NOTE:
The Code Commission invites Member Countries to react to the following proposals of the ad hoc Group on avian influenza before the next General Session (10 May 2018) to inform the OIE Headquarters and assist them in drafting Terms of Reference of the next ad hoc Group which it was planning to hold in June or July 2018 so that the outcomes would be available for the September meeting of the Code Commission.

The Code Commission will consider the comments and outputs of the ad hoc Group (if there is a need) at its September 2018 meeting.

CHAPTER 10.4.
INFECTION WITH AVIAN INFLUENZA VIRUSES

Article 10.4.1.

General provisions

1) For the purposes of the Terrestrial Code, avian influenza is defined as an infection of poultry caused by any influenza A virus of the H5 or H7 subtypes or by any influenza A virus with an intravenous pathogenicity index (IVPI) greater than 1.2 (or as an alternative at least 75% mortality) as described below. These viruses are divided into high pathogenicity avian influenza viruses and low pathogenicity avian influenza viruses:

a) high pathogenicity avian influenza viruses have an IVPI in six-week-old chickens greater than 1.2 or, as an alternative, cause at least 75% mortality in four to eight-week-old chickens infected intravenously. H5 and H7 viruses which do not have an IVPI of greater than 1.2 or cause less than 75% mortality in an intravenous lethality test should be sequenced to determine whether multiple basic amino acids are present at the cleavage site of the haemagglutinin molecule (HA0); if the amino acid motif is similar to that observed for other high pathogenicity avian influenza isolates, the isolate being tested should be considered as high pathogenicity avian influenza virus;

b) low pathogenicity avian influenza viruses are all influenza A viruses of H5 and H7 subtypes that are not high pathogenicity avian influenza viruses.

The ad hoc Group's proposal

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<th>Definition of ‘AI’</th>
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<td>The Group acknowledged that ‘AI’ as defined in the AI chapter has broad implications for the sanitary measures applied by Member Countries, including disease notification, prevention and control of AI and trade conditions.</td>
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<td>It was therefore decided that the Group should address the following issues as particularly useful in its work to better define the definition of ‘AI’, as shown below:</td>
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<td>The Group agreed that LPAI should not be treated the same as HPAI in the Terrestrial Code, and there is a need to improve transparency of notifications of avian influenza while minimising unjustified trade restrictions arising from notification of strains of low pathogenicity.</td>
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<td>The Group carefully considered three different options as follows:</td>
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<td>(1) two separate chapters for HPAI and LPAI viruses;</td>
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<td>(2) maintaining the status quo but implement other initiatives that may address this issue (e.g., improved information-sharing, training and cooperation with the World Health Organization (WHO) to make sanitary measures employed proportional to the level of zoonotic risk of AI, etc.);</td>
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<td>(3) making a clear distinction between HPAI and LPAI in the same chapter. Defining AI</td>
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as HPAI for immediate notification and having a separate article or articles that highlight the need for LPAI surveillance, the possibility of mutation to HPAI, public health consequences, only six monthly reporting and the application of appropriate risk management measures in order to avoid unjustified barriers to trade.

After examining the three options, the Group noted that the first option was not practical and would not solve the challenge of striking a balance between the potential zoonotic risk of LPAI and the trade implications. With regard to the second option, there is an acceptance on the part of the majority of Member Countries that the status quo cannot be maintained.

The Group agreed to recommend the third option of separating LPAI and creating new articles in the same chapter dedicated to LPAI addressing the following key areas:

- the importance of surveillance;
- the need for proportional responses to the potential zoonotic risk of AI viruses;
- the possibility of including recommendation or requirements for Member Countries to only notify LPAI in six-monthly reports;
- and avoiding unjustified barriers to trade caused by notification of LPAI outbreaks.

The Group believed that this approach would provide Member Countries with a degree of certainty and flexibility as to how to apply sanitary measures against LPAI, while maintaining continuity and stability for the existing AI chapter.

2) The following defines the occurrence of infection with an avian influenza virus: the virus has been isolated and identified as such or specific viral ribonucleic acid has been detected in poultry or a product derived from poultry.

3) Poultry is defined as ‘all domesticated birds, including backyard poultry, used for the production of meat or eggs for consumption, for the production of other commercial products, for restocking supplies of game, or for breeding these categories of birds, as well as fighting cocks used for any purpose’.

Birds that are kept in captivity for any reason other than those reasons referred to in the preceding paragraph, including those that are kept for shows, races, exhibitions, competitions or for breeding or selling these categories of birds as well as pet birds, are not considered to be poultry.

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<td>The Group discussed the definition of ‘poultry’ and the reporting obligations of Member Countries, and revised the definition taking into account Member Countries’ requests to clarify the use of the term ‘backyard poultry’, specifically to exclude this sector of the population or redefine them in the AI chapter.</td>
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<td>The Group noted that the categories of birds listed in the definition of ‘poultry’ should have an epidemiological role in the spread of the disease. Based on the epidemiology of the disease, the Group discussed the definition of ‘poultry’ and the likelihood of spread of viruses rather than the likelihood of exposure in assessing the risks associated with all categories of birds listed in the AI chapter.</td>
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<td>With regard to the term ‘backyard poultry’, the Group noted that because backyard production systems vary between Member Countries, it was not possible to define a term that could be uniformly applied to all situations. The Group suggested that the words ‘including backyard poultry’ be removed from the definition as these were covered by ‘all domesticated birds’</td>
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### The ad hoc Group's proposal (contd)

In addition, given the much lower risk of transmission of viruses in these types of birds compared to commercially traded poultry, and the absence of any data to the contrary, the Group proposed that the category of birds that are used exclusively for self-consumption be removed from the definition of ‘poultry’ and proposed additional modifications to improve the clarity of the text.

The Group consequently proposed to revise point 3) of Article 10.4.1., deleting the words ‘including backyard poultry’ and inserting the words ‘except those birds used exclusively for self-consumption’ from the definition, to read:

3) **Poultry** is defined as ‘all domesticated birds, including backyard poultry, used for the production of meat or eggs for consumption except those birds used exclusively for self-consumption, for the production of other commercial products, for restocking supplies of game, or for breeding these categories of birds, as well as fighting cocks used for any purpose or all birds used for restocking supplies of game’;

Birds that are kept in captivity for any reason other than those reasons referred to in the preceding paragraph, including those that are kept for shows, races, exhibitions, competitions or for breeding or selling these categories of birds as well as pet birds, are not considered to be poultry.

### The Code Commission’s comments

The Code Commission considered the ad hoc Group proposed revised definition of poultry, it noted that the definition had been revised to take into account those categories of birds that could have an epidemiological role in the spread of the disease.

It further noted the difficulty of defining a term that covered backyard production systems that could be uniformly applied to all situations and that this was not only problematic for this disease.

The Code Commission still had some difficulty in understanding the meaning of self-consumption, how the birds are used, purchased, how their products are used but in principle supported the proposed revised definition. The Code Commission agreed with the definition proposed by the ad hoc Group.

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4) For the purposes of the Terrestrial Code, the incubation period for avian influenza shall be 21 days.

5) This chapter deals not only with the occurrence of clinical signs caused by avian influenza, but also with the presence of infection with avian influenza viruses in the absence of clinical signs.

6) Antibodies against H5 or H7 subtype, which have been detected in poultry and are not a consequence of vaccination, should be immediately investigated. In the case of isolated serological positive results, infection with avian influenza viruses may be ruled out on the basis of a thorough epidemiological and laboratory investigation that does not demonstrate further evidence of such an infection.

7) For the purposes of the Terrestrial Code, ‘avian influenza free establishment’ means an establishment in which the poultry have shown no evidence of infection with avian influenza viruses, based on surveillance in accordance with Articles 10.4.27. to 10.4.33.

8) Infection with influenza A viruses of high pathogenicity in birds other than poultry, including wild birds, should be notified according to Article 1.1.3. However, a Member Country should not impose bans on the trade in poultry and poultry commodities in response to such a notification, or other information on the presence of any influenza A virus in birds other than poultry, including wild birds.

9) Standards for diagnostic tests, including pathogenicity testing, are described in the Terrestrial Manual. Any vaccine used should comply with the standards described in the Terrestrial Manual.

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### The Code Commission’s comments

Invite Member Countries to provide scientific data or references to assist in the revision of the chapter or that might assist in resolving the issues highlighted in the ad hoc Group report.