

Background of avian flu:

Avian influenza is a viral infection that primarily affects bird species, including chickens and turkeys. Avian flu is highly contagious among birds. The virus can spread through direct contact with infected birds, as well as through contaminated environments, including water, feed, equipment, and clothing. Wild birds, especially migratory ones, often serve as reservoirs for the virus, facilitating its spread over large geographic areas.

40 million egg-laying hens have been killed because of avian flu:

Since the onset of the current outbreak in early 2022, more than 130 million birds have been killed across the United States, including roughly 40 million egg-laying hens. (source: [Reuters](#); [NBC](#), [Lansing MI](#)).

The egg industry is experiencing unprecedented shortages because of avian flu:

Since millions of egg-laying hens have been killed, significantly fewer birds are producing eggs for consumption. According to Brian Moscogiuri, Vice President of Eggs Unlimited (one of the world's largest suppliers of eggs), "Eggs right now are just going through an unprecedented supply shock due to the avian influenza virus." (source: [NBC Connecticut](#)) The American Egg Board noted that "At the same time the volume of eggs sold at retail has been up year-over-year for 21 consecutive months." (source: [American Egg Board](#)) So, demand, coupled with shortened supply, has caused prices to spike. Bernt Nelson, an economist at the American Farm Bureau Federation said, "Bird flu infections are by far the biggest factor impacting egg prices." (source: [CBS News](#))

Avian flu is driving egg prices, which is a national trend:

The substantial loss of egg-laying hens has led to a marked decrease in egg production nationwide, causing egg prices to surge. Egg producers and agriculture industry experts agree on the culprit of rising prices: avian flu. (source: [VailDaily.com](#)) Bernt Nelson, an economist at the American Farm Bureau Federation said, "Bird flu infections are by far the biggest factor impacting egg prices." (source: [CBS News](#))

Cage-free legislation isn't the cause for higher egg prices; the real culprit is avian flu

Several states have cage-free legislation similar to SB 806/HB 834, such as Colorado and Michigan. Those states' poultry industry and experts agree that it's avian flu driving egg prices, not cage-free legislation. Kate Greenberg, Colorado's commissioner of Agriculture, noted, "You may have seen egg shelves bare or purchase limits or prices very high right now with eggs. That is high path avian influenza having an impact on the marketplace, that is not the cage-free egg law. These just happened to coincide at the same time." (source: [VailDaily.com](#)) Bill Scebba, executive director of the Colorado Egg Producers, echoed these sentiments when he said: "Cage-free legislation has nothing to do with the shortage of eggs. Nada. They can't find eggs because there's a shortage of hens throughout the United States due to avian influenza." (source: [9news.com](#))

Nancy Barr, executive director for the Michigan Allied Poultry Industries, noted that cage-free legislation won't significantly impact prices. She said, "Will the egg prices go up because of our cage-free law? I don't think so. We already have enough cage-free supply for the state of Michigan." (source: [Detroit News](#)) Barr has also said, "Michigan's egg farmers have been working diligently for many years to reach full cage-free egg production to meet both changing customer needs and the pending state law in Michigan." (source: [The Blade](#))

Cage-free facilities do not lead to more outbreaks of avian flu:

It's been noted that avian flu is often passed from wild birds interacting with domesticated chickens (source: [PBS News](#)). However, Maryland's cage-free bill does *not* mandate outdoor access for egg-laying hens. The overwhelming majority of commercial cage-free hens live their entire lives indoors, meaning they wouldn't interact with wild birds, nor catch avian flu from them. **Moreover, according to the USDA, in 2025 thus far, 71% of avian flu outbreaks were in cage systems, whereas only 29% of outbreaks occurred in cage-free systems (source: [USDA](#))**

Maryland's cage-free egg bill has a farmer-friendly phase-in date

Since SB 806/HB 834 contains a multi-year phase-in period, it is highly unlikely that the country will still be experiencing an avian flu outbreak.