

Submission to the Chairman and Subcommittee
Waste Disposable Ordinance (Amendment of Fourth Schedule)
Notice 2006 and Public Health (Animals and Birds)
(Licensing of Livestock Keeping) (Amendment) Regulation 2006
Legislative Council
Hong Kong Special Administrative Region of the People's Republic of China.

The Honourable Mr. Fred Li Wah-Ming, Chairman of the Subcommittee, Honourable LegCo Committee Members,

Thank you for your kind invitation to present this paper on the subject of the subsidiary legislation provided for under the Public Health (Animals and Birds) (Licensing of Livestock Keeping) Regulation (Cap. 139L) and sections 15, 15A and 15AA of the Waste Disposal Ordinance (Cap. 354).

Pursuant to my previous written submission I would first like to reiterate that I fully appreciate the primary basis upon which the ban on raising backyard poultry has been implemented. I would view that basis as a scientific one, and not an economic and political one.

The issue of the avian influenza virus in diseased poultry and birds is no small matter. Above all, human life has to be safeguarded and preserved. But would it not be an unconscionable tragedy to indiscriminately exterminate all poultry and birds across the board, indeed all God's other living creatures, to facilitate the continuity of the human race?

The birds and poultry within Hong Kong are visible and available through various mediums; farmed as a commercial trade and/or for personal consumption, raised as exhibits in publicly accessible enclosures, bred as a form of sport and competition, raised as privately-owned household pets and of course, fly freely over the airspace of Hong Kong.

My personal concern with the subsidiary legislation, primarily but not exclusively, is the prospect of having to surrender my pet pigeons to the authorities for slaughter in compliance with the government's effort to eliminate the spread of avian influenza. This action would be reasonable if my pets were diseased. What if they are not? Would it therefore warrant that healthy poultry and birds having been bred and raised with due diligence, care and love be randomly slaughtered without first establishing if these animals are diseased and pose an imminent threat to human life?

I quote an excerpt from the Gower Commission on Foot and Mouth Disease in livestock (1954) which stated that 'slaughter is a crude and primitive way of dealing with the disease. We recognise the mental anguish it may cause to those who suffer ...the shattering disaster, not computable in terms of money, that it may bring to a farmer who has to see the work of a lifetime destroyed in a day'. In several places the Committee also reported on the carrier status of animals. 'The consensus of opinion among our scientific witnesses was that the danger of carrier animals had been exaggerated and that carriers in a susceptible population did not constitute a significant risk'.

I respectfully would like to draw your attention to the aspect of the mental anguish and trauma that will be suffered by private individuals like myself, who face the prospect of seeing years of devotion and care destroyed in a day.

I would appeal to the members of the Subcommittee to please consider reviewing the total ban on backyard poultry and offer a viable contingency plan to individuals who responsibly keep healthy poultry and birds that are kept in enclosed, protected and clean environments.

I personally do not believe it a fair conclusion that all backyard raised poultry and birds in Hong Kong are any more liable to be infected and/or spread avian influenza, than the variety that are farmed (exceeding the number 20), sold for consumption in wet markets, exhibited to the general public at Ocean Park and the Kadoorie Farm or fly freely above the airspace of Hong Kong. I understand that most of the reported cases of the avian influenza virus victims have involved wild birds and farmed poultry intended for sale in wet markets.

The pathogenicity of a Hong Kong-origin H5N1 highly pathogenic avian influenza virus for emus, geese, ducks, and pigeons was conducted in the USA whereupon the objective of this study was to ascertain the susceptibility of emus (*Dramaius novaehollandiae*), domestic geese (*Anser anser domesticus*), domestic ducks (*Anas platyrhynchos*), and pigeons (*Columba livia*) to intranasal (i.n.) inoculation with the A/chicken/Hong Kong/220/97 (H5N1) highly pathogenic avian influenza virus. I quote an extract from the report by LE Perkins & DE Swayne of the Southeast Poultry Laboratory in GA., USA whereupon it was conclusively established that "...Pigeons were resistant to HK/220 infection, lacking gross and histologic lesions, viral antigen, and reisolation of virus. These results imply that emus and geese are susceptible to i.n. inoculation with the HK/220 virus, whereas ducks and pigeons are more resistant. These latter two species probably played a minimal epidemiologic role in the perpetuation of the H5N1 Hong Kong-origin influenza viruses".

Notwithstanding the above report, it would in any case seem to be a tragic consequence to Hong Kong society, indeed the human race, if even healthy animals have to be exterminated, not because of a disease, but because of its cure.

Yours respectfully,

Rowena Hawkins