

**For discussion
on 16 April 2013**

**Legislative Council
Panel on Food Safety and Environmental Hygiene**

**Avian Influenza Prevention Measures
(Including Ban on Keeping Backyard Poultry)**

INTRODUCTION

This paper briefs Members on the prevailing measures adopted by the Administration in preventing avian influenza (AI), including the ban on keeping backyard poultry introduced in 2006. The paper also addresses a number of general issues that arise from an individual case concerning the keeping and selling of racing pigeons.

PREVENTIVE MEASURES AGAINST AI

2. H5N1 highly pathogenic AI (HPAI) viruses have been circulating in Southeast Asia and detected in Hong Kong in poultry and/or wild birds every year from 1997. Since the first AI outbreak hit Hong Kong in 1997, the Administration has implemented a series of preventive and control measures at the farm, wholesale, retail and import levels. The risk of AI outbreaks in Hong Kong has since been kept under control. There has been no locally acquired case of human infection with H5N1 viruses in Hong Kong since 1997.

3. The preventive and control measures that have been put in place over the years are summarised below –

(a) **surveillance and monitoring –**

Comprehensive surveillance and monitoring are put in place at all levels of the live poultry supply chain (including farms, the wholesale poultry market, retail outlets and the import level), pet bird shops, recreational parks and the wild bird environment including wild bird parks to ensure early detection of abnormalities;

(b) **maintaining the operational landscape of the live poultry trade –**

To reduce the likelihood of human contact with live poultry, the Government introduced a voluntary surrender scheme and a buyout scheme for poultry retailers, wholesalers, transporters and farmers in 2004 and 2008 respectively. As a result, the number of retail outlets reduced from over 800 prior to the introduction of the first voluntary surrender scheme to 132 at present, wholesalers down from 87 to 23, and poultry farms from 192 to 30. The total licensed rearing capacity of poultry farms in Hong Kong has also been reduced from 3.9 million in 2004 to about 1.3 million at present. This has contributed to containing the chicken population in Hong Kong at a steady level;

(c) **mandatory vaccination programme for chickens –**

In 2003, a mandatory vaccination programme was introduced, under which all chickens in local chicken farms must be vaccinated against H5 AI virus. An agreement has also been reached with the Mainland to vaccinate all chickens in registered Mainland farms for export to Hong Kong starting from 2004. Moreover, we have been closely monitoring the development of up-to-date vaccines for timely introduction to both local and imported live chickens;

(d) **regulation of local farms including the enforcement of biosecurity measures –**

In view of possible transmission of H5N1 virus from wild birds and migratory birds to local poultry, all local farms are required to install bird-proof facilities. Local farms are also required to place sentinel chickens (i.e. unvaccinated chickens) in each batch of vaccinated chickens for the purpose of detecting infection. Through monitoring the health conditions of the sentinels together with testing on both antibody level and any shedding of AI virus of vaccinated and sentinel chickens, we keep the effectiveness of the vaccine in protecting the chickens under regular review;

(e) **ban on the keeping of backyard poultry –**

In 2006, amendments were made to the relevant legislation to prohibit the keeping of poultry at backyards of domestic households. Since then, the Agriculture, Fisheries and Conservation Department (AFCD) and the Environmental Protection Department (EPD) have been carrying out enforcement actions to ensure that no illegal backyard poultry are kept;

(f) **stringent hygiene requirements and inspection in the wholesale market and retail outlets –**

Thorough cleansing and disinfection of the venue, transport cages and vehicles are required of the wholesalers, transporters and retailers. Inspection or additional cleansing would be conducted by the venue management where necessary. Faecal, environmental swab and drinking water samples are also collected from the wholesale market and retail outlets for AI testing;

(g) **segregation policy –**

As waterfowls (e.g. ducks and geese) are natural carriers of AI viruses, they are prohibited from sale in live form in retail outlets since 1998 to prevent the mixing of different types of AI viruses which may result in reassortment into deadly viruses;

(h) **prohibition of overnight stocking of live poultry at all retail outlets –**

Since 2008, the Government has introduced a ban on overnight stocking of live poultry at retail outlets, requiring that all live poultry at market stalls and fresh provision shops with permission to sell live chickens must be slaughtered by the end of their daily operation;

(i) **import control –**

All imported chickens from the Mainland must be sourced from registered farms recognised by the Mainland authorities. These farms are subject to regular inspections by the relevant entry-exit inspection and quarantine authorities and the Food

and Environmental Hygiene Department (FEHD) to ensure compliance with the prescribed AI control requirements. A health certificate must accompany each consignment of imported chickens. Other import control measures include inspection of every consignment of imported chickens, testing of antibody level of imported chickens, dead and sick bird monitoring and random screening tests of infection as appropriate;

(j) **combating smuggling of live poultry or raw poultry meat –**

Joint-departmental operations are conducted to combat the smuggling of live poultry or raw poultry meat across the boundary.

(k) **Zonal Approach Policy –**

In 2008, we agreed with the Mainland authorities the adoption of a zonal approach policy to institutionalise the suspension of import of live poultry and poultry products from Guangdong Province if there is any confirmed AI outbreak in the province. Following discussion with the relevant Mainland authorities, consensus was reached in September 2012 to extend the policy, making it applicable to AI outbreaks, in any part of the Mainland; and

(l) **monitoring of AI outbreaks in humans –**

The Department of Health will continue to monitor the AI situation in humans and conduct education forums for different target groups aimed at raising public awareness.

4. With the above preventive and control measures in place, the AI risks have been largely kept at a manageable level as evidenced by the absence of any locally acquired case¹ of human infection with H5N1 viruses in Hong Kong since 1997. Besides, the local poultry population has not experienced any H5N1 AI outbreaks until December 2008 when infection was detected in chickens in a local chicken farm in Yuen Long. In December 2011, there was one chicken carcass, of unknown origin, found in the Cheung Sha Wan Temporary Wholesale Poultry Market (CSWTWPM) that was tested positive for H5N1. These isolated AI incidents in Hong

¹ As opposed to locally acquired case of human infection, there were two imported human cases recorded in 2003, one in 2010 and another one in 2012.

Kong in the past few years provide further testimony that our stringent preventive and control measures have by and large been effective in containing the threat of AI.

5. In mid-2012, the Administration conducted a comprehensive review on the global, regional and local AI situation from 2010 to early 2012. The review report was discussed at the Panel meeting on 12 June 2012 (LC Paper No. CB(2)2285/11-12(03)). While it is our assessment that the overall AI risk in Hong Kong is staying at a stable and reasonably low level with the stringent preventive and control measures in place, there is no room for complacency as AI viruses continue to circulate in the region. The need to remain vigilant against AI could not be over emphasised. It is therefore of utmost importance for the whole community including the Government, the trade and the general public, to remain vigilant at all times.

BAN ON KEEPING BACKYARD POULTRY

6. As noted in paragraph 3(e) above, the keeping of poultry at backyards of domestic households have been banned since 2006. Prior to that, persons who kept no more than 20 poultry in or on his premises were exempted from the licensing requirement for livestock-keeping. On 1 February 2006, a dead chicken kept by an individual household in Sha Tau Kok was tested positive for H5N1 virus, setting off the alarm about the threat to public health posed by such backyard poultry keeping activities. AI surveillance detected H5N1 virus in different species of wild birds that would increase the chance of cross infection with live poultry reared at backyards of households, which were not subject to any biosecurity measures. Nor were the poultry subject to any systemic vaccination programme. On that occasion, AFCD appealed to nearby backyard farmers to voluntarily surrender their backyard poultry in order to contain the possible spread of AI viruses but to no avail.

7. Given the paramount need to safeguard public health from further AI outbreaks, the Administration pursued the legislative approach to ban the keeping of backyard poultry by amending the relevant provisions in the Waste Disposal Ordinance (Cap. 354) and the Public Health (Animals and Birds) (Licensing of Livestock Keeping) Regulation (Cap. 139L). The amendment regulations came into operation on 13 February 2006. AFCD and EPD are the enforcement agencies and have been carrying out enforcement actions on the territory to ensure that no illegal backyard poultry are kept.

8. The ban on keeping backyard poultry also applies to the keeping of racing pigeons. By legal definition, pigeons are categorised as poultry. There have been arguments that pigeons, including racing pigeons, should not be banned as backyard poultry. However, taking into account the fact that racing pigeons need to take frequent flying exercise and are susceptible to contact with wild birds and infection of AI, and that H5N1 AI virus was isolated from a dead feral pigeon in Kowloon Park in 2002, the Government saw no justification to exclude pigeons from the ban. That said, recognising that some people had kept pigeons as pets before the implementation of the ban, the Government has provided an exemption for such activities. Accordingly, persons who kept less than 20 specified birds, including racing pigeons, as pets immediately before 13 February 2006 were eligible to apply for an exemption permit from the Director of Agriculture, Fisheries and Conservation (DAFC). As of 31 March 2013, 21 exemption permits for racing pigeons remain valid.

9. For those who wish to keep any number of new racing pigeons in or on his premises after 13 February 2006, they would have to apply for an exhibition licence issued by DAFC. This would not only enable the existing racing pigeon community to continue with their hobby, but it also brings the keeping and exhibition of pigeons under proper biosecurity and management conditions, such as avoiding nuisances caused by the flying routines of these racing pigeons to the neighbourhood. As of 31 March 2013, there are 46 valid exhibition licences for the keeping of racing pigeons in or on the premises. No AI cases have so far been detected in association with licensed or permitted racing pigeon keeping activities. The existing regulatory mechanism including the biosecurity requirements are considered generally effective in terms of AI control.

10. The policy on banning backyard poultry keeping has been serving the purpose well. The Administration sees no need for a review of the policy.

THE CASE CONCERNING THE KEEPING AND SELLING OF RACING PIGEON BY AN INDIVIDUAL

11. The Legislative Council Panel on Food Safety and Environmental Hygiene received a request from Mr LEUNG Kam-hung in March 2013 for assistance on the grant of an exhibition licence that allows him to continue with his racing pigeon business in the Yuen Po Street Bird Garden (the Bird Garden) in Mong Kok. By exhibiting his racing pigeons, Mr LEUNG wished to share his knowledge and skills on rearing pigeons and

to make a living by selling associated accessories. Details of the case are set out at **Annex**. [Note: Since it involves an individual case of application, the Annex is restricted to Members only.]

CONCLUSION

12. While it is our assessment that the overall AI risk in Hong Kong is staying at a stable and reasonably low level with the stringent preventive and control measures in place, there is no room for complacency as AI viruses continue to circulate in the region. We see no grounds for relaxing the AI prevention and control measures now in place.

13. With regard to the recent human H7N9 AI outbreak on the Mainland, the need to stay alert against AI could not be over emphasised. The relevant Mainland authorities have been taking vigorous measures to prevent AI from spreading from poultry to humans. At present, all live poultry and poultry products bound for Hong Kong would have been tested against H7 AI beforehand. Only those which have passed the test would be issued a health certificate for export to Hong Kong. Since 2010, the relevant entry-exit inspection and quarantine authorities have tested a total of 570 000 specimens for AI, covering both H5 and H7 AI antigens. All results were negative. This notwithstanding, they would step up surveillance in live poultry and poultry products bound for Hong Kong with immediate effect, by increasing the sample size and the frequency of farm inspections.

14. Currently, Hong Kong has a standing practice of conducting H7 AI surveillance in dead wild birds, as well as specimens taken from local chicken farms, poultry wholesale market and retail outlets. In the past three years, over 18 000 dead birds and over 15 000 specimens from poultry and the environment had been tested for H7 AI. No H7 AI had been detected so far. To further strengthen our efforts, Hong Kong will start shortly to conduct tests against H7 AI in imported live poultry upon their entry at the Man Kam To Control Point.

15. In the event that there is any poultry AI infection case in Hong Kong (covering both H5 and H7 AI cases), we would undertake culling operations as necessary in accordance with the advice of the World Animal Health Organisation (OIE). We would also suspend the import of live poultry and conduct thorough cleansing of sites concerned in order to minimise the risk of a major AI outbreak in Hong Kong. The Government would continue to liaise closely with the relevant Mainland authorities and

will keep them immediately informed of H7 AI cases, if any. We would also step up preventive and surveillance measures against H7 AI in Hong Kong as and when necessary.

ADVICE SOUGHT

16. Members are invited to note the content of the paper.

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