

**For discussion
on 11 March 2014**

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

Latest Development on the Prevention and Control of Avian Influenza

INTRODUCTION

On 27 January 2014, the Government confirmed a number of positive H7 avian influenza (AI) samples tested with Polymerase Chain Reaction (PCR) test in a batch of imported live chickens. A series of measures were immediately adopted to prevent the spread of AI. Details of those measures have been summarised in the paper submitted to this Panel on 29 January 2014 (LC Paper No. CB(2)777/13-14(01)). This paper briefs Members on the implementation of the measures and the follow-up actions being taken.

**LATEST DEVELOPMENT ON THE RESPONSE MEASURES
AGAINST THE AI INCIDENT**

2. Subsequent to the detection of H7 AI PCR-positive samples in a batch of imported live chickens on 27 January 2014, the Agriculture, Fisheries and Conservation Department (AFCD) declared the Cheung Sha Wan Temporary Wholesale Poultry Market (the wholesale poultry market) as an infected place. In this regard, some 22 604 birds were slaughtered on 28 January 2014 by order of the Director of Agriculture, Fisheries and Conservation (DAFC) under the Public Health (Animals and Birds) Regulations (Cap. 139A). The wholesale poultry market was closed for 21 days for thorough cleansing and disinfection, during which time trading of live poultry in Hong Kong was suspended. AFCD officers also inspected all local chicken farms and collected additional samples for testing to ensure that local farms are not affected by H7 AI. The wholesale poultry market has resumed operation since 19 February 2014 after the 21-day closure.

3. Upon confirmation of the AI case, the Government immediately notified the relevant Mainland authorities of the incident to facilitate their

investigation and tracing the source of infection. According to the information provided by the relevant Mainland authorities, upon receipt of our notification, the Guangdong Entry-Exit Inspection and Quarantine Bureau collected poultry samples from the relevant registered farm supplying Hong Kong for H7 PCR and serology tests, which showed negative results. The agricultural department of Guangdong also collected poultry and environmental samples from other poultry farms in the same district for testing, results of which were negative to H7N9 AI. Based on the results of the preliminary investigation, the Mainland authorities have ruled out the possibility of an AI infection in the farm concerned. Experts from both Mainland and Hong Kong will continue to investigate into the source of infection.

COMPENSATION AND EX-GRATIA PAYMENTS TO AFFECTED POULTRY OPERATORS

4. Under the Public Health (Animals and Birds) Ordinance (the Ordinance) (Cap. 139), the Government has to make statutory compensation to owners for the birds slaughtered by order of DAFC. According to the Ordinance, the value of a bird slaughtered shall be determined by DAFC but shall not exceed \$30 per bird. For the purpose of the above-mentioned culling operation on 28 January, the Government would follow the provisions stipulated in the Ordinance. Wholesalers whose poultry were slaughtered by order of DAFC would receive the statutory compensation of \$30 per bird.

5. When we rolled out the Buy-out Scheme in 2008, the Government had made it clear to those operators who chose to stay in the live poultry trade that they had to bear the risks of any further AI incidents in Hong Kong. Nonetheless, since this AI incident came at a time when market demand for and price of live poultry peaked in the immediate run-up to the Lunar New Year, it had dealt a particularly severe blow to live poultry operators. In the circumstances, we see a special case for granting one-off ex-gratia payments (EGPs) to operators in the live poultry trade to alleviate their financial hardship.

6. At the special meeting of this Panel on 19 February 2014, the Government briefed Panel Members on the proposed compensation and EGPs package for parties affected by this AI incident. Details can be found in the paper submitted to this Panel (LC Paper No. CB(2)882/13-14(01)). Members attending the meeting largely supported the proposal. At its

meeting on 21 February 2014, the Legislative Council (LegCo) Finance Committee approved the relevant funding application. AFCD and the Food and Environmental Hygiene Department (FEHD) are taking actions in accordance with the relevant administrative procedures to process the grant of compensation and EGPs to eligible parties.

ARRANGEMENTS FOR IMPORTED LIVE POULTRY

7. A summary of the AI preventive and control measures that have been put in place over the years in relation to poultry, as well as the enhanced measures taken since April 2013 soon after confirmed H7N9 human infection cases came to light in the Mainland, could be found in the paper submitted to the Panel on 19 November 2013 (LC Paper No. CB(2)277/13-14(03)). Over the past decade or so, the Government and the local live poultry industry, as well as the Mainland inspection and quarantine authorities and the farms supplying Hong Kong, have collaboratively built up a resilient and stringent system for the surveillance and control of AI, for the purpose of reducing the AI risks in Hong Kong. All live poultry supplied to Hong Kong markets, whether locally reared or imported, are subject to stringent inspection and quarantine procedures. Health certificates will be issued only if the testing results are satisfactory. Prior to leaving the farm, the poultry are put under quarantine for five days and are required to pass PCR and serology tests for AI. Before they are released from the farms, the Administration would have to be satisfied that the poultry carry sufficient level of antibodies against H5; are free of any AI virus (including H5 and H7 subtypes), and do not bear AI clinical symptoms. In other words, before the imported live poultry are delivered to Hong Kong, they have passed the testing by relevant inspection and quarantine authorities and equipped with health certificates with satisfactory testing results. After the live poultry have entered Hong Kong, the Centre for Food Safety of FEHD will collect tissue and blood samples from the live poultry at the Man Kam To Animal Inspection Station and pass the samples to AFCD's Veterinary Laboratory for testing. The testing system is designed to provide an additional safeguard to reduce the risk of infected poultry entering our retail markets.

8. Currently, there is only one wholesale poultry market in Hong Kong (i.e. the Cheung Sha Wan Temporary Wholesale Poultry Market). After samples have been taken at the Man Kam To Animal Inspection Station, the imported live poultry will be delivered directly to the wholesale poultry market pending the testing results. They will be released to the

retail outlets only after the testing results are confirmed satisfactory. This arrangement has been working well over the past decade or so and has been serving the objective of protecting public health and animal health in Hong Kong. The detection of positive H7 AI samples in imported live poultry in the recent case demonstrates that the testing system has achieved what it is designed to do, namely reducing the risk of infected birds entering our retail markets. The current mechanism is effective in performing its gate-keeping role for protecting public health.

9. In the light of the current AI incident, many people in Hong Kong, LegCo Members as well as stakeholders in the poultry trade have suggested to the Government that we should segregate the imported and local live poultry and hold the imported poultry at a suitable location until the AI testing results are available before releasing them to the wholesale market. We appreciate the concerns expressed by the general public and the industry, in particular their concern that the wholesale poultry market might have to be closed for 21 days for thorough cleansing and disinfection if and when any samples from the imported poultry tested positive for AI, thereby causing disruption to the operation of the live poultry trade and continued supply of live poultry in Hong Kong.

10. In response to the request of the public and the poultry industry, the Government has, in the past month or so, been actively looking for appropriate sites for the temporary holding of imported live poultry until the testing results are available, before sending them to the wholesale poultry market. In the process, the Government has to take into account factors including the planning and usage of the land in question, the basic facilities required for temporary holding of live poultry, the impact of this arrangement on the neighbouring environment and community (including the presence of any chicken farm nearby), and the lead time for preparation etc. As the deliberation process and the setting up of such facilities would take time, when the wholesale poultry market resumed live poultry trading on 19 February 2014, the Government has decided to suspend the import of live poultry intended to be slaughtered for consumption for around four months. The import of day-old chicks as well as chilled or frozen poultry products will not be affected during the suspension period.

11. The Government is looking into the future arrangement for imported live poultry, including the feasibility of establishing temporary holding facilities for imported live poultry or other practicable alternative arrangements, such as following the existing practice of allowing the delivery of imported live poultry to the wholesale poultry market while

testing results are pending. In the event of an AI incident which leads to the closure of the wholesale poultry market, during the closure period, local poultry could be delivered to the retail outlets via a check-point at the Government farm in Ta Kwu Ling . This will allow the continued supply of local live poultry to the market. We are now studying this proposal with the relevant works departments and have commenced the preliminary preparatory work.

12. We need to emphasise that the primary objectives of the above measures taken by the Government are to ensure the continued supply of live poultry as far as possible and reduce the impact on the industry in the unfortunate event of an AI incident. The relevant Government departments will expedite actions and maintain communication with the trade so as to facilitate the early implementation of the above arrangements and mitigate the impact of the AI contingency measures on the supply of live poultry and the industry.

13. The Government appreciates that the suspension of import of live poultry for four months will have impact on the livelihood of some poultry trade operators, especially those who are engaged solely in the business of importing live poultry from the Mainland (including wholesalers, retailers, transport operators and self-employed workers at the wholesale market). The Government will assess the impact of the arrangement on the industry and its workers and consider whether there is a case for providing ex-gratia payments or other assistance to them.

LONG-TERM POLICY CONSIDERATIONS

14. Contact with infected live poultry is the main source of risk insofar as human infection by AI is concerned. Over the past decade or so, the Government and the local live poultry industry, as well as the Mainland inspection and quarantine authorities and the farms supplying Hong Kong, have collaboratively built up a resilient and stringent system for the surveillance and control of AI, for the purpose of reducing the AI risks in Hong Kong. To mitigate the AI risks, the local live poultry trade has put in a lot of efforts and resources to ensure that the farms comply with all the biosecurity measures, whilst the Government has also invested a lot of public resources in the inspection and testing of imported and local live poultry, as well as the surveillance and biosecurity measures adopted in the supply chain of live poultry. The Mainland inspection and quarantine authorities and the farms supplying Hong Kong have also made significant efforts to

ensure the safety of live poultry supplying Hong Kong. However, no surveillance system can attain zero risk. Occasionally we would still encounter AI cases, which may pose threat to public health, exert impacts on the community including the poultry trade and bring anxiety and worries to the citizens, at a considerable cost to society on the whole. On public health grounds, we should consider whether Hong Kong, being a place with scarce land resources and a densely populated city, should continue with the practice enabling close contact between human and poultry. In many developed cities like Hong Kong, there is generally no longer any selling of live poultry. And in Hong Kong, we have also observed a change in the eating habit of the ordinary citizens is that there has been a growing consumption of chilled and frozen poultry on the whole. We believe it is time for the Government, the poultry trade and the citizens to reflect whether the selling of live poultry in Hong Kong remains appropriate in the long run. The Government would consider engagement of a consultant to study and make recommendation in this regard.

FOLLOW-UP ON THE CONCERNS FROM WAN CHAI DISTRICT COUNCIL MEMBERS ON THE FEEDING OF WILD PIGEONS IN URBAN AREA

15. On 17 February 2014, Clerk to Panel has written to the Food and Health Bureau requesting the Administration to provide a response at the Panel meeting on 11 March 2014 with regard to the concerns expressed by Wan Chai District Council members (at their meeting with LegCo Members on 9 January 2014) about the feeding of wild pigeons in urban area. The response of the Administration is set out in the ensuing paragraphs.

16. Concerning the environmental hygiene problems caused by congregation of birds, the Government has been making appeals to the public via different channels advising them not to feed feral birds. At the same time, FEHD has put in place a series of measures to minimise the nuisances caused by the feeding of feral birds. FEHD officers would issue fixed penalty notices of \$1,500 to bird-feeders who dirty public areas while feeding birds, in accordance with provisions stipulated in the Fixed Penalty (Public Cleanliness Offences) Ordinance (Cap. 570). In this connection, warning signs have been erected in conspicuous places at bird-feeding blackspots, and “Don’t Feed Feral Pigeons and Other Wild Birds” leaflets have also been distributed to remind members of the public not to feed birds in public areas or else they may render themselves liable to a fine of \$1,500. In 2013, FEHD has made 95 prosecutions against the acts of dirtying public

areas from bird-feeding (e.g. leaving residue feeds on the ground).

17. Besides, relevant departments such as FEHD and the Housing Department have enhanced inspections to environmental hygiene blackspots and places with the congregation of feral birds, where they have also strengthened cleansing and prosecution. In addition to providing routine street sweeping service, FEHD also arranges street washing and disinfection on a daily basis applying 1:99 chlorine of lime solution to the bird-feeding blackspots so as to ensure environmental hygiene and street cleanliness. If any dead feral bird is found, members of the public may inform AFCD via the 1823 hotline. AFCD will arrange for their contractor to collect and deliver the dead bird to the Veterinary Laboratory for AI testing. In 2013, over 15 000 dead birds were collected. AFCD's Veterinary Laboratory had conducted testing for over 8 700 dead birds. Only one dead black-headed gull collected in Tuen Mun on 25 January 2013 tested positive for H5 AI virus. Other dead bodies of feral birds were confirmed to be free of H5 or H7 AI virus.

18. The Government considers the above measures effective in handling the problem of feeding wild pigeons as well as the prevention and control of AI. We do not have any plan to bring changes to the relevant legislation or arrangements.

ADVICE SOUGHT

19. Members are invited to note the content of the paper. The Government will remain vigilant in taking actions to prevent and control AI, and report to this Panel on the latest developments as and when appropriate.

**Food and Health Bureau
Agriculture, Fisheries and Conservation Department
Food and Environmental Hygiene Department
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