Annex 5

The USA would like to commend WOAH for its essential work and thank the Code Commission for having taken into consideration USA comments on the Terrestrial Code submitted previously.

In addition, there are additional comments provided in the text (definition of *poultry*) below.

GLOSSARY

***~~meat-and-bone meal~~***

~~means the solid protein products obtained when animal tissues are rendered, and includes any intermediate protein product other than peptides of a molecular weight less than 10,000 daltons and amino-acids.~~

***poultry***

means all birds reared or kept in captivity for the production of any commercial animal products or for breeding for this purpose, and fighting cocks used for any purpose~~, and all birds used for restocking supplies of game or for breeding for this purpose, until they are released from captivity~~.

Birds that are kept in a single household, the products of which are used within the same household ~~exclusively~~, are not considered *poultry*, provided that they have no direct or indirect contact with *poultry* or *poultry* facilities.

Birds that are kept in captivity for other reasons, including those that are kept for shows, racing, exhibitions, zoological collections, ~~and~~ competitions ~~and companionship~~, pet birds, birds specifically raised for release, and for breeding or selling for these purposes, ~~as well as pet birds,~~ are not considered *poultry*, provided that they have no direct or indirect contact with *poultry* or *poultry* facilities.

**RATIONALE:** The inclusion of birds used for restocking supplies of game raised for release and those kept in a single household (also referred to a “backyard birds”), particularly those that may have limited sales – such as eggs, have unnecessarily interrupted international trade of commercial *poultry* and *poultry* products.

In February 2022, the TAHSC agreed “to consider a comment to clarify the Glossary definition for *poultry*, and whether “populations of pet birds kept and bred for selling to hobby holdings, backyard holdings or pet bird owners” in the current definition, could be considered as *poultry*, depending on the epidemiological situation of each event”.

The TAHSC noted that “the definition for *poultry* clearly states that pet birds are excluded, provided that they have no direct or indirect contact with *poultry* or *poultry* facilities. On the other hand, the Commission acknowledged that it was not clear whether populations of pet birds for breeding or selling are included or not in the definition. To address this point, the Commission agreed to amend the definition to make it clear that populations of pet birds for breeding or selling are excluded from the definition of *poultry*”.

The TAHSC “did not agree either with a comment that pet birds kept in a commercial operation for breeding or selling should be considered *poultry* due to its higher risk of virus transmission and the subsequent animal and public health risks. While acknowledging that there may be a disease spread risk, albeit not deemed high, from such bird populations, the Commission agreed that this was also the case for any other category of specific bird populations currently listed in the last paragraph of the Glossary definition”.

Utilizing the same rationale posed by the TAHSC above, and while acknowledging that there may be a similar disease spread risk, albeit not deemed high, from birds used for restocking supplies of game raised for release and those kept in a single household (also referred to a “backyard birds”), particularly those that may have limited sales – such as eggs, the USA agrees that this is also the case for any other category of specific bird populations currently listed in the last paragraph of the definition of *poultry* in the Glossary. Therefore, the following amendments should be made to the definition of *poultry*:

* birds used for restocking supplies of game should be deleted from the 1st paragraph and include in the 3rd (last) paragraph; and
* the term “exclusively” should be deleted from the 2nd paragraph

The USA appreciate the extensive effort by the Terrestrial Code Commission (TAHSC) and the corresponding Ad hoc Group on enhancements to the definition of *poultry* in the Glossary. Given the mounting scientific evidence (see references below) demonstrating that birds used for restocking supplies of game raised for release and those kept in a single household (also referred to a “backyard birds”), particularly those that may have limited sales – such as eggs, pose negligible risk to *poultry* or *poultry* facilities; therefore, **the USA urges WOAH to request that the Ad hoc Group further review the risk posed by these populations of birds and consider further amending of the definition of *poultry* prior to proposing it for adoption**.

References:

1) The role of backyard poultry flocks in the epidemic of highly pathogenic avian influenza virus (H7N7) in the Netherlands in 2003 - ScienceDirect.

2) The Pennsylvania/Virginia Experience in Eradication of Avian Influenza (H5N2) on JSTOR.

3) Role of Backyard Flocks in Transmission Dynamics of Highly Pathogenic Avian Influenza A(H5N8) Clade 2.3.4.4, France, 2016–2017 - PMC (nih.gov).

4) How backyard poultry flocks influence the effort required to curtail avian influenza epidemics in commercial poultry flocks – ScienceDirect.

***protein meal***

means any final or intermediate solid protein-containing product, obtained when animal tissues are rendered, excluding ~~: blood and blood products,~~ peptides of a molecular weight less than 10,000 daltons and amino-acids.

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