, according to the indictments.

"The customer in Saudi Arabia believed that this virus was causing them significant economic losses," Dilworth said, "and they were willing to pay a premium for a vaccine to combat this disease."

The introduction of foreign viruses and other animal diseases into the United States is something agricultural producers worry about all the time, said Hoenig, the state veterinarian. In 1983, Hoenig worked the landmark outbreak of avian influenza in Pennsylvania that killed hundreds of thousands of birds and led to the destruction of 17 million other birds. In

2001, he spent a month in England helping to control an outbreak of foot-and-mouth disease.

"You see first-hand how much devastation a disease can cause, not only to an animal population but to a human population," he said. "Just the psychological impact on a community is devastating. I don't think anybody thought about that when they decided to illegally smuggle something in here."

Concerns have grown since the terrorist attacks on 11 Sep 2001 and the still-unsolved anthrax mailings that followed. With the recent discovery of mad cow disease in Washington state, Americans are coming to appreciate the dire economic impact an animal disease can have.

The alleged smuggling by the Maine laboratory occurred before 11 Sep 2001, and security has tightened since then. But Hoenig said it's probably still comparatively easy to smuggle something like an animal virus into the country because it isn't made of metal or connected with explosives.

Luckily, the strain of avian flu used in the alleged smuggling scheme was a milder subtype known as H9, experts said, and was not likely to cause major problems for Maine's USD 50-60 million poultry and egg industry if it escaped.

The story might have been different, however, if the smuggled material were made up of the more deadly H5 and H7 subtypes. The Pennsylvania outbreak was caused by H5, as is a current outbreak in South Korea that has so far spread to 14 farms and resulted in the slaughter of 1.2 million chickens and ducks.

"I'm awfully glad that they discovered what was happening" with the alleged smuggling scheme in Maine, Hoenig said. "The highly pathogenic form could be devastating to the poultry industry here. It has an extremely high mortality and acts very quickly, and spreads through a flock in a matter of days."

An outbreak of H5 or H7 also has import-export ramifications, said Smith, the Georgia veterinarian. "People find out you have it, they shut your trade off," he said.

Avian influenza is similar to the human flu and is one of the diseases most feared by poultry farmers. In milder cases, birds have nasal discharge, their food and water consumption drops, and they may stop producing eggs. In more serious cases, there may be severe nasal discharge, swelling of the comb and wattles, swollen eyes, diarrhea -- even sudden death.

The disease is worse in turkeys than in chickens, Smith said. "If you get one of these really hot H5 or H7 strains, it will get into a house of turkeys and let's say there are 10 000 turkeys in there. It will kill 9500 of them," he said.

After the Pennsylvania outbreak in the early 1980s, the disease cropped up in milder forms across the Northeast, particularly in association with live bird markets in New York City, New Jersey, and Boston. After a bird tested positive in a Boston market in 2002, the disease was traced to ducks at a Warren, Maine, farm. It was the first time avian flu was detected in commercial poultry in Maine.

Smith and Hoenig both said they have never heard of a similar case of smuggling avian flu.

"Vaccine companies will occasionally bend the rules and get in a little trouble with the regulator, but you don't often hear about outright malfeasance like this," Smith said.

Maine Biological Laboratories received the flu virus from its Saudi customer in July 1998. Details of exactly how the virus was allegedly smuggled into the country have not been made public. The company produced the illegal vaccine from May to September 1999, according to the indictments. Federal investigators 1st heard about the scheme from a tipster.

"This has been a long investigation," Dilworth said. "It started with a complaint brought to our office by the Commerce Department regarding shipments that really had nothing to do with Saudi Arabia. They were shipments that were unrelated. But as a result of that investigation, we uncovered other violations."

A sample of the same avian flu virus was also sent to a scientist at an academic laboratory somewhere in the United States. Dilworth would not identify the lab, but said it is not in Maine. "I can tell you we are investigating and we anticipate additional charges will be brought," he said.

The indictments charge that when the Maine laboratory executives learned the government was on to them, they tried to cover their tracks by deleting computer files, destroying records, and getting rid of vaccine still on site.

Smith said the false labeling charges are particularly troubling. "USDA, in my opinion, does a pretty good job of regulating our veterinary vaccines so that I as a practitioner can generally have pretty good confidence in

what I'm buying without worrying that it's dirty or adulterated, or it's been cut and it's cheap or not going to work," he said.

"I don't have to do a lot of testing myself because I've got confidence in the system," Smith said. "And when you hear about this kind of thing, it shakes your confidence in the system a little bit."

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[An H9N2 avian influenza virus is known to be present for the past several years in various Middle-Eastern countries. Though not an HPAI (Highly pathogenic avian influenza) virus strain, losses at times may be considerable. The main worry regarding this strain is its documented potential to infect humans, as reported in Hong Kong in 1999 and 2003. It has been postulated that shared gene constellations in avian influenza viruses H9N2 and H5N1 may confer the ability to cause infection and disease in humans (see ProMED-mail posting [20020106.3179](#)).

Besides the legal aspects, the epidemiological hazards of unauthorised introduction of the virus into a country seem to be mainly related to the risk of virus escape; the vaccines are inactivated. - Mod.AS]

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