

ANNEX 1

EU POSITIONS AND COMMENTS

ON THE OIE TAHSC REPORT MAY 2010

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REPORT OF THE MEETING OF THE

OIE TERRESTRIAL ANIMAL HEALTH STANDARDS COMMISSION

Paris, 8–12 February 2010

EU general comment

The EU would like to thank and commend the TAHSC for this report, more detailed and explained, and suggests it could be even more, especially when Member comments are not taken into account, or when new modifications are made by the TAHSC, not according to Member comments.

The OIE Terrestrial Animal Health Standards Commission (hereinafter referred to as the Code Commission) met at the OIE Headquarters in Paris on 8–12 February 2010.

The members of the Code Commission are listed in [Annex I](#) and the agenda adopted is in [Annex II](#).

On behalf of Dr Bernard Vallat, Director General of the OIE, Dr Alex Thiermann, President of the Code Commission, welcomed members and thanked them for their ongoing work in support of the OIE.

Dr Thiermann also noted the heavy workload for this meeting, in part due to the fact that Members had provided extensive comments on several Chapters. Dr Thiermann reminded the Code Commission that they should focus on the texts to be proposed for adoption at the 78th General Session in May 2010 in the event that they were unable to deal with all agenda items in the time available for the meeting.

The Code Commission thanked the following Members for providing written comments: Argentina, Australia, Brazil, Canada, Chile, Chinese Taipei, the European Union (EU), Japan, New Zealand, Norway, People's Republic of China, Singapore, South Africa, Switzerland and the United States of America (USA). Comments were also received from the International Embryo Transfer Society (IETS), three regional organisations - the Comité Veterinario Permanente del CONOSUR (CVP), Comité Interamericano de Sanidad Avícola (CISA) and Organismo Internacional Regional de Sanidad Agropecuaria (OIRSA), the International Coalition for Farm Animal Welfare (ICFAW) and an industry organisation.

The Code Commission strongly encourages Members to participate in the development of the OIE's international standards by sending comments on this report. The Code Commission reiterates that it would be very helpful if comments were submitted as specific proposed text changes, supported by a scientific rationale. Members are requested **not to use the automatic 'track-change' function** provided by word processing software in preparation of their comments because such changes are easily lost during the editing of the working texts prior to each Code Commission meeting. The Commission also reminded Members that they should follow the established convention in recommending modification of text in the *Terrestrial Animal Health Code* (hereinafter referred to as the *Terrestrial Code*), i.e. propose new text (shown as double underline) and propose text deletions (shown as ~~strike-through~~) and provide a scientific justification for all changes proposed.

The Code Commission examined various draft texts of the *Terrestrial Code* in the light of comments received from Members, as well as comments outstanding from the previous Code Commission meeting. It also reviewed the reports of several *ad hoc* groups and of the Animal Production Food Safety Working Group (APFSWG).

The outcome of the Code Commission's work is presented as Annexes to this report. Amendments made to the *Terrestrial Code* Chapters and circulated to Members before the September 2009 meetings are shown as double underlined text, with deleted text in ~~strikeout~~. Amendments made at this meeting (February 2010) are shown in the same manner, with a coloured background to distinguish the two groups of amendments.

All Member comments were considered by the Code Commission. However, because of the very large volume of work, the Code Commission was not able to prepare a detailed explanation of the reasons for accepting or not accepting every proposal received. Members are reminded that if comments are resubmitted without modification or new justification, the Code Commission will not, as a rule, repeat previous explanations for decisions. The Code Commission encourages Members to refer to previous reports when preparing comments on longstanding issues

The texts presented in Part A of this report are proposed for adoption at the 78th OIE General Session. No chapters are provided for Member comment following this February meeting of the Code Commission. Relevant reports of meetings (working groups and *ad hoc* groups) are presented in Part B for Members' information.

Comments on this report must reach OIE Headquarters by **6 August 2010** in order to be considered at the next meeting of the Code Commission in September 2010. Comments should be sent to the International Trade Department at: trade.dept@oie.int.

A. MEETING WITH THE DIRECTOR GENERAL

Dr Vallat joined the Code Commission for a discussion of some of the strategic priorities in the future work of the OIE.

In regard to new strategic priorities defined in the 5th Strategic Plan, Dr Vallat stated that disease surveillance and reporting in wildlife is a particular priority. Referring to the work of the OIE Wildlife Working Group, Dr Vallat encouraged the Code Commission to prioritise the inclusion of a definition of wildlife into the *Terrestrial Code*.

Dr Vallat informed the Code Commission that the OIE is developing a procedure for the recognition of National Strategies for FMD control. An *ad hoc* Group will be convened under the Scientific Commission for Animal Diseases (SCAD) to elaborate rules and procedures for Members wishing to seek recognition of their national strategies, to encourage them to take steps towards the control and eradication of FMD in their territories.

The global control of rabies is another strategic priority for the OIE, working in partnership with the World Health Organization (WHO) and Food and Agriculture Organization of the United Nations (FAO). An *ad hoc* group will be convened under the SCAD to update the *Terrestrial Code* chapter on rabies and to recommend new strategies for the control of this important zoonotic disease with the objective of protecting public health and improving animal health and welfare. This work is to complement the existing standard on control of stray dog populations.

Dr Vallat informed the Code Commission that the OIE *ad hoc* Group on the Notification of Terrestrial Animal Disease/Pathogenic Agents will hold a meeting in early July to consider, *inter alia*, a request made by Australia, Canada, New Zealand and the United States, to review the criteria for disease listing. Dr Vallat asked SCAD and the Code Commission to review the recommendations of this *ad hoc* Group when the Commission meets in September.

Dr Vallat expressed his satisfaction with the excellent progress in the use of the OIE PVS Tool to help Members strengthen their capacity to meet OIE standards and asked the Code Commission to make a timely review of several new critical competencies (including one on animal welfare) proposed for inclusion in a 5th edition of the PVS Tool, which will be published in 2010.

Dr Vallat commended the new draft chapter on the welfare of animals used in research and education and encouraged the Code Commission to consider proposing it for adoption at the next General Session. Noting that the Veterinary Services are not always responsible for the health and welfare of laboratory animals, Dr Vallat advised that he saw a need to draw this new area of standard setting to the attention of Members, including by placing appropriate information on the OIE Internet Site.

Dr Vallat indicated that he saw it as important to maintain an appropriate approach in the OIE's standard setting work on animal welfare to encourage developing countries to implement the OIE standards. In this respect, he stated that the *Terrestrial Code* standards should continue to be based on indicators of animal welfare outcomes, rather than prescribing inputs with details (such as stocking densities or sizes of pens).

B. UPDATE ON REPORTS OF OTHER COMMISSIONS AND OTHER RELEVANT ACTIVITIES OF THE OIE

Update on reports of other Commissions; harmonisation with the Aquatic Code and other relevant activities of the OIE.

The Code Commission reviewed a draft 'Agreement on Confidentiality and Impartiality' destined for use by all OIE Commissions, working groups and *ad hoc* groups and provided comments to the International Trade Department.

The Code Commission noted the large volume of work on the agenda for this meeting. For this meeting, as for several previous meetings, it was not possible to address all items on the agenda. Accordingly, the Code Commission recommended to Dr Vallat that the spring meeting, like the autumn meeting, be scheduled to take place over a two-week period so that the Commission could satisfactorily address its work.

C. TEXTS SUBMITTED FOR ADOPTION

1. General comments including deleted chapters

The Code Commission received comments from Australia and Japan.

The Code Commission noted recommendations of Members to improve clarity and ease of reading of the Code Commission report and asked the International Trade Department to make whatever changes are feasible in line with Members' recommendations. The Code Commission agreed that the report and all annexes should be provided to Delegates as Microsoft Word documents.

The Code Commission also noted that by OIE convention the word 'should' is to be used throughout the *Terrestrial Code*, and asked the International Trade Department to check the entire *Terrestrial Code* and change 'must' to 'should' throughout.

In response to a Member's request for clarification about the legal status of OIE publications and other published information, the Code Commission once again advised that the texts in the democratically adopted publications, i.e. the *Terrestrial Code* and associated Manual, and the *Aquatic Animal Health Code* (*Aquatic Code*) and associated Manual, are considered as legally binding standards. Other information published by the OIE, which is not formally adopted by the World Assembly of OIE Delegates, regardless of whether it is called a standard, guideline or recommendation, is considered as advisory material.

EU general comment

The EU would like to call the attention of the OIE about the inappropriate use of the words "legally binding". If the OIE standards are the international reference and to be used as such, they cannot be used as laws or implemented directly when not transcribed in the Members' national legislation. Though clearly "binding" for those Members which are Parties to the WTO SPS Agreement, they have no "legal" power of enforcement. This discussion should continue within the OIE Council in order to make things as clear as possible for every Members and stakeholders.

The Code Commission noted that a Member and a regional organisation had requested the retention of Chapter 15.6. (teschovirus encephalomyelitis), which had been proposed for deletion. The Code Commission drew Members' attention to the explanation provided in the report of the September 2009 meeting, which is reproduced below:

Delisted diseases: the joint meeting [between the Director General and the Code Commission] discussed and agreed that all chapters and references to diseases no longer listed by the OIE should be removed from the Code. Relevant information on delisted diseases could be maintained in other locations (e.g. on the OIE Internet Site) but unless these were updated regularly they could become obsolete. However, Dr Vallat noted that references to delisted diseases could be maintained in the Manuals as Members could find this information useful and relevant.

The following disease chapters were proposed for deletion :

Chapter 11.4.	Bovine cysticercosis
Chapter 11.10.	Dermatophilosis
Chapter 12.4.	Epizootic lymphangitis
Chapter 12.12.	Horse mange
Chapter 12.13.	Horse pox
Chapter 15.2.	Atrophic rhinitis of swine
Chapter 15.6.	Teschovirus encephalomyelitis.

The deleted chapters are presented at [Annex III](#) of this report for adoption of the deletion.

EU position

The EU supports the deletion of the chapters 11.4, 11.10, 12.4, 12.12, 12.13, 15.2 and 15.6.

2. Glossary

The Code Commission received comments from Australia, Brazil, the EU, Japan, New Zealand, Norway and People's Republic of China, as well as the Aquatic Animal Health Standards Commission and OIRSA.

The Code Commission did not agree to create a definition for the term 'biosecurity' or to re-insert the definition of the term 'uncertainty' as it considered that adequate definitions are available in standard dictionaries, such as the Oxford English Dictionary.

A Member comment on the Spanish version of the *Terrestrial Code* was addressed by including definitions for both terms "manada" and "parvada" (meaning flock) in the glossary of the Spanish version.

Several Members' comments on the definition of the term 'quarantine station' were addressed by adding to Article 5.6. the sentence: 'The presence of disease or infection in imported animals in a quarantine station does not affect the animal health status of the country or zone.' The deleted text was moved to Chapter 5.6. ('Border Posts and Quarantine Stations').

Taking into account the definitions in the *Aquatic Code*, modifications were introduced to harmonise the two Codes.

The Code Commission simplified the definition of the term 'infected zone' in the Glossary and noted that this term may be defined more specifically in individual disease chapters, as appropriate.

Based on the recommendation of the *ad hoc* Group on Antimicrobial Resistance in Aquatic Animals, the definition of the term 'antimicrobial agent' was modified by adding the phrase 'at *in vivo* concentration', and with the objective of harmonising the approaches in the *Terrestrial Code* and *Aquatic Code*.

The revised texts are presented at [Annex IV](#) of this report for adoption.

EU position

The EU can support the adoption of the modified Glossary and Chapter 5.6, but would like its comments taken into account.

3. Criteria for listing diseases (Chapter 1.2.)

The Code Commission received comments from Australia, Canada, New Zealand and the United States.

The Code Commission discussed the proposal with the Director General. In addition, consequent to the adoption of Resolution N° XXIX at the 73rd General Session, the Code Commission proposed to modify Article 1.2.3., providing that any changes to the OIE List of diseases made at the General Session would come into effect on 1 January of the following year.

The revised text is presented at [Annex V](#) of this report for adoption.

EU position

The EU supports the adoption of the modified chapter.

4. Animal health surveillance (Chapter 1.4.)

The Code Commission received comments from Australia, Brazil, the EU, New Zealand, South Africa and OIRSA.

The Code Commission made some minor modifications to the text in response to Members' comments.

The proposed deletion of the definition of the term 'case definition' was maintained and the Commission noted that this term is explained more clearly in Article 1.4.3. point 2(e).

The revised text is presented at [Annex VI](#) of this report for adoption.

EU position

The EU supports the adoption of the modified chapter.

5. Surveillance for arthropod vectors of animal disease (Chapter 1.5.)

The Code Commission received comments from Australia, the EU, New Zealand and Switzerland.

The Code Commission accepted recommendations of a Member and modified Article 1.5.3. point 2 (Sampling Methods) accordingly.

The revised text is presented at [Annex VII](#) of this report for adoption.

EU position

The EU supports the adoption of the modified chapter.

6. Status for OIE listed diseases (Chapter 1.6.)

The Code Commission received comments from Australia, Brazil, the EU, New Zealand and Switzerland.

The Code Commission referred Members' comments received since September 2009 on the disease questionnaires to SCAD for consideration.

The revised text, as in September 2009, is presented at [Annex VIII](#) of this report for adoption.

EU position

The EU can support the adoption of the modified chapter.

7. Import risk analysis

a) Revision to Chapter 2.1.

The Code Commission received comments from the EU.

The revised text is presented at Annex IX of this report for adoption.

EU position

The EU supports the adoption of the modified chapter.

b) Final draft text of revised Volume 1 Import Risk Analysis Handbook

Dr Kahn informed the Code Commission of the very productive work of an *ad hoc* group that has completed a review and produced the manuscript for a second edition of the OIE Import Risk Analysis Handbook Volume 1 which will be published in 2010.

EU comment

The EU commends the OIE and its experts for this major achievement.

8. Evaluation of veterinary services

a) Revision of Chapter 3.1.

The Code Commission received comments from the EU and the USA.

The Code Commission made minor amendments to the text.

b) Revision of Chapter 3.2.

The Code Commission received comments from Australia, the EU, Switzerland and the USA.

The Code Commission made minor amendments to the text consistent with those made to Chapter 3.1. The Commission did not accept a Member's recommendation to make reference to auditing, as this is not consistent with the philosophy and approach of the OIE PVS procedures.

c) Report of the *ad hoc* Group in December 2009: new competencies in OIE PVS Tool

The Code Commission endorsed the proposed new critical competencies and noted the need to include specific references to animal welfare in Chapters 3.1. and 3.2. in the *Terrestrial Code*. Noting that the definition of Veterinary Services (VS) in the Glossary already identifies the implementation of the OIE animal welfare standards as a responsibility of VS, the Code Commission considered that the addition of appropriate references to Chapter 3.1. and Chapter 3.2. did not represent a significant change but that it was needed to highlight the direct linkage between the OIE PVS Tool and these chapters in the *Terrestrial Code*.

The Code Commission incorporated appropriate modifications to Chapters 3.1. and 3.2. for adoption by Members.

The report of the *ad hoc* Group is presented at Annex XXXVII in Part B of this report for information of Members.

d) OIE Veterinary Legislation initiative

Dr Kahn informed the Code Commission of the state of play of the OIE Veterinary Legislation initiative. Key elements of this initiative include:

- the provision of guidelines for Members on the OIE website (http://www.oie.int/eng/oie/organisation/A_Guidelines_Vet%20Leg.pdf);
- the convening of an *ad hoc* Group on Veterinary Legislation;

- the OIE Global Conference on Veterinary Legislation, to be held in Djerba (Tunisia) on 7–9 December 2010;
- the conduct of missions at the request of Members, following an OIE PVS Mission (see table below);
- the preparation of a Manual for experts working in veterinary legislation.

The Code Commission endorsed this work.

Legislation Missions – (As at 20 January 2010)

Region	Official requests	Missions completed
Africa	13	4
Americas	0	0
Asia/Pacific	3	3
Europe	2	1
Middle-East	4	1
Total	22	9

Official requests:

Africa (13): *Benin*, Burkina Faso, Congo (DR), Ethiopia, Gabon, *Guinea-Bissau*, *Madagascar*, Malawi, Mauritius, Nigeria, *Togo*, Uganda, Zambia

Asia/Pacific (3): *Bhutan*, *Cambodia*, *Vietnam*

Europe (2): Kazakhstan, *Kyrgyzstan*

Middle-East (4): Afghanistan, Kuwait, *Lebanon*, UAE

Italics: Completed missions

The revised texts are presented at [Annex X](#) of this report for adoption.

EU position

The EU can support the adoption of the modified chapter but strongly encourages the OIE to take into account its comments.

9. Design and implementation of systems to achieve animal traceability (Chapter 4.2.)

The Code Commission received comments from Australia, the EU and Norway.

The structure of Article 4.2.3. point 5 (c) was modified in line with Members' comments.

The revised text is presented at [Annex XI](#) of this report for adoption.

EU position

The EU can support the adoption of the modified chapter. The words defined in article 4.2.2 should not be in italics. There is one editorial error in article 4.2.3 point 5.c)iii.

10. Zoning and compartmentalisation (Chapters 4.3. and 4.4.)

a) Zoning and compartmentalisation (Chapter 4.3.)

The Code Commission received comments from Canada, the EU and the USA.

The Code Commission made minor modifications to Article 4.3.3. point 2 in response to Members' recommendations to improve clarity.

b) Application of compartmentalisation (Chapter 4.4.)

The Code Commission received comments from the EU, New Zealand and People's Republic of China.

The Code Commission modified Article 4.4.5. and Article 4.4.7. in response to a Member's recommendations to improve clarity.

A Member's request to include the sentence: 'Where appropriate, results should be confirmed by an OIE Reference Laboratory.' to Article 4.4.6. was not accepted as the Commission considered that such action is only applicable under some circumstances.

c) Update on ongoing projects

The Code Commission noted that OIE pilot projects on compartmentalisation for avian influenza and Newcastle disease are ongoing in two OIE Members.

The revised texts are presented at [Annex XII](#) of this report for adoption.

EU position

The EU supports the adoption of the modified chapters.

11. Semen and embryos (Chapters 4.5., 4.6., 4.7., 4.8. and 4.10.)

a) Collection and processing of bovine, small ruminant and porcine semen (new Chapter 4.6.)

The Code Commission received comments from Australia, Brazil, the EU, New Zealand, Norway, People's Republic of China and the USA.

Based on Members' comments, the Code Commission added "zone" after "country", where applicable, and used the term "trichomonas" throughout the Chapter.

In Article 4.6.2. point 1, the Code Commission did not accept Members' comments on bovine brucellosis, tuberculosis and bluetongue, because the comments were applicable only to countries and zones that are not free of the diseases in question.

The Code Commission also did not accept Members' recommendations to maintain certain requirements in Article 4.6.2. point 2, on the basis that, if disease freedom is defined in each disease chapter of the *Terrestrial Code*, it is not required to test individual animals entering semen collection facilities.

In Article 4.6.2. point 3, the Code Commission did not accept requests of Members to add requirements for animals originating from a country or zone that is not free of the diseases in question, because necessary measures had already been taken, under point 1, in pre-entry isolation facilities. The Code Commission did not accept a Member comment on bluetongue because this point is applicable only for country or zone that is not free of disease. The Code Commission considered that

BVD-MD positive semen should not be used even on vaccinated cows. Similar approaches were taken in the following articles for rams/bucks and boars.

The Code Commission did not accept Members' requests to add border disease to Article 4.6.3., since this is not an OIE listed disease. For the same reason, the Commission did not accept Members' requests to add teschovirus encephalomyelitis, porcine circovirus (type 2) or parvovirus (swine) to Article 4.6.4.

In Article 4.6.6., the Code Commission did not accept a Member comment because it considered that the artificial vagina should be changed each time it has been used.

b) General hygiene in semen collection and processing centres (new Chapter 4.5.)

The Code Commission received comments from Australia, the EU, New Zealand, People's Republic of China and Switzerland.

In accordance with Members' comments, the Code Commission modified Article 4.5.2. point 1 because some conditions were not applicable for horses.

The Code Commission modified Article 4.5.3. point 7 because it is important to clean the premises and the frequency should be decided on a case by case basis.

c) Collection and processing of *in vivo* derived embryos of livestock and horses (Chapter 4.7.)

The Code Commission received comments from Australia, the EU, New Zealand, Norway, People's Republic of China and the IETS.

The Code Commission will invite expert advice in relation to Article 4.7.5. and Article 4.7.6. on the testing of collection fluids and will consider this matter at its next meeting and if necessary make further revision to the text.

The Code Commission deleted pathogenic enterovirus encephalomyelitis from Article 4.7.10., because teschovirus encephalomyelitis is not an OIE listed disease. Article 4.7.14. was modified according to the advice of the IETS but the Code Commission decided to wait for further advice on bluetongue virus serotype 8 before making any changes in relation to this serotype.

d) Collection and processing of *in vitro* produced embryos/oocytes from livestock and horses (Chapter 4.8.)

The Code Commission received comments from Australia, the EU, Norway and advice from the IETS.

Based on IETS recommendations, the Code Commission accepted the inclusion of FMD, rinderpest and peste des petits ruminants (PPR) as diseases of concern and asked the IETS to continue to keep the matter under review.

e) Collection and processing of laboratory rodent and rabbit embryos/ova (Chapter 4.10.)

The Code Commission received comments from Australia and the EU.

The Code Commission considered that the frequency of inspection (in Article 4.10.2. point 8) should be decided on a case by case basis. In Article 4.10.5., the Code Commission included a reference to the disease agent to be tested, at a Member's suggestion.

The revised texts are presented at Annex XIII of this report for adoption.

EU position

The EU can support the adoption of the modified chapters.

However, concerning chapter 4.6, since the article 14.9.8 of the Chapter on Scrapie is not deleted, then the point 1.g) of article 4.6.3 should be reinstated.

Furthermore, the wording of article 4.7.14 concerning IETS categorisation should be modified to reflect that the IETS categorisation is actually endorsed by the OIE.

12. Disposal of dead animals (Chapter 4.12.)

The Code Commission received comments from Canada.

The Code Commission reviewed a proposal with a supporting scientific rationale for the addition of new text to Chapter 4.12. The Code Commission updated Article 4.12.6., taking into account a recent scientific publication:

Robert A. Somerville, Karen Fernie, Allister Smith, Randall Andrews, Erick Schmidt, David M. Taylor. (2009). Inactivation of a TSE Agent by a Novel Biorefinement System. *Process Biochemistry*, 44, (2009), 1060–1062.

The Code Commission welcomed this evidence confirming the effectiveness of a thermal hydrolysis system, in addition to incineration and alkaline hydrolysis, for the inactivation of prions.

The revised text is presented at [Annex XIV](#) of this report for adoption.

EU position

The EU could support the adoption of the modified chapter, only if article 4.12.6 point 10 is amended as follows:

- The words "but yields renewable energy from bio-methane and thermal energy, as well as mineral and protein end-products suitable as fertilizers for soil remediation and animal feed additives" should absolutely be deleted as they do not belong to the scope of the article and indicates further use of the result products which might lead to great confusion. This is the only case in the chapter where such use would be indicated;

- The word "prions" should be deleted. Prions are not per se pathogens.

Moreover, the opinion of the Scientific Steering Committee of the European Commission of 10/11 April 2003, which reviewed the capacity of this process to mitigate risks to public and animal health, states that the pressure should be of 12 bars; the EU wishes that the OIE reviews this data in order to possibly further amend the article 4.12.6.

13. General obligations related to certification (Chapters 5.1. and 5.2.)

The Code Commission received comments from the EU, Norway and OIRSA.

The Code Commission modified Article 5.1.1. to clarify that the veterinarian is responsible for signing certificates, consistent with Chapter 5.2.

The Code Commission reviewed Member comments and modified the text as appropriate.

The revised texts are presented at [Annex XV](#) of this report for adoption.

EU position

The EU supports the adoption of the modified chapters.

14. Control of hazards of animal health and public health importance in animal feed (Chapter 6.3.)

The Code Commission received comments from the EU, New Zealand and the APFSWG.

The Code Commission modified the definition of the term 'contamination' by adding the word 'unwanted'. Some other minor changes were made for improved clarity.

The Code Commission agreed in principle with the recommendations of the APFSWG and undertook to address these points at its next meeting.

The Code Commission reviewed Member comments and modified the text as appropriate.

The revised text is presented at Annex XVI of this report for adoption.

<p>EU position</p>

<p>The EU can support the adoption of the modified chapter.</p>
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15. Salmonellosis

a) Biosecurity procedures in poultry production (revised Chapter 6.4.)

The Code Commission received comments from Argentina, Brazil, Canada, the EU, New Zealand, South Africa, the USA, OIRSA and CISA.

The Code Commission noted that the *ad hoc* Group will hold a further meeting to review Member comments on this chapter.

b) Prevention, detection and control of *Salmonella* in poultry (Chapter 6.5.) and *Salmonella* Enteritidis and *Salmonella* Typhimurium in poultry (Chapter 6.6.)

The Code Commission received comments from Argentina, Brazil, Canada, Chinese Taipei, the EU, New Zealand, South Africa, Switzerland, USA and CISA.

The Code Commission did not accept several comments calling for rather prescriptive provisions as this was deemed not to be in accord with the general approach taken in this chapter at the request of Members.

Furthermore, the Code Commission advised that several comments warning against the use of antimicrobials in poultry had been noted but no text changes made because the issue has been thoroughly considered and discussed and the current text was considered to be accurate and appropriate. The OIE standards on prudent use of antimicrobials should also be considered when prescribing antimicrobials for use in poultry.

The Code Commission reviewed a comment from a Member recommending that the term 'serotype' be replaced by 'serovar'. As the term 'serotype' is used throughout the *Terrestrial Code*, and international usage does not clearly favour one term over the other, the Code Commission did not adopt this change.

Based on the advice of an expert member of the *ad hoc* Group on Salmonellosis, the Code Commission did not accept a Member's recommendation to align the terms 'microbiological testing', 'bacteriological monitoring' and 'bacteriological examination'.

The Code Commission accepted a recommendation from a Member on the referencing of Codex Alimentarius Commission (CAC) standards in the *Terrestrial Code* and asked the International Trade Department to take the same steps throughout the *Terrestrial Code*.

The Code Commission modified Article 6.5.4. to clarify the text in accordance with Members' recommendations. In response to a request for clarification from a Member, the Code Commission advised that the purpose of the testing specified in this article is to facilitate the implementation of a culling policy.

The Code Commission considered Members' recommendations to specify a minimum period for testing hatcheries but did not modify the text as most Members commenting have opposed prescriptive requirements in favour of more general recommendations.

Article 6.5.5. was modified to address the issue of cross reactions in tests for *Salmonella Pullorum* and *S. Gallinarum* as a potential consequence of vaccination for *S. Enteritidis*.

The Code Commission accepted Members' comments and added text on the role of the veterinarian in Article 6.5.5. point 8.

The Code Commission discussed at length the comments of Members and an organisation, regarding the use of the word 'establishment' or 'flock' in Article 6.5.7. point 2, Article 6.5.8. point 3 and Article 6.5.9. point 2. Multiple flocks are frequently kept at a single establishment. However, in the absence of appropriate biosecurity provisions on the establishment, it cannot be assumed that the *Salmonella* infection status of different flocks within the same establishment will differ. Accordingly, the Code Commission decided not to modify the text as proposed.

The Code Commission asked the *ad hoc* Group on Salmonellosis to address this issue in the revision of Chapter 6.4. by clarifying the intended use of establishment and flock in this chapter.

The revised texts are presented at Annex XVII of this report for adoption.

EU position

The EU supports the adoption of the modified chapter.

16. Introduction to the recommendations for controlling antimicrobial resistance (Chapter 6.7.)

The Code Commission received comments from the EU.

The Code Commission modified Article 6.7.1. according to Members' comments.

The revised text is presented at Annex XVIII of this report for adoption.

EU position

The EU supports the adoption of the modified chapter but would suggest replacing the words "treating, controlling and preventing" by the words "treating and controlling" in article 6.7.1 paragraph 2, as preventive use of antimicrobials seems contradictory to the objectives of this chapter.

The EU also strongly encourages the OIE to continue its collaboration with the Codex alimentarius Commission in the field of antimicrobial resistance. It reiterates its former comment regarding the last sentence of the third paragraph that should read: "Arising from its mandate for the protection of animal health and food safety, and in synergy with activities of the Codex Alimentarius Commission, the OIE developed these chapters to provide guidance to Members in regard to risks in the animal sector."

17. Animal welfare

a) Use of animals in research and education (new chapter for adoption)

The Code Commission received comments from Australia, Canada, the EU, Japan, New Zealand, Norway, the USA and the ICFAW.

The Code Commission reviewed the revised draft chapter and noted, with appreciation, the work of the *ad hoc* Group on the Use of Animals in Research and Education, which held two teleconferences to address Member comments on the September 2009 report of the Code Commission and had provided a consolidated text addressing all comments for consideration by the Commission.

The Code Commission made several changes aimed at reducing the number of definitions and bringing the text into line with the format of the *Terrestrial Code*. The text on the international tenet, the 'three Rs', was removed from the definitions and placed in a new article, as the Code Commission felt that this was more appropriate.

The Code Commission supported the proposed definition of the term 'euthanasia' and noted that, if this definition was approved by the General Assembly, it should be included in the Glossary, as the term is also used in Chapter 7.7. (and defined differently) The Code Commission invited Members to comment on which of the two definitions should be used in future in the *Terrestrial Code* Glossary.

The Code Commission agreed that the revised draft chapter should be presented to Delegates for adoption in May 2010.

EU position

The EU notes with appreciation that the majority of the previously submitted comments have been taken into account in the latest draft of the text.

However, the EU can support the adoption of the draft chapter only if the word 'vertebrate', which was inserted in this latest version, is removed from Article 7.X.3.

In view of future improvements of the Chapter, further comments are presented within the text. Finally, the EU would like to reiterate its earlier comment concerning species covered under the Aquatic Code; animals used in research and education would commonly include vertebrates such as fish and amphibians. The EU encourages the OIE to consider these issues also within the framework of the Aquatic Code.

The revised texts are presented at [Annex XIX](#) of this report for adoption.

b) Update on poultry in Chapters 7.3. – 7.6.

The Code Commission received comments from Australia, Brazil, Canada, the EU, New Zealand, People's Republic of China, Switzerland and the USA.

The Code Commission reviewed the updated chapters and noted, with appreciation, the work done by the OIE Animal Welfare Working Group (AWWG), which held a teleconference to address Members' comments just prior to this Code Commission meeting.

The Code Commission amended several articles as proposed by the AWWG and referred some Members' comments to the AWWG for consideration of the meeting to be held on 23–25 June 2010.

EU position

The EU acknowledges the work carried out by OIE to address specific requirements for the welfare of poultry in Chapters 7.3-7.6 and supports their adoption.

In view of future improvements of the Chapters, further comments are presented within the text.

The revised texts are presented at [Annex XIX](#) of this report for adoption.

c) Stray dog population control (Chapter 7.7.)

The Code Commission received comments from the EU, Singapore and the USA.

The Code Commission considered the comments of Members and made some modifications to Chapter 7.7.

In regard to a Member's recommendation that the OIE address the problem of feral cats in this chapter, the Code Commission agreed that the priority of the issue should be determined by the OIE and that if cats are to be addressed, this should be done in a separate chapter. The Code Commission asked the AWWG to advise on the best approach to develop appropriate recommendations.

EU position

The EU supports the adoption of the modified chapter.

The EU strongly encourages OIE to consider at the adoption a previous specific comment which is reiterated within the text, given its importance to the EU. Moreover additional comments are presented within the text in view of further improvement and revision of the chapter.

The revised texts are presented at Annex XIX of this report for adoption.

d) Draft new chapters on animal welfare and (1) broiler chicken production systems; (2) beef cattle production systems

The Code Commission received comments from Argentina, Canada, Chile, the EU, Japan, New Zealand, Switzerland, the USA, ICFAW and CISA.

In view of the extensive comments provided by Members, the Code Commission recommended that the two *ad hoc* groups revise both chapters; if possible, before the next meeting of the AWWG, to be held on 23–25 June 2010. The Code Commission undertook to review the revised texts at its September 2010 meeting.

18. Anthrax (Chapter 8.1.)

The Code Commission received comments from Australia, Canada, the EU, New Zealand, South Africa, Switzerland, the USA, IETS and an industry association.

In response to a request from a Member, the Code Commission inserted into Article 8.1.7. recommendations for milk originating from herds in which a case of anthrax has occurred within the past 20 days. The requirement for rapid cooling and pasteurisation reflects the recommendations in the latest edition of the guidelines endorsed by WHO, FAO and OIE (Turnbull & Cosivi, 2008). These guidelines recommend the measures that need to be taken for herds and flocks affected by anthrax. There is an extremely low probability that vegetative forms of *Bacillus anthracis* will be shed into milk by an infected animal. Further, if shedding were to occur, the vegetative forms would be unable to sporulate in milk because of minimal aeration. The recommended rapid cooling provides an additional safeguard. The vegetative forms of *B. anthracis* die in milk and are readily killed by pasteurisation. The Code Commission noted the following:

- Milk is not considered a vehicle of natural *B. anthracis* infections (Perdue, Karns, Higgins & Kessel 2003 cited in SA Xu, Labuza and Diez Gonzalez 2006).
- Anthrax bacilli can be detected in the milk of cows only at the point of, and after, death (M'Fadyean 1909, cited in Animal Health Australia 2005).
- Vegetative bacilli die in milk over a period of 24 hours at 5–9°C, and faster at higher temperatures (Bowen and Turnbull 1992, cited in Animal Health Australia 2005).
- Pasteurisation at 63°C for 30 min, or 72°C for 15 seconds, kills vegetative *B. anthracis* cells at a concentration of 4 log CFU/ml (Perdue, Karns, Higgins & Kessel 2003 cited in SA Xu, Labuza & Diez Gonzalez 2006).

- There are no records in the scientific literature of anthrax being transmitted to humans through the consumption of milk or milk products (MFadyean 1909, Steele and Helvig 1953, Chin 2000, cited in Animal Health Australia 2005).

References

Animal Health Australia. (2005). Disease strategy: Anthrax (Version 3.2). Australian Veterinary Emergency Plan (AUSVETPLAN), Edition 3, Primary Industries Ministerial Council, Canberra, ACT.

Turnbull P. & Cosivi O. (2008). Anthrax in humans and animals, 4th Edition, WHO/FAO/OIE.

Xu S., Labuza T.P. & Diez-Gonzalez F. (2006). Thermal inactivation of *Bacillus anthracis* in cow's milk. *Applied and Environmental Microbiology*, Vol 72, n°

6, 4479–4483.

A Member and an industry association argued that the time/temperature provisions in Article 8.1.10. are excessive. However, although laboratory data were presented supporting this argument, no data from trials of industrial-scale processes were provided. The Code Commission noted that the process described in Article 8.1.10. is a well established method for the inactivation of anthrax spores in meat and bone meal. The time/temperature provisions in this article have been used in some European countries to control risks associated with anthrax since 1939¹. The adoption of these provisions historically was not due to concerns about scrapie but, rather, to inactivate the heat-resistant spores of anthrax. The origin of these sterilization rules is described as “purely empirical”. Accordingly, the Code Commission did not accept the proposed modification of the time/temperature provisions.

A recommendation from a Member to make provision for the use of irradiation to inactivate *B. anthracis* spores was noted and the Member invited to provide specific recommendation on an appropriate dosage and a scientific rationale to support consideration of this proposal.

The Code Commission accepted a recommendation from a Member that reference to the use of quicklime to inactivate *B. anthracis* spores should be removed because a recent scientific reference has demonstrated that this method is counterproductive and modified Article 8.10.12. accordingly.

A comment of Members questioning the need for Article 8.10.14., as the content was not related to trade, was not accepted by the Code Commission, which pointed out that the OIE sets standards and makes recommendations with respect to listed diseases in response to the requests of Members. Chapter 8.10. had been expanded in response to concerns about the possible use of *B. anthracis* as a bioterrorism agent and the Code Commission considered that the recommendations were still relevant.

The revised text is presented at [Annex XX](#) of this report for adoption.

EU position

The EU can support the adoption of the modified chapter.

However, there are in this chapter some control measures, such as disinfection and other inactivation procedures, which are not related to a status or to trade: the EU would suggest either to have a separate chapter on general disinfection procedures in the Volume 1 of the Code (or in a specific handbook separate from the Code and dedicated to control measures) and delete the reference to disinfection here, and/or have a clearly separate part in this chapter for inactivation procedures as is done for FMD and other diseases. If it is left as it is, it should not be a precedent for other diseases.

¹ Oberthür R.C., Müller H. & Riesner D. (2007). Thermal inactivation of prions. In Hörnlimann B, Riesner D, Kretschmar H (2007). Prions in Humans and Animals. De Gruyter, Berlin, 515–525.

Moreover, there is an inconsistency regarding the commodity "hair": unlike article 8.1.6 on wool, article 8.1.5 does not provide for an alternative for treatment of hair, while article 8.1.11 provides for procedures for treatment of wool and hair.

19. Aujeszky's disease (Chapter 8.2.)

The Code Commission received comments from the EU and the USA.

The Code Commission accepted a Member's recommendation and reworded Article 8.2.1. bis for clarity.

In response to Members proposing to incorporate provisions for the use of gene deleted ('marker') vaccines in Aujeszky's disease free countries or zones, the Code Commission recommended that the revised chapter be adopted without addressing this issue and that the chapter should be scheduled for revision to address the issue of marker vaccines within the next 12 months.

The revised text is presented at [Annex XXI](#) of this report for adoption.

EU position

The EU can support the adoption of the modified chapter.

However, the EU would like to point out some inconsistencies and would suggest reviewing and restructuring the chapter and asks the OIE to consider EU's comments in doing so.

20. Bluetongue (Chapter 8.3.)

The Code Commission received comments from Australia, the EU, New Zealand, Norway, People's Republic of China, Switzerland and the IETS.

The Code Commission accepted Member comments calling for the deletion of text referring to the geographic distribution of bluetongue in Article 8.3.3.

The Code Commission accepted Members' recommendations to delete the reference to culicoides 'likely to be competent vectors' and modified the whole chapter accordingly.

Members' concerns about the appropriate means to make an establishment 'insect proof' were referred to the SCAD for advice with a view to the possible development of additional text in Article 8.3.8.

A Member comment about inconsistency in the recommendations on *in vivo* derived bovine embryos was not accepted because the relevant text was modified in Chapter 4.7. (*In vivo* derived embryos).

Article 8.3.16 was modified in response to a Member comment on conducting surveillance in wild ruminants. The Code Commission noted that specific recommendations on disease surveillance for wildlife were to be developed by the OIE Wildlife Working Group.

The Code Commission noted a request from a Member for more guidance on the use of sentinel animals and vector surveillance. However, there is already detailed information on this point in Article 8.3.19. The Code Commission invited the Member to clarify the question so that specific advice could be developed.

The revised text is presented at [Annex XXII](#) of this report for adoption.

EU position

The EU supports the adoption of the modified chapter.

21. Foot and mouth disease (Chapter 8.5.)

The Code Commission received comments from Argentina, Australia, Brazil, Canada, Chile, the EU, Japan, New Zealand, People's Republic of China, South Africa and Switzerland, as well as the CVP and OIRSA.

In response to Members' concerns about the inclusion of the compartmentalisation concept in Chapter 8.5, the Code Commission noted that the OIE is taking steps to encourage national disease control and eradication by developing a new procedure for official recognition of national FMD eradication strategies. This matter will be further considered in light of advice from the *ad hoc* Group on FMD and recommendations of the SCAD.

In response to a Member's request for the development of an official checklist on biosecurity provisions for FMD free compartments, the Code Commission considered that the development of a checklist for posting on the OIE website (as done for avian influenza and Newcastle disease) could be helpful but that placing this guidance in the *Terrestrial Code* would not be appropriate. The Code Commission noted that such checklist should be developed with input of experts involved in the practical implementation of the concept in the field.

A Member's recommendation to nominate '2-14 days' as the incubation period for FMD was not accepted because, by OIE convention, the *Terrestrial Code* advises the highest value in the range for the incubation period.

The Code Commission accepted a comment of a Member proposing that Article 8.5.3. be modified to specify that the vaccines used should be appropriate to the strains of virus circulating in the country or zone.

Article 8.5.4. was modified for clarification, at the suggestion of a Member.

The Code Commission modified Article 8.5.5 bis in accordance with Members' recommendations that a compartment should be first approved in a zone where FMD is controlled and that the compartment should be approved by the Veterinary Authority. The Code Commission clarified, in response to a Member comment, that a protection zone is not relevant to Article 8.5.5 bis.

The Code Commission reviewed a comment from a Member and from the CVP regarding proposed modifications to Article 8.5.7. The Commission noted that the proposed modification ('the application of stamping out or another effective control strategy') had been discussed at the March 2008 meeting of the Code Commission. At that meeting, the Code Commission had stated:

"While alternative strategies to stamping out were considered acceptable in the General Guidelines (and this text was therefore maintained in Article 1.3.5.3.), the Code Commission agreed that for FMD the requirements to be applied in a containment zone should be no less stringent than those applied to the recovery of free status in the country or zone."

The Code Commission reiterated this advice. The essential characteristics of a containment zone are that it is as small as possible and that the disease outbreak is dealt with as quickly as possible (within two incubation periods). Under practical conditions, this would normally require the application of a stamping out policy.

The Code Commission discussed the comment of a Member on Article 8.5.9., regarding the direct transfer for slaughter of animals susceptible to FMD from an infected zone or a containment zone to a free country or zone, and decided to create a new Article 8.5.9. bis to clarify the requirements.

In reply to Members' comments, the Code Commission did not agree to amalgamate Articles 8.5.21. and Article 8.5.22. as the provisions are not identical. However, recognising inconsistencies in Articles 8.5.20, 8.5.21 and 8.5.22 and noting the absence of a list of safe commodities in Chapter 8.5, the Code Commission undertook to work with the SCAD to develop harmonised text that will help to facilitate trade, based on the concept of safe trade in animal products ('commodities').

In response to a Member's request, the Code Commission requested that SCAD provide specific references on the inactivation of FMD virus in bovine casings.

The Code Commission made minor modifications to Article 8.5.39., in response to a Member comments and referred to SCAD Members' comments on Article 8.5.44., with a request for improved text dealing with the fact that effective immunisation, rather than the administration of vaccine, is the critical issue.

The Code Commission made minor modifications to Article 8.5.46, in response to a Member comment regarding clarification on the number of animals with antibodies to non structural proteins (NSP) at retesting and referred some Members' comments regarding the interpretation of results to tests for NSP to SCAD for advice.

The revised text is presented at [Annex XXIII](#) of this report for adoption.

EU position

The EU supports the adoption of the modified chapter, and is ready to participate in the OIE future work on FMD, especially on the approved official control programmes.

It will also be very keen on scrutinising any practical examples of compartmentalisation and urges the OIE to produce detailed check lists to help Members, while reminding that bilateral arrangements need to be established in order for a compartment to trade. Indeed, only on very specific conditions, to be assessed in detail, might such compartments be approved as posing no risk regarding FMD.

22. Rift Valley fever (Chapter 8.11.)

The Code Commission received comments from the EU.

The revised text, as in September 2009, is presented at [Annex XXIV](#) of this report for adoption.

EU position

The EU supports the adoption of the modified chapter.

23. West Nile fever (Chapter 8.16.)

The Code Commission received comments from the EU, New Zealand, People's Republic of China, Switzerland and the USA.

The proposals of a Member to (1) expand the list of susceptible species and to (2) exclude equine products from the list of safe commodities were not accepted but the Code Commission invited the Member to submit relevant scientific data.

In response to a Member's recommendations, Article 8.16.6. point 3 was modified for consistency with points 1 and 2. Several minor modifications were made to improve the clarity of the text.

The revised text is presented at [Annex XXV](#) of this report for adoption.

EU position

The EU supports the adoption of the modified chapter.

24. Avian influenza (Chapter 10.4.)

The Code Commission received comments from Canada, Chile, the EU, Japan, People's Republic of China, South Africa, Switzerland, the USA and CISA.

A recommendation from an organisation that birds in the parent flock should be tested for notifiable avian influenza (NAI) 21 (instead of 7) days prior to the collection of eggs was not accepted as no scientific rationale was provided for this proposal.

In response to a Member's question regarding the need to sanitize surfaces of eggs imports from areas that are free from highly pathogenic notifiable avian influenza (HPNAI) but not from NAI free areas, the Code Commission explained that there is no risk of exposure to avian influenza in an area that is NAI free.

In response to a Member's question on Article 10.4.20., the Code Commission explained that there was no difference in risk between poultry meat from an NAI free and HPNAI free area and therefore the conditions should be the same. However, small changes were made for clarity.

The Code Commission removed the word 'meat' from the term 'poultry meat meal' in Articles 10.4.22. and 10.4.25., because the commodity is manufactured from a range of poultry tissues, not all of which are classified as 'meat'.

The word 'core' was added before 'temperature' in Articles 10.4.26. and 10.4.27. in response to Members' comments.

In response to Members' requests for the scientific basis for the recommended processing temperatures/times for poultry meat and for liquid egg whites, the OIE International Trade Department undertook to investigate the issue for providing more details and advise the Code Commission.

The Code Commission did not accept an organisation's recommendation to prescribe that a NAI diagnostic laboratory should be authorised as described in the *Terrestrial Manual*; this was not accepted because this is covered in the definition of laboratory in the *Terrestrial Code*.

The Code Commission did not accept a Member's recommendation to modify Article 10.4.30. by requiring "follow up of positive serological results in unvaccinated poultry populations or sentinel birds" on the basis that this was part of the general approach to surveillance and control and did not need to be specified in this article.

The Code Commission did not accept a Member's recommendation to modify Article 10.4.34. by adding provisions for investigation and slaughter of birds, on the grounds that was part of the general approach to surveillance and control and did not need to be specified in this article.

The revised text is presented at [Annex XXVI](#) of this report for adoption.

EU position

The EU can only support the adoption of the modified chapter if in the article 10.4.20, the words "NAI or" are deleted. The inclusion of these words is not a "small change for clarity"; on the contrary it could lead to great confusion and unjustified barriers to trade, which is not the objective of the Code. The justification of the TAHSC to delete article 19 was that there was no risk related to fresh meat as regard LPNAI, thus the requirement for this commodity should only be of freedom of HPNAI.

The EU also will receive with interest more scientific information from the OIE about articles 10.4.26 and 10.4.27.

25. Newcastle disease (Chapter 10.13.)

The Code Commission received comments from Canada and the EU as well as CISA.

The Code Commission made several minor modifications to the text in response to Members' comments.

The revised text is presented at [Annex XXVII](#) of this report for adoption.

EU position

The EU supports the adoption of the modified chapter.

26. Bovine spongiform encephalopathy (Chapter 11.6.)

The Code Commission received comments from Canada, the EU, Norway, People's Republic of China, Switzerland and the USA.

The Code Commission reviewed comments on the description of tallow, as modified at the 77th General Session in May 2009. The Code Commission noted that some countries continue to raise concerns about the safety of tallow made from raw material from animals that have not passed ante and post mortem inspection. However, the Commission considered that the rationale provided at previous meetings is still relevant and no text modifications were made.

The Code Commission accepted a proposal from a Member to modify the wording of Article 11.6.1. and therefore deleted similar text proposed for Article 11.6.3. and Article 11.6.4.

The Code Commission referred to the SCAD comments from Members regarding new scientific data that raise the possibility that the tissues of the jejunum may harbour BSE infectivity and the possible need for new text in Article 11.6.14.

The Code Commission agreed with Members who commented that for countries not in the negligible risk category, the key issue for BSE risk management is the age of the cattle at the time of slaughter, not the BSE status of the country. Moreover, brains and eyes present a higher risk than vertebral column. The text of Article 11.6.13. was modified accordingly.

The Code Commission did not accept proposed text amendments from a Member regarding the definition of cattle subpopulations for surveillance purposes as the Commission considered that the points raised were adequately addressed in the existing text.

The Code Commission discussed the comments of Members regarding the investigation of BSE cases in cattle born after the feed ban. The Code Commission agreed with a Member's argument that the finding of cases in such cattle does not imply that risk management is not effective. However, the investigation of cohorts of cattle born after the feed ban would normally be part of the epidemiological investigation of BSE cases in cattle born after the ban. The Code Commission made appropriate text amendments to Article 11.6.23.

The revised text is presented at Annex XXVIII of this report for adoption.

EU position

The EU supports the adoption of the modified chapter.

Nevertheless, the EU would like to raise the fact that in implementing legislation on control and prevention of BSE, OIE Members should consider the field and practical constraints that may lead to a need for a more stringent application of regulations, e.g. larger ban on some raw material in order to avoid cross-contamination.

Moreover, the EU would like the OIE to consider some comments inserted in the text.

27. Bovine tuberculosis

a) Bovine tuberculosis (Chapter 11.7.)

The Code Commission received comments from the EU, Switzerland, New Zealand and the USA.

The Code Commission referred to SCAD a request from a Member for a modification of the taxonomy of *Mycobacterium bovis*.

A Member's recommendation to replace the term 'biannual' by 'twice yearly' for greater clarity was accepted.

The Code Commission considered Members' recommendations to address inconsistency in the period required for a herd to qualify as free from bovine tuberculosis and modified Article 11.7.4.2. points a) and b) accordingly. For clarity, point c) of this article was also modified.

Article 11.7.4. point 3 was also modified to address the need for a second tuberculosis test, at the request of a Member.

The Code Commission did not agree to the inclusion of camelids in this chapter because no information supporting the applicability of the *Terrestrial Code* recommendations to these species was provided.

The Code Commission modified the entire chapter by adding a reference to the gamma interferon test, at the recommendation of a Member.

EU position

The EU could support the adoption of the modified chapter, but the current wording "tuberculin tests or gamma interferon tests" is not acceptable.

The EU would not accept the free status of herds or countries or zones, or importation of bovine animals based only on the gamma interferon test (as made possible by the current wording proposal), as there is not sufficient scientific and field information to prove that they give the equivalent level of guarantees. In addition, as a matter of principle, all tests should be referred to in the Manual and not in the Code.

Thus, the words "tuberculin tests or gamma interferon tests" should be replaced by "tests used in accordance with the *Terrestrial Manual*".

b) Bovine tuberculosis of farmed cervidae (Chapter 11.8.)

The Code Commission received comments from the EU, New Zealand, Switzerland and the USA.

Article 11.8.3. point c(i) and Article 11.8.4. point 3 were modified as for Chapter 11.7.

The revised texts are presented at Annex XXIX of this report for adoption.

EU position

The EU supports the adoption of the modified chapter.

28. Contagious bovine pleuropneumonia (Chapter 11.9.)

The Code Commission received comments from the EU.

The Code Commission deleted the word 'domestic' from the sentence 'For the purposes of this chapter, susceptible animals include domestic cattle (*Bos indicus* and *B. taurus*) and water buffalo (*Bubalus bubalis*)' because the fact of the animals being domesticated (or not) does not change their susceptibility to the pathogen. However, the Commission noted that the purpose of the chapter is to address the disease in domestic cattle and water buffalo.

The revised text is presented at Annex XXX of this report for adoption.

EU position

The EU supports the adoption of the modified chapter.

29. Enzootic bovine leukosis (Chapter 11.11.)

The Code Commission received comments from the EU, New Zealand and Switzerland.

The Code Commission deleted the word 'domestic' from the sentence 'For the purposes of this chapter, susceptible animals include domestic cattle (*Bos indicus* and *B. taurus*)' because the domestication of the animals does not change their susceptibility to the pathogen. However, the Commission noted that the purpose of the chapter is to address the disease in domestic cattle.

A Member comment on Article 11.11.2. bis requesting that it should be allowed to introduce cattle from herds that are not free into free compartments was not supported by the Code Commission on the grounds that this could compromise the status of the compartment, which needs strict biosecurity controls.

Some minor modifications were made in response to Members' comments.

The revised text is presented at Annex XXXI of this report for adoption.

EU position

The EU supports the adoption of the modified chapter.

30. Infectious bovine rhinotracheitis/ infectious pustular vulvovaginitis (IBR/IPV) (Chapter 11.13.)

The Code Commission received comments from the EU.

The Code Commission made minor revisions to the text.

The revised text is presented at Annex XXXII of this report for adoption.

EU position

The EU supports the adoption of the modified chapter.

31. Lumpy skin disease (Chapter 11.14.)

The Code Commission received comments from New Zealand and the IETS.

The Code Commission made some amendments to the chapter in response to the comments received.

The revised text is presented at Annex XXXIII of this report for adoption.

EU position

The EU can support the adoption of the modified chapter but wishes that its comments be taken into account.

32. Equine diseases

a) *Ad hoc* Group on official recognition of African horse sickness status

The Code Commission undertook to review the report of this *ad hoc* Group and any relevant comments from SCAD at its meeting in September 2010.

b) Equine influenza (Chapter 12.7.)

The Code Commission received comments from Australia, the EU and Switzerland.

In response to Member comments, the Code Commission replaced the term 'horses, donkeys and mules' by 'domestic equids' throughout Chapter 12.7., as appropriate.

Article 12.7.4. was modified in response to Member comments. The inclusion of a provision for the absence of cases during a two-year period as a basis for deciding that a country, zone or compartment is free from equine influenza was recommended by Members, on the basis that equine influenza

follows a seasonal pattern of incidence and that horses in international competition events regularly move between the southern and northern hemisphere.

c) Equine viral arteritis (Chapter 12.10.)

The Code Commission received comments from Chile, the EU and South Africa.

The Code Commission agreed with the rationale presented by Members recommending the deletion of the negative test for EVA in Article 12.10.3. point 2 and modified this article accordingly.

The Code Commission also corrected an error in Article 12.10.4.4. point (a) to bring the provisions for timing of test mating into line with Article 12.10.2.

In response to a Member comment, the Code Commission noted that equine experts advising the OIE had in fact reviewed the reference² and that the *Terrestrial Code* chapters on equine diseases are consistent with the findings in the publication.

The revised texts are presented at [Annex XXXIV](#) of this report for adoption.

EU position

The EU thanks the TAHSC for its work and supports the adoption of the modified chapters.

33. Scrapie (Chapter 14.9.)

The Code Commission received comments from Australia, Canada, the EU, Norway, New Zealand, People's Republic of China, the USA and the IETS.

In response to a Member comment that the OIE should present the scientific rationale for stating that scrapie is not considered to present a risk to human health, the Code Commission called attention to the following:

Brown P., Cathala F., Raubertas R.F., Gajdusek D.C. & Castaigne P. (1987). The epidemiology of Creutzfeldt-Jakob disease: conclusion of a 15-year investigation in France and review of the world literature. *Neurology*, 37, 895–904.

Budka H. (2007). Portrait of Creutzfeldt-Jakob disease. In Hörnlimann B, Riesner D, Kretschmar H (editors) Prions in Humans and Animals. De Gruyter, Berlin, 195–203.

Harries Jones R., Knight R., Will R.G., Cousens S.N., Smith P.G. & Mathews W.B. (1988). Creutzfeldt-Jakob disease in England and Wales, 1980-1984: a case-control study of potential risk factors. *Journal of Neurology, Neurosurgery and Psychiatry*, 51, 1113–1119.

Hörnlimann B., van Keulen L., Ulvund M.J. & Bradley R. (2007). Portrait of scrapie in sheep and goat. In Hörnlimann B, Riesner D, Kretschmar H (editors) Prions in Humans and Animals. De Gruyter, Berlin, 222–232.

Kondo K. & Kuriowa Y. (1982). A case-control study of Creutzfeldt-Jakob disease: association with physical injuries. *Annals of Neurology*, 11, 377–381.

Van Dijn C.M., Delasniere-Lauprete N., Masullo C., de Silva R., Wientjens DPWM, Brandel J.-P., Weber T., Bonavita V., Zeidler M., Alperovitch A., Poser S., Granieri E., Hofman A. & Hill R.G. (1998). Case-control study of risk factors of Creutzfeldt-Jakob disease in Europe during 1993-95. *The Lancet*, 351, 1081–1085.

² Guthrie A.J., Howell P.G., Hedges J.F., Bosman A.M., Balasuriya U.B.R., McCollum W.H., Timoney P.J. & Machlachan N.J. (2003). Lateral transmission of equine arteritis virus among Lipizzaner stallions in South Africa. *Equine Veterinary Journal*, 35, (6), 596–600.

Zerr I. & Poser S. (2007). Epidemiology and risk factors of Creutzfeldt-Jakob disease. In Hörnlimann B, Riesner D, Kretschmar H (editors) Prions in Humans and Animals. De Gruyter, Berlin, 423–433.

In response to several Members questioning the sufficiency of evidence for the inclusion of semen as a safe commodity, the Code Commission removed semen from Article 14.9.1., modified Article 14.9.2. accordingly and re-instated Article 14.9.8. However, based on the fact that there is some evidence for the safety of semen, the Code Commission deleted 14.9.8. point 1(b), consistent with a Member's recommendation.

Based on advice from the International Embryo Transfer Society (IETS) the Code Commission added “*in vivo* derived sheep embryos handled in accordance with Chapter 4.7. of the *Terrestrial Code*” to Article 14.9.1. and modified Article 14.9.2. and other articles in the chapter as appropriate.

The Code Commission modified Article 14.9.3. in response to Members' comments.

The Code Commission changed the target prevalence of the surveillance system prescribed in Article 14.9.3., section 2 (b) from 0.1% of all chronic wasting conditions to 0.01% of the defined target population. This was based on consideration of a Member comment, in which information from a national scrapie surveillance programme was presented and relevant references provided, i.e.

Lynn T., Grannis J., Williams M., Marshall K., Miller R., Bush E. & Bruntz S. An evaluation of scrapie surveillance in the United States. *Prev. Vet. Med.*, 2007 Sep 14, 81 (1-3):70–9. Epub 2007 May 7.

Wineland N.E., Detwiler L.A. & Salman M.D. 1998. Epidemiologic analysis of reported scrapie in sheep in the United States: 1117 cases (1947-1992). *Journal of the American Veterinary Medical Association*, 212; 713–718.

The target population was broadened after consideration of a Member comment, based on a published report, i.e.

Cappuchio *et al.*, Clinical Signs and Diagnosis of Scrapie in Italy: A Comparative Study in Sheep and Goats, *J. Vet. Med. A* 48, 23–31 (2001).

Noting the absence of evidence suggesting that the feeding of meat and bone meal has been associated with the transmission of scrapie, the Code Commission did not accept Members' requests to modify Article 14.9.3. point 3. The Code Commission considered that it was prudent and reasonable to maintain the existing text.

In relation to Article 14.9.4., the Code Commission did not accept a Member's arguments that rams from scrapie-free flocks could safely be permitted to have brief contact with sheep of lesser status. There is scientific evidence that horizontal transmission of scrapie between adult sheep and from a contaminated environment may occur. The Member's proposal that such risks could be managed by imposing quarantine of the rams returning after contact with sheep of lesser status was rejected as impractical, given the prolonged incubation period of scrapie.

The Code Commission deleted Article 14.9.14. on the basis that relevant considerations are covered elsewhere in the revised Chapter 14.9.

The revised text is presented at [Annex XXXV](#) of this report for adoption.

EU position

The EU can only support the adoption of the modified chapter if its comments in article 14.9.3 point a)ii) and b) are taken on board.

The EU also wishes its other comments inserted in the text to be taken into account.

34. Classical swine fever (Chapter 15.3.)

The Code Commission received comments from Argentina, the EU, Japan, People's Republic of China, Switzerland, the USA and OIRSA.

In response to a Member comment on Article 15.3.3., the Code Commission emphasized the need for good vaccination control and the detailed diagnostic approach validated according to the recommendation in the *Terrestrial Manual*.

Based on Member comments and for consistency with other such articles in the *Terrestrial Code*, the Code Commission deleted 'since birth or for at least the past 3 months' from Article 15.3.12. point 1.

In response to a Member's question, the Code Commission explained that the reference to 'under study' in Article 15.3.16. means that, currently, it is not possible to specify time/temperature provisions for inactivation of the classical swine fever virus for the purposes of this article. If scientific information is provided to enable more specification in the text, it may be possible to remove the words 'under study'.

The Code Commission undertook to refer Members' comments on Article 15.3.21. point 3 to experts for further advice.

The revised text is presented at Annex XXXVI of this report for adoption.

EU position

The EU supports the adoption of the modified chapter.

D. TEXTS NOT FOR ADOPTION / FOR FURTHER DISCUSSION

35. Control of hazards of animal health and public health importance in heat treated pet food (new draft chapter)

The Code Commission received comments from Australia, Canada, Chinese Taipei, the EU, Japan, New Zealand and the USA.

The Code Commission will review all comments provided at its next meeting in September 2010.

36. Paratuberculosis (Chapter 8.9.)

The Code Commission received comments from Japan.

The Code Commission decided to wait future development of a supporting document.

37. Rabies (Chapter 8.10.)

The Code Commission noted that at its next meeting it will discuss the report of the *ad hoc* Group on Rabies, which met in January 2010, together with any comments from SCAD on the report.

38. Vesicular stomatitis (Chapter 8.15.)

The Code Commission received comments from New Zealand.

As there was insufficient time to review Chapter 8.15., the Code Commission deferred this item to its next meeting.

39. Bee diseases (Chapters 9.1., 9.2., 9.3., 9.4., 9.5. and 9.6.)

The Code Commission received comments from Canada, the EU and Switzerland.

The Code Commission noted that Member comments had been forwarded to the *ad hoc* Group on Bee Diseases, which met on 25–27 January 2010. At its next meeting the Code Commission will discuss the report of the *ad hoc* Group and any comments from SCAD on the report.

40. Bovine brucellosis (Chapter 11.3.)

The Code Commission noted that at its next meeting it will discuss the report of the *ad hoc* Group on Brucellosis, which met in late 2009, together with any comments from SCAD on the report.

41. Swine vesicular disease (Chapter 15.5.)

The Code Commission noted that an *ad hoc* Group will meet to review Chapter 15.5. later in this year and undertook to review, as a matter of high priority, the report of the Group and relevant comments from SCAD at its September 2010 meeting.

42. Porcine reproductive and respiratory syndrome (PRRS)

The Code Commission received a request from Argentina for the OIE to develop a chapter on this listed disease. Noting that there is a document for guidance of Members on the OIE Internet Site (http://www.oie.int/download/Doc_OIE/PRRS_guide_web_bulletin.pdf) and that, to date, the OIE has not recognised the development of a *Terrestrial Code* chapter on PRRS as a priority, the Code Commission undertook to reconsider this request when it reviews its work programme in September 2010.

43. Communication

The Code Commission received comments from Australia, Brazil, the EU, Japan, Norway and Switzerland. All comments received will be considered by the *ad hoc* Group scheduled to meet in June 2010 when drafting the text on a new chapter for the *Terrestrial Code*.

44. APFSWG Discussion paper on future priorities for Animal Production Food Safety Standard Setting

The Code Commission noted the paper's recommendations and the recommended priorities for future standard setting, i.e.:

1. for bacterial diseases: *Salmonella* spp. in animals other than poultry and *E. coli* 0157:H7; and
2. for parasitic diseases: the OIE listed diseases, *Echinococcus* spp., *Taenia solium* and *Trichinella spiralis* and the non listed parasite, *Taenia saginata*.

The Code Commission considered that Members should be asked to indicate if they support the priorities identified in the discussion paper.

The report of APFSWG including the discussion paper is presented at Annex XXXVIII in Part B of this report for Member comment.

45. Private standards for sanitary safety and animal welfare

Dr Kahn updated the Code Commission on the OIE's ongoing work on this issue.

The *ad hoc* Group on Private Standards for Sanitary Safety and Animal Welfare met in November 2009 to review the results of a questionnaire sent to Members and relevant organizations and to prepare recommendations for future action by the OIE. As most of the 68 OIE Members responding to the questionnaire recommended that the OIE work more closely with private standard setting organisations in an effort to avoid negative effects of private standards, the OIE is convening a meeting with private organisations, with the participation of the WTO SPS Secretariat, on 16 February to exchange information and consider possible next steps.

There was not sufficient time for the Code Commission to review in detail the report of the *ad hoc* Group on Private Standards but, noting the importance of this work, the Commission decided to provide the report to Members for information. This report will be presented as a technical item during the next World Assembly of Delegates.

The report of the *ad hoc* Group is presented at Annex XXXIX in Part B of this report for information of Members.

46. Trade in animal products ("commodities") – Report of the *ad hoc* Group

The Code Commission appreciated the work done by experts and endorsed the report of the *ad hoc* Group.

The report of the *ad hoc* Group, including the review paper “Qualitative assessment of the commodity risk factor for spread of foot-and-mouth disease associated with international trade in deboned beef”, is presented at [Annex XL](#) in Part B of this report for information of Members.

47. Future work programme of the Code Commission

The Code Commission received comments from the EU.

As there was insufficient time, the Code Commission deferred this item to its next meeting. However, it asked the International Trade Department to create a table showing each item, annex, chapter numbers and status and list of acronyms used in this report for information of Members ([Annex XLI](#)).

48. Others

The next meeting of the Commission is scheduled for 6–17 September 2010.

.../Annexes