

TO: Assemblymember Ash Kalra
FROM: Jordan Stock
SUBJECT: Requiring Dairy Biosecurity Plan Submission to the CDPH for Zoonoses Mitigation
DATE: Spring 2026

Background

California leads the U.S. in milk production and dairy cow population, accounting for approximately 20 percent of the national milk supply.¹ Accordingly, California has over double the number of cows than the second most cow-populated state. However, 90 percent of California's dairy cows are in only 11 percent of the state's land area: the San Joaquin Valley. This high concentration makes the Valley particularly vulnerable to rapid disease spread, zoonosis, and human transmission.^{2,3}

The recent H5N1 outbreak infected over 70 percent of California dairies and resulted in up to 37 confirmed cases in dairy farmworkers (and one child case with an unknown transmission source), the latest in a long history of animal-to-human disease spread, it highlights an unsolved, recurring, and urgent zoonosis threat.^{4,5} While the worst of the H5N1 outbreak of 2024-2025 has passed, it is still being detected in California dairies (despite minimal reporting). This issue is still on farmers' minds.⁶

Typically, dairies are encouraged, but *not required*, to develop biosecurity plans to limit disease spread.^{7,8} If there is a declared outbreak, such as H5N1, any dairy that wants a moving permit, is required to have a biosecurity plan.⁹ Yet aside from being available upon agency request, plans always remain privately on-farm, significantly limiting transparency and accountability.^{10,11}

Biosecurity plans should be submitted to the California Department of Public Health (CDPH), regardless of outbreak status. Preemptive submission is optimal because it expands public transparency (and oversight) without adding a costly or time-intensive burden to resource-limited agencies. Because zoonotic diseases pose clear risks to farmworkers and surrounding communities, requiring dairies with moving permits to submit plans they already have is a low-cost, high-impact legislative change that will advance public health and minimize zoonosis risk.

¹ <https://www.statista.com/statistics/194962/top-10-us-states-by-number-of-milk-cows>

² <https://law.stanford.edu/2025/10/03/controlling-h5n1-in-california-dairies-student-policy-practicum-findings/>

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<https://www.statnews.com/2024/08/29/california-nations-largest-milk-producer-discloses-possible-bird-flu-outbreaks-in-three-dairy-cow-herds/>

⁴ <https://www.independent.co.uk/news/health/bird-flu-california-cows-symptoms-what-to-know-b2671910.html>

⁵ <https://www.cdc.gov/media/releases/2024/p1122-h5n1-bird-flu.html>

⁶ https://www.cdfa.ca.gov/AHFSS/Animal_Health/HPAI.html

⁷ <https://www.cdfa.ca.gov/AHFSS/SecureFoodSupply.html>

⁸ <https://www.cdc.gov/mmwr/volumes/74/wr/mm7408a1.htm>

⁹ <https://www.cdfa.ca.gov/AHFSS/SecureFoodSupply.html>

¹⁰ <https://www.cdfa.ca.gov/AHFSS/SecureFoodSupply.html>

¹¹ <https://www.cdc.gov/mmwr/volumes/74/wr/mm7408a1.htm>

Supporters and Opponents

Likely supporters include:

- **Farmworker community advocacy groups:** Workers face inadequate personal protective equipment (PPE), poor biosecurity protocol communication, and unsafe conditions.^{12,13} Additionally, many workers rely on informal sources, such as social media, for safety information.¹⁴
- **Public health experts:** Increased transparency improves outbreak detection and response. Notably, a current lawsuit by CRLA (California Rural Legal Assistance) against the CDFA (California Department of Food and Agriculture) is motivated by documented systemic under-reporting of the number of farms in quarantine during the H5N1 outbreak.¹⁵

Likely opponents include:

- **Dairy industry stakeholders:** These stakeholders range from large dairy operators to industry groups (like the California Milk Producers Council or Western United Dairies) to individual farm owners. Regardless of size, dairies may view this bill as a potential regulatory burden or liability exposures.
- **Agricultural trade groups:** These groups (such as California Farm Bureau Federation and the National Milk Producers Federation) generally prefer voluntary compliance over mandated reporting because it preserves operational flexibility and avoids setting precedents for stricter regulatory oversight or increased legal liability.

In response to such opponents' arguments, this policy proposal is crafted to minimize burdens on dairies and state agencies. The majority (if not, all) of large-scale dairies already have a designated biosecurity (or herd health) manager, and plans for outbreaks, this policy would merely require these plans to be submitted to CDPH online.¹⁶ Furthermore, there are several free services to support dairies in making plans including Cal/OSHA's Consultation Program and the California Department of Food and Agriculture's plan templates and guidance.^{17,18,19} Additionally, this policy only requires the *submission* of biosecurity plans to CDPH, and *not* the review by state officers, so governmental burden should be low. The main source of anticipated workload would be redacting Public Records Acts (PRA) requested biosecurity plans, but the likelihood of a large demand of PRAs is quite low.

¹² <https://sentientmedia.org/californias-avian-flu-safety-rules/>

¹³ https://law.stanford.edu/wp-content/uploads/2025/09/Final_Controlling-H5N1-in-California-Dairies.docx.pdf

¹⁴ https://clc.ucmerced.edu/sites/g/files/ufvvh626/f/page/documents/dairy_worker_brief_final_5.pdf

¹⁵ <https://crla.org/articles/advocates-sue-ca-department-food-and-agriculture-withholding-bird-flu-dairy-quarantine>

¹⁶ <https://www.dairyherd.com/news/dairy-production/wake-call-dairy-new-research-exposes-stagnant-biosecurity-efforts>

¹⁷ <https://www.dir.ca.gov/dosh/consultation.html>

¹⁸ https://www.cdfa.ca.gov/AHFSS/pdfs/ca_dairy_farm_enhanced_biosecurity_plan_manual.pdf

¹⁹ https://www.cdfa.ca.gov/forms/docs/AHB-76-220_CA_Dairy_Premises_Enhanced_Biosecurity_Plan_Template.pdf

Pros and Cons

Three substantial benefits stand out for this policy:

- **Improves transparency and accountability:** This strategy enables oversight from the public, worker protection groups, and watchdog organizations without requiring intensive enforcement capacity and bridges the existing enforcement gap.
- **Protects farmworkers and public health:** This policy compiles documentation of safety protocols, makes them accessible to a PRA request, with allowable redactions of sensitive information, and creates a basis for reporting violations. As a result, farmworkers and, by extension, the public, will be better protected by a reduced risk of zoonotic spillover and potential human-to-human mutation.
- **Low-cost policy:** By solely requiring submission of dairies' biosecurity plans without agency review, there will be minimal new state burdens as a result of enacting this policy.

However, some could argue that this policy is not worth the consequences, likely citing the following reasons:

- **Limited enforcement impact alone:** Since this recommendation focuses on the submissions of plans, and not biosecurity enforcement, compliance is not directly ensured.
- **Future administrative effort:** While such submissions do not require minimal initial effort for the CDPH, future administrative effort may prove greater to manage and appropriately redact documents in response to Public Records Act requests.

Recommendation

Amend Cal Health & Safety Code Section 120130, which requires the state department to establish and maintain an official list of reportable diseases and conditions, to include a requirement that all dairies with moving permits submit a digital copy of their biosecurity plans to CDPH within a year of permit issuance and submit any updates and revisions every 3 years or when (a) there is more than a 15 percent change in the number of animals being maintained, (b) the type of animals being farmed changes, or (c) there is a triggering incident, such as an outbreak.^{20,21} This amendment should also require the CDPH to house these biosecurity plans in an internal database and make them available upon PRA request with appropriate redactions.

²⁰ <https://codes.findlaw.com/ca/health-and-safety-code/hsc-sect-120130/>

²¹ https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0122.pdf