



**REPORT OF THE MEETING OF THE OIE  
TERRESTRIAL ANIMAL HEALTH STANDARDS COMMISSION**

**Paris, 1–10 September 2020**

The OIE Terrestrial Animal Health Standards Commission (the Code Commission) held its meeting electronically from 1 to 10 September 2020. The list of participants is attached as [Annex 1](#).

The Code Commission thanked the following Members for providing comments: Argentina, Australia, Brazil, Canada, Chile, China (People's Republic of), Chinese Taipei, Costa Rica, Cuba, Japan, Kazakhstan, Korea (Republic of), Malaysia, Mexico, New Caledonia, New Zealand, Norway, Panama, Singapore, South Africa, Switzerland, Thailand, United States of America (USA), the OIE Americas Region, the Member States of European Union (EU), the African Union Intercontinental Bureau for Animal Resources (AU-IBAR) on behalf of African Member Countries of the OIE and the Comité Veterinario Permanente del Cono Sur (CVP) on behalf of Argentina, Bolivia, Brazil, Chile, Paraguay and Uruguay, Organismo Internacional Regional de Sanidad Agropecuaria (OIRSA) - Federación de Avicultores de Centroamérica y El Caribe (FEDAVICAC), the International Coalition for Farm Animal Welfare (ICFAW), the International Egg Commission (IEC), the International Meat Secretariat (IMS), the International Embryo Technology Society (IETS), the International Poultry Council (IPC) and other experts.

The Code Commission reviewed Member comments, which were submitted on time and supported by a rationale and amended relevant chapters of the OIE *Terrestrial Animal Health Code* (the *Terrestrial Code*) where appropriate. **The Code Commission did not consider comments where a rationale had not been provided or that were difficult to interpret.** Due to the large volume of work, the Code Commission was not able to draft a detailed explanation of the reasons for accepting or not each of the comments received and focused its explanations on the major ones. Where amendments were of an editorial nature, no explanatory text has been provided. The Code Commission wished to note that not all texts proposed by Members to improve clarity were accepted; in these cases, it considered the text clear as currently written.

The amendments are presented in the usual manner by 'double underline' and '~~striketrough~~', and the chapters are annexed to this report. In **Annexes 5 to 16 and 18** amendments proposed at this meeting are highlighted with a coloured background to distinguish them from those proposed previously.

The Code Commission encourages Members to refer to previous reports when preparing comments on longstanding issues. The Code Commission also draws the attention of Members to those instances where the Scientific Commission for Animal Diseases (the Scientific Commission), the Biological Standards Commission, a Working Group or an *ad hoc* Group have addressed specific Member comments or questions and proposed answers or amendments. In such cases the rationale is described in the Scientific Commission's, Biological Standards Commission's, Working Group's or *ad hoc* Group's reports and Members are encouraged to review these reports together with the report of the Code Commission. These reports are readily available on the [OIE website](#).

Members should note that texts in **Part A (Annexes 4 to 14)** of this report are circulated for Member comments and will be proposed for adoption at the 88th General Session in May 2021. **Part B (Annexes 15 to 25)** includes texts that are circulated for Member comments only.

Texts annexed to the report of the Code Commission's February 2020 meeting, that were to be proposed for adoption and were open for one additional round of comments will be proposed for adoption in May 2021. The Code Commission noted that these texts were the result of a thorough process of analysis of all comments received from members and experts, taking into account all positions that were duly argued. Consequently, most of them are not circulated again for comments in this report. Details on these texts are discussed under section 8 of this report. All these texts will be considered again by the Code Commission in its February 2021 meeting.

The reports of meetings of *ad hoc* Groups and other related documents are attached for information in **Part C (Annexes 26 to 28)**.

All comments on relevant texts in **Part A and Part B** must reach OIE Headquarters **by 28 December 2020** for them to be considered by the Code Commission at its February 2021 meeting. Comments received after the due date will not be submitted to the Code Commission for its consideration. In addition, the Code Commission would like to highlight that comments should be submitted through the OIE Delegate of Member Countries or organisations which the OIE has a Cooperative Agreement with.

All comments and related documents should be sent by email to the OIE Standards Department at [TCC.Secretariat@oie.int](mailto:TCC.Secretariat@oie.int).

The Code Commission again strongly encourages Members to participate in the development of the OIE's international standards by submitting comments on this report. Members are also reminded that comments should be submitted as Word files rather than pdf files because pdf files are difficult to incorporate into the working documents of the Code Commission. Comments should be submitted as specific proposed text changes, supported by a structured rationale or by published scientific references. Proposed deletions should be shown using '~~striketrough~~' and additions using 'double underline'. Members should not use the automatic 'track-changes' function provided by word processing software as such changes are lost in the process of collating submissions into the Code Commission's working documents. Members are also requested **not** to reproduce the full text of a chapter as this makes it easy to miss comments while preparing the working documents.

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## 1. Welcome from the Deputy Director General

Deputy Director General (International Standards and Science) Dr Matthew Stone welcomed the Code Commission and thanked its members for taking time from their busy schedules to support the work of the OIE, extending this thanks to their employers and national governments. He thanked the Commission for its support during the organisation’s response, including the reports prepared to ensure OIE Members remain well briefed on the activities of the Specialist Commissions following the cancellation of the General Session for 2020. Dr Stone noted the OIE’s ongoing adaptation of its work programmes to the restrictions imposed as a result of the COVID-19 pandemic, with many successful virtual expert meetings now having been held ensuring that the OIE’s productive output has continued thanks to the hard work of staff and the

understanding and dedication of our expert community. Although the impacts of the global pandemic continue, and the scientific understanding of its root causes, mitigating and exacerbating factors is yet incomplete, the OIE continues its internal reflection on our role to support our members in the face of new priorities around emerging disease risk mitigation, resilience and preparedness. Concrete proposals in this respect will soon emerge, and we will look to the expert networks of our Members and partners for implementation support, and funding support from our resource partners. These activities will also engage the Specialist Commissions, and therefore need to be considered in work programme prioritisation. Dr Stone noted the call for nominations for the elections in 2021 for Specialist Commissions that was open at that time. He also provided the Commission with a summary of the performance evaluation process that all experts of Specialist Commissions would be participating in, as the concluding phase of the new Specialist Commission performance management system. This would result in a confidential report to OIE Council in February 2021.

## **2. Meeting with the Director General**

Dr Monique Eloit, the OIE Director General, met with the Code Commission on 9 September 2020 and thanked its members for their continued support and commitment to achieving OIE objectives. She also thanked them for their flexibility, in particular developing new ways of working in preparation of this virtual meeting and for their contribution to the Commission's activity report as part of the 2020 adapted procedure for the World Assembly of the Delegates, both consequences of the COVID-19 pandemic.

The Code Commission thanked Dr Eloit for making time to meet with them and commended the excellent work of the Secretariat for meeting preparations and its work during the meeting especially given the challenges of a virtual meeting.

## **3. Adoption of agenda**

The proposed agenda was discussed, taking into consideration the priorities of the work programme and time availability. The adopted agenda of the meeting is attached as **Annex 2**.

## **4. Cooperation with other Specialist Commissions**

### **4.1. Scientific Commission for Animal Diseases**

The OIE Secretariat informed the Code Commission of relevant ongoing activities of the Scientific Commission, in particular, the progress of two initiatives being developed by the OIE Secretariat: the Standard Operating Procedure for listing decisions for pathogenic agents of terrestrial animals, and the strategy to revise or develop case definitions of OIE-listed diseases for inclusion in disease-specific chapters.

The Code Commission provided feedback on both items and commended the comprehensive analysis undertaken to develop the plan regarding the revision or development of new case definitions. The Commission noted that it would be important to ensure that the work on case definitions is integrated into the planned revision or development of disease-specific chapters as described in the Commission's work programme.

The opinion of the Scientific Commission was sought for selected Member comments. The Code Commission wished to thank the Scientific Commission for this collaborative work. The Code Commission noted that opinions of the Scientific Commission on various issues discussed during this meeting would be considered at its February 2021 meeting.

### **4.2. Biological Standards Commission**

The OIE Secretariat provided a brief update to the Code Commission on relevant activities of the Biological Standards Commission, including chapters in the OIE *Manual of Diagnostic Tests and Vaccines for Terrestrial Animals* (the *Terrestrial Manual*) that are being revised as well as other items of interest.

In view of amendments that have been proposed to selected chapters of the *Terrestrial Manual*, the Code Commission agreed to review the corresponding chapters of the *Terrestrial Code* to ensure that the provisions will be aligned. The Commission noted that some of these chapters were already in its work programme, but added new work items on Newcastle disease, leishmaniosis, paratuberculosis and avian infectious laryngotracheitis (see section 5 of this report).

The Code Commission also noted the comments of the Biological Standards Commission on the definition of a 'case' in the Glossary of the *Terrestrial Code* and agreed to review the definition as part of the work on case definitions (see item 4.1 of this report).

#### 4.3. Aquatic Animals Health Standards Commission

Dr Etienne Bonbon and Dr Ingo Ernst, Presidents of the Code Commission and Aquatic Animals Commission, respectively, held a virtual meeting on 9 July to discuss aspects of the revision of the glossary definitions for Competent Authority, Veterinary Authority and Veterinary Services in the glossary of the *Terrestrial Code*, that could have an impact on the OIE *Aquatic Animal Health Code* (*Aquatic Code*) and the definitions of these same or related terms in its glossary. The Presidents discussed the changes proposed to the current definitions in the *Terrestrial Code* glossary and considered the opinions expressed by the Aquatic Animals Commission at its last meeting and agreed on revised definitions to be presented for the consideration of both Specialist Commissions at their September 2020 meetings.

Both Presidents agreed that the revised definitions would be sent out for Member comments simultaneously, for the revision to be undertaken in parallel.

Further reference to this discussion, as well as the detail of the revision of the glossary definitions for Competent Authority, Veterinary Authority and Veterinary Service can be found under item 7.1 of this report.

### 5. Code Commission's work programme

Comments were received from Australia, Israel, Kazakhstan, Switzerland, the United States of America, the EU, the Members of the OIE Americas region, and the IETS.

The Code Commission discussed ongoing priority topics on its work programme and pending issues with recently adopted chapters and considered comments and new requests received. The Commission noted that in general, few Members submit comments on the work programme, which outlines the work areas, current and planned, to be undertaken by the Commission. The Commission strongly encouraged Members to provide feedback as to whether they agree with the topics being proposed, as well as their level of prioritisation.

In response to a comment requesting information about progress on the revisions of Chapter 8.8, Infection with foot and mouth disease virus, and Chapter 4.4, Zoning and compartmentalisation, the Code Commission reported that these chapters had been progressed during this meeting (see items 7.4 and 6.3 of this report, respectively).

The Code Commission agreed with a comment requesting that a higher priority be given to the revision of Chapter 14.8, Scrapie, but noted that this had to be balanced with other ongoing priority topics. In response to a comment stressing the importance of finalising the revision of bovine spongiform encephalopathy (BSE) chapter, the Commission noted that the revision is progressing and an updated revised chapter is being sent for a second round of comments in this report (see item 7.6 of this report).

In response to a comment regarding the proposed revision of Chapter 6.10, Responsible and prudent use of antimicrobial agents in veterinary medicine, the Code Commission referred Members to item 5.1.5. of this report.

The Code Commission acknowledged a comment requesting a change to the taxonomic name for 'Newcastle disease virus' in Chapter 10.9 and was informed that the *Terrestrial Manual* chapter for Newcastle disease was under revision and that this issue will be addressed as part of that work. The Commission agreed to

include the revision of Chapter 10.9 in its work programme and will commence that work once the corresponding *Terrestrial Manual* chapter has been revised.

## **5.1. Ongoing priority topics (not by order of priority)**

The OIE Secretariat updated the Code Commission regarding the progress of a number of ongoing priority topics that were discussed in previous meetings and for which no new or revised text was reviewed at this meeting. The Commission noted that some topics that were noted in its February 2020 report but for which there has been no significant progress will be considered by the Commission at future meetings as they continue being part of the Commission work programme.

### **5.1.1. Terminology: Definition of ‘swill.’**

#### Background

During its September 2019 and February 2020 meetings, the Code Commission noted that the term ‘swill’ should be defined and decided to include it in its work programme. The Commission had requested the OIE Secretariat to include this task within the work being conducted for the preparation of Guidelines on compartmentalisation for African swine fever that would involve expert consultation.

#### Update

During the *ad hoc* Group on African swine fever compartmentalisation, relevant information was gathered from the members of the *ad hoc* Group. This information highlighted that there are significant differences in the scope and definition for this term amongst countries, and in equivalent terms used in local legislative texts.

Noting these differences, the Code Commission considered that more precise scoping would be required to create a definition, and requested the OIE Secretariat and the Commission member leading this work to continue working on this matter and report back on the progress at its next meeting.

### **5.1.2. Control of Shiga toxin-producing *Escherichia coli* (STEC) in food-producing animals**

#### Background

The Code Commission had agreed to include the ‘control of Shiga toxin-producing *Escherichia coli* (STEC) in food-producing animals’ in its work programme pending outcomes of new work being undertaken by the Codex Committee on Food Hygiene to develop draft “*Guidelines for the Control of Shiga Toxin-Producing Escherichia coli (STEC) in Beef Meat, Leafy Greens, Raw Milk and Cheese Produced from Raw Milk, and Sprouts*”. The Commission had agreed to consider this item once the FAO/WHO joint expert meeting had conducted a systematic review of all possible interventions from primary production to the end of processing to control STEC in beef.

#### Update

The Code Commission was informed that the OIE Secretariat had participated in the FAO/WHO joint expert meeting that took place in June 2020. Although the meeting report had not yet been published, the Commission was informed that discussions during the expert meeting highlighted that there was little evidence of effective mitigation measures applicable during primary production specific for the control of STEC. In addition, there was potential for STEC contamination further along the food processing chain. Based on this information, the Code Commission agreed that a specific chapter to address the prevention, detection and control of STEC in beef cattle in the *Terrestrial Code* was not indicated. The Commission agreed to remove this item from its work programme.

### 5.1.3. General hygiene in semen collection and processing centres (Chapter 4.6), and Collection and processing of bovine, small ruminant and porcine semen (Chapter 4.7)

#### Background

At its September 2019 meeting, the Code Commission had requested that an *ad hoc* Group be convened to revise Chapter 4.6, General hygiene in semen collection and processing centres, and Chapter 4.7, Collection and processing of bovine, small ruminant and porcine semen, as well as provisions in relevant disease-specific chapters of the *Terrestrial Code* and the *Terrestrial Manual*, in order to resolve inconsistencies among the chapters and ensure that relevant texts reflect the latest scientific evidence and best practices regarding risk mitigation measures in the collection and processing of semen of animals. The *ad hoc* Group will also consider the inclusion of provisions to address equine semen in these chapters.

At its February 2020 meeting, the Code Commission considered the draft Terms of Reference for the *ad hoc* Group.

#### Update

The OIE Secretariat informed the Code Commission that the membership of the *ad hoc* Group was being finalised. The plan to convene the first meeting of this *ad hoc* Group in June 2020 had been postponed due to the COVID-19 pandemic.

The OIE Secretariat informed the Code Commission that it would resume the plan to launch the work of this *ad hoc* Group, but noted the challenges of convening a new *ad hoc* Group that must work electronically to undertake this complex work.

The OIE Secretariat drew to the attention of Members that the Terms of Reference and the meeting dates, once confirmed, will be uploaded onto the ‘OIE calendar of *ad hoc* Groups’ on the OIE website at:

<https://app.smartsheet.com/b/publish?EQBCT=9e202fcc2c804db5aac7bbe7d55aadb7>.

The Code Commission highlighted the importance of this priority topic for Members and requested to be informed of progress at its next meeting.

### 5.1.4. Revision of Collection and processing of *in vivo* derived embryos from livestock and equids (Chapter 4.8), and Collection and processing of oocytes and *in vitro* produced embryos from livestock and horses (Chapter 4.9)

#### Background

The Code Commission had previously considered amending Chapter 4.9, Collection and processing of oocytes and *in vitro* produced embryos from livestock and horses, to include provisions regarding risk mitigation measures for bovine viral diarrhoea (BVD) based on a proposal submitted by the IETS. At its September 2019 meeting, the Commission requested the OIE Secretariat to seek expert advice regarding the process to demonstrate that the bovine granulosa cells or co-culture cells used for *in vitro* culture were free from BVD virus, in order to develop appropriate risk mitigation measures for BVD regardless of the disease status of a country or zone (as there is no provision in the *Terrestrial Code* for countries or zones free from BVD).

In addition, the IETS had submitted two new requests.

#### Discussion

The OIE Secretariat informed the Code Commission that the consultation with IETS on the inclusion of provisions regarding risk mitigation measures for bovine viral diarrhoea (BVD) was still ongoing. The Commission requested the OIE Secretariat to continue the ongoing



consultation and to include the new amendments proposed to Article 4.9.5 in the next draft amended text when presented to the Commission for its consideration.

The Code Commission also considered two new requests received from IETS, one to amend Chapter 4.8 to reclassify the category for Bluetongue in line with the updated IETS classification (see item 5.2.3 of this report); and the other to amend Article 4.9.5, Optional tests and treatments, (see item 5.2.4 of this report). The Commission agreed to add these two new requests to the ongoing work on this chapter. Before amending Chapter 4.8 with regards to Bluetongue, the Code Commission requested the OIE Secretariat to consider, in consultation with the Biological Standards Commission, if this would also require changes in Chapter 3.1.3, Bluetongue (infection with bluetongue virus), of the *Terrestrial Manual*.

The Code Commission requested the OIE Secretariat to provide an update on the progress of this topic at its next meeting.

#### **5.1.5. Updates on OIE AMR Working Group and Codex Alimentarius Task Force on AMR (in relation to the revision of Chapter 6.10 Responsible and prudent use of antimicrobial agents in veterinary medicine)**

##### Background

At the February 2019 meeting of the Code Commission, comments were received requesting a review of Chapter 6.10, Responsible and prudent use of antimicrobial agents in veterinary medicine, given that this chapter had not been significantly reviewed for some time.

The Code Commission had requested the advice from the OIE Working Group on Antimicrobial Resistance, which met in October 2019. The Working Group recommended that amendments to Chapter 6.10 not be undertaken before the work at the TFAMR is finished to avoid duplication and inconsistencies given the similarity between the text in Chapter 6.10 and the discussion at the Codex Alimentarius Task Force on Antimicrobial Resistance (TFAMR).

##### Update

The OIE Secretariat informed the Code Commission that the Codex TFAMR has been working to develop a Code of Practice (COP) and Guidelines for integrated surveillance. The draft COP, which would be closely linked to Chapter 6.10 of the *Terrestrial Code*, is close to being finalised and will be presented for adoption at the CAC43 to be held from September to October this year.

Given the possibility that the Codex COP will be adopted soon, and the importance of ensuring relevant alignments between the COP and Chapter 6.10, the Code Commission agreed to defer this discussion to February 2021. Furthermore, the Commission encouraged Delegates of the OIE to actively engage in the ongoing discussion at the Codex TFAMR through the Codex focal points to ensure their views are reflected in the Codex COP.

The Code Commission requested the OIE Secretariat to provide an update on the progress of the Codex work at its next meeting.

#### **5.1.6. Surra and dourine**

##### Background

The Code Commission and the Scientific Commission had agreed that three separate chapters on animal trypanosomes with different coverage of trypanosomes species and host animals would be developed. In addition to the development of a new draft Chapter 8.Y, Infection with animal trypanosomes of African origin, a draft new Chapter 8.X, Surra, and a revised Chapter 12.3, Dourine, had been proposed and extensively discussed since 2015, in particular their respective coverage of susceptible species. Both Commissions had also agreed that notwithstanding the diagnostic issues, the scope of Chapter 8.X should address surra of multiple species including horses and that the scope of Chapter 12.3 should remain as dourine of equids.

In February 2018, the Scientific Commission and the Code Commission had agreed to put Chapters 8.X and 12.3 on hold in light of the ongoing discussions related to Chapter 8.Y, Infection with animal trypanosomes of African origin.

In its February 2019 meeting, the Code Commission agreed to amend Article 1.3.1 to add 'Infection with animal trypanosomes of African origin (*T. vivax*, *T. congolense*, *T. simiae* and *T. brucei*)' to the diseases, infections and infestations listed by the OIE and circulated a new Chapter 8.Y, Infection with animal trypanosomes of African origin, for Member comments.

In February 2020, the Code Commission, together with the Scientific Commission, agreed to consider comments received on the new Chapter 8.Y, Infection with animal trypanosomes of African origin, before progressing work on the other two chapters.

#### Update

The Code Commission reviewed the new comments received on the new Chapter 8.Y (see item 6.5 of this report), and considered that, after two rounds of comments, no objections had been submitted by Members to the proposed chapters in terms of coverage of trypanosomes species and host animal species.

Given the progress seen on the new Chapter 8.Y, Infection with animal trypanosomes of African origin, the Code Commission, therefore, decided to continue the work on the new Chapter 8.X and the revision of Chapter 12.3 and will circulate new draft chapters after its February 2021 meeting.

### **5.1.7. Infection with *Echinococcus granulosus* (Chapter 8.5) and Infection with *Taenia solium* (Porcine cysticercosis) (Chapter 15.4)**

#### Background

In February 2020, the Code Commission considered a request received from the World Health Organization (WHO) to update Chapter 8.5, Infection with *Echinococcus granulosus*, and Chapter 15.4, Infection with *Taenia solium* (Porcine cysticercosis), as well as the corresponding chapters in the *Terrestrial Manual*, in view of recent developments in the area of vaccines and vaccination.

The Code Commission acknowledged the request and decided to wait for the opinion of the Biological Standards Commission before considering the inclusion of these topics in its work programme.

#### Update

The OIE Secretariat informed the Code Commission that the Biological Standards Commission considered this request at its February 2020 meeting, and wished to note the following:

- The *Terrestrial Manual* Chapter 3.9.5, Cysticercosis (including infection with *Taenia solium*), has been updated to include the vaccine information proposed by WHO experts, and will be proposed for adoption in May 2021.
- The *Terrestrial Manual* Chapter 3.1.6, Echinococcosis (infection with *Echinococcus granulosus* and with *E. multilocularis*), has been updated to include the vaccine information proposed by the WHO and will be reviewed by the Biological Standards Commission in the September 2020 meeting.

Given these amendments being proposed in the relevant chapters of the *Terrestrial Manual*, the Code Commission requested the OIE Secretariat to prepare amended versions of Chapters 8.5 and 15.4, as proposed by the WHO experts, for its consideration at its February 2021 meeting, taking into consideration the changes included in the *Terrestrial Manual*, and in consultation with relevant experts, if necessary.

### 5.1.8. Provisions regarding importation of honey

#### Background

At the February 2019 meeting of the Code Commission, a comment was received that enquired whether a re-evaluation of the risks associated with the importation of honey is planned. The Commission requested the OIE Secretariat to assess the need to work on the provisions regarding honey, including a possibility to create a Glossary definition for ‘honey’, and report back to the Commission at its next meeting.

#### Update

The Code Commission discussed this issue and agreed that it could potentially be addressed by revising Chapter 4.15, Official health control of bee diseases. The Commission asked the OIE Secretariat to explore this option and to consult the Codex Alimentarius regarding definitions on honey and related processes.

### 5.1.9. Slaughter of animals (Chapter 7.5) and Glossary Part B (‘slaughter’, ‘euthanasia’, ‘stunning’, ‘death’, ‘pain’, ‘distress’ and ‘suffering’)

#### Background

The OIE *ad hoc* Group on the Revision of Chapter 7.5, Slaughter of animals, and Chapter 7.6, Killing of animals for disease control purposes, held physical meetings in April and November 2018, and June 2019, and most recently via video conference between April and July 2020 to progress work on a comprehensive review of Chapters 7.5 and 7.6. The objective of this review was to resolve inconsistencies in the methods used in the slaughter of animals, and the killing of animals for disease control purposes; to propose amendments to ensure that the text reflects current scientific knowledge; and to review the structure of both chapters.

At its February 2020 meeting, the Code Commission requested that the *ad hoc* Group be reconvened to consider Member comments received on the new proposed structure for Chapter 7.5 and some preliminary comments of the articles corresponding to animals arriving freely to the slaughterhouse, circulated in its September 2019 meeting report, and to continue its work to finalise the revised Chapter 7.5. The *ad hoc* Group was also requested to consider comments on the revised definitions related to the revision of these two chapters.

#### Discussion

Comments on the revised definitions were received from Argentina, Australia, Canada, New Caledonia, Norway, Singapore, Switzerland, the United Kingdom, the United States of America, and the EU.

The OIE Secretariat updated the Code Commission that the OIE *ad hoc* Group had met virtually on many occasions between April and July 2020, amended the draft articles for animals arriving freely to the slaughterhouse taking into account Member comments, and progressed in the development of articles for animals arriving in crates to the slaughterhouse. Unfortunately, despite the extensive efforts made by the *ad hoc* Group to progress this work while meeting virtually, they were unable to complete the draft chapter or consider all Member comments on the proposed definitions.

The Code Commission thanked the *ad hoc* Group for its commitment to completing this work and discussed the value of reviewing the *ad hoc* Group work in its current state of development. The Commission agreed not to review the *ad hoc* Group’s work at this meeting but rather requested that the *ad hoc* Group be reconvened to finalise the revision of Chapter 7.5 and start the revision of Chapter 7.6, and at the same time finalise the revision of the related definitions to these two chapters and submit a report for the Commission’s consideration at its February 2021 meeting.

### 5.1.10. Infection with Rift Valley fever virus (Chapter 8.15)

Comments were received from China (People's Republic of), New Caledonia, New Zealand, Switzerland, Thailand, the United States of America, the EU and AU-IBAR.

#### Background

Proposed amendments to Chapter 8.15 were first circulated in the Code Commission's February 2019 report to clarify the obligations of Members to notify when there is an epizootic of Rift Valley fever (RVF) in an endemic country or zone. The revised Chapter 8.15, Infection with Rift Valley fever virus, was circulated for the third time for Member comments in the February 2020 Code Commission meeting report.

#### Discussion

The Code Commission acknowledged the comments received on Chapter 8.15 and deferred its discussion to its February 2021 meeting given that selected comments on surveillance had been sent to the Scientific Commission for its opinion.

## 5.2. New requests/proposals

### 5.2.1. Request received to draft a chapter on Camel pox

The Code Commission noted a request submitted by a Member to develop a new chapter on Camel pox in the *Terrestrial Code* to provide recommendations for international trade.

The Code Commission agreed to consider this item to be included in its work programme and requested the OIE Secretariat to seek further information from experts on camelid diseases about the current situation of the disease and the value of such recommendations, as well as information about any other work currently being undertaken.

### 5.2.2. Trichomonosis (Chapter 11.11): Request received to update the recommended tests for importation of bulls

The Code Commission considered a query received from a Member regarding the appropriate tests for trichomonosis for the importation of bulls. The topic is discussed under item 7.8 of this report.

### 5.2.3. Revision of Collection and processing of *in vivo* derived embryos from livestock and equids (Chapter 4.8) to reclassify the category for Bluetongue

The OIE Secretariat informed the Code Commission of a request received from the IETS to amend Article 4.8.14 of the *Terrestrial Code*, in line with the recent change in the categorisation of Bluetongue under the IETS embryo categorisation system relating to disease risks in *in vivo* derived bovine embryos.

The Code Commission thanked the IETS for its close collaboration with the OIE and the support in keeping the OIE standards up to date with current relevant scientific evidence.

The Code Commission agreed to incorporate this request regarding Bluetongue in its work programme, noting that relevant disease-specific chapters of the *Terrestrial Code* and *Terrestrial Manual* should also be reviewed in parallel. It requested the OIE Secretariat to group this issue with other pending issues to be considered for the revision of Chapters 4.8 and 4.9 of the *Terrestrial Code* and to prepare for the discussion at its next meeting (see item 5.1.4 of this report).

#### **5.2.4. Revision of Collection and processing of oocytes and *in vitro* produced embryos from livestock and horses (Chapter 4.9) to amend Article 4.9.5 on optional tests and treatments**

The OIE Secretariat informed the Code Commission of a request and supporting rationale received from the IETS to amend Article 4.9.5 on optional tests and treatments.

The Code Commission agreed to incorporate this request in its work programme, and requested the OIE Secretariat to group this issue with other pending issues to be considered for the revision of Chapters 4.8 and 4.9 of the *Terrestrial Code* and to prepare for the discussion at its next meeting (see item 5.1.4 of this report).

#### **5.2.5. Revision of the Glossary definition for ‘disinfection’**

The OIE Secretariat informed the Code Commission of a request received from a Member to amend the Glossary definition for ‘disinfection’ in the Glossary, to allow ‘fallowing’ to be covered as a disinfection method.

The Code Commission acknowledged that there is evidence to support this proposal and agreed to take this into consideration when undertaking the planned revision of Chapter 4.14, General recommendations on disinfection and disinsection, which was already included in its work programme.

The Code Commission also noted that a newly revised Chapter 4.3, Disinfection of aquaculture establishments and equipment, of the *Aquatic Code* was adopted in 2017 and should be considered when undertaking the revision of Chapter 4.14.

#### **5.2.6. Revision of Article 4.7.4 on Conditions applicable to testing of boars**

The OIE Secretariat informed the Code Commission of a request received from a Member to amend Article 4.7.4 to provide more clarity with respect to testing of boars for brucellosis.

The Code Commission agreed that there were some inconsistencies and a lack of clarity for brucellosis as well as some other diseases and wished to note that these issues will be addressed as part of the work to review and revise Chapters 4.6 and 4.7 (see item 5.1.3 of this report). The Commission requested the OIE Secretariat to ensure this request regarding brucellosis be addressed in this work.

### **5.3. Follow-up revisions of recently adopted chapters**

#### **5.3.1. Outstanding issues regarding Chapter 8.14 Infection with rabies virus**

The last revised version of Chapter 8.14, Infection with rabies virus, was adopted in 2019. At the time of adoption, the President of the Code Commission noted that additional work would be considered in the near future.

The Code Commission reviewed the pending issues on this chapter and the progress made by the Scientific Commission and the *ad hoc* Group on rabies regarding the provisions for the importation of dogs from infected countries or zones and agreed to discuss the revision of Chapter 8.14, Infection with rabies virus, at this meeting (see item 7.2 of this report).

### **5.4. Prioritisation of items in the work programme**

Based on a range of considerations presented above, and the progress of different topics discussed during this meeting (see sections 6 to 8 of this report) as well as the coordination with other Specialist Commissions (see section 4 of this report), the Code Commission updated its work programme and revised the order of items in each section to reflect the current level of prioritisation. In addition, the Code Commission decided to include the items presented below.

- Revision of Glossary definition for ‘case’
- New Glossary definition for ‘swill’
- Revision of Chapter 5.11 Model veterinary certificate for international movement of dogs, cats and ferrets originating from countries considered infected with rabies
- Revision of Chapter 8.13 Paratuberculosis
- Revision of Chapter 10.3 Avian infectious laryngotracheitis
- Revision of Chapter 10.9 Infection with Newcastle disease virus
- Revision of Chapter 10.11 Trichomonosis
- Development of a new chapter on infection of dromedary camels with Middle East respiratory syndrome coronavirus
- Development of a new chapter on leishmaniosis.

The updated work programme is presented as **Annex 3** for Member comments.

## 6. Texts proposed for adoption in May 2021

The Code Commission considered comments received on the following new and revised texts previously circulated for Member comments and its responses are presented below. Items discussed under this section are proposed for adoption at the 88th General Session in May 2021.

### 6.1. Diseases, infections and infestations listed by the OIE (Articles 1.3.1, 1.3.2 and 1.3.9)

Comments were received from China (People’s Republic of), New Zealand, Switzerland and the EU.

#### **Infection with *Mycobacterium tuberculosis* complex**

The Code Commission recalled that in the report of its February 2020 meeting it had invited Members to provide any new scientific evidence to the OIE regarding the possibility and impact of transmission of *Mycobacterium tuberculosis* from animals to humans or other animals, to inform its decision as to whether or not *M. tuberculosis* should be listed. The Code Commission noted that a Member had provided some scientific evidence, which was referred to the Scientific Commission for consideration. Pending the feedback from the Scientific Commission, no change is proposed to the listed disease ‘Infection with *Mycobacterium tuberculosis* complex’.

#### **Infection with *Mycoplasma mycoides* subsp. *mycoides* SC (Contagious bovine pleuropneumonia)**

The Code Commission acknowledged a comment in support of amending the name of the pathogenic agent for contagious bovine pleuropneumonia and informed that the amendment would be proposed for adoption once the corresponding chapter in the *Terrestrial Manual* has been updated (in reference to a discussion in the report of the February 2020 meeting).

#### **Infection with animal trypanosomes of African origin (*T. vivax*, *T. congolense*, *T. simiae* and *T. brucei*)**

The Code Commission noted that no further comments were received regarding the proposed amendments.

#### **Infection of dromedary camels with Middle East respiratory syndrome coronavirus**

The Code Commission noted that no further comments were received regarding the proposed amendments.

Revised Articles 1.3.1, 1.3.2 and 1.3.9 are presented as **Annex 4** for Member comments and are proposed for adoption at the 88th General Session in May 2021.

## **6.2. Quality of Veterinary Services (Chapter 3.1), Evaluation of Veterinary Services (Chapter 3.2), and new chapter on Veterinary Services (Chapter 3.X)**

### Background

Chapters 3.1, Quality of Veterinary Services, and 3.2, Evaluation of Veterinary Services, had been revised to reflect the contemporary activities and responsibilities of the Veterinary Services and to better align with other chapters in the *Terrestrial Code*. An *ad hoc* Group on Veterinary Services was convened in July 2019 to revise these chapters. The *ad hoc* Group also proposed a new Chapter 3.X, Veterinary Services, as an introductory chapter for Section 3 of the *Terrestrial Code*. The new Chapter 3.X and revised Chapters 3.1 and 3.2 have been circulated twice for comments, the first time in the report of the Code Commission September 2019 meeting and the second time in its February 2020 report.

### General comments

The Code Commission considered proposals made by OIE Headquarters to refer to ‘wildlife’, ‘zoonoses’ and ‘emerging diseases’ in the texts of Chapter 3.X, 3.1 and 3.2, in response to infection with SARS-CoV-2 and in consideration of other emerging diseases and spill over events from wildlife to other animals and humans.

The Code Commission agreed to include some of these proposed additions where appropriate. However, it highlighted that the Glossary definition of ‘animal’ includes wildlife, and that the term ‘animal diseases’ inherently includes ‘zoonoses’ and ‘emerging diseases’. Thus the Commission was of the view that there was no need for the systematic addition of ‘including wildlife’ whenever those terms were used. If considered ambiguous by Members, the Commission could consider revising the Glossary definition for ‘animal’, noting that this could entail consequential amendments across the *Terrestrial Code*.

For responses to comments relating to the definitions of ‘Competent Authority’, ‘Veterinary Authority’ and ‘Veterinary Services’, refer to item 7.1 of this report.

### **New chapter on Veterinary Services (Chapter 3.X)**

Comments were received from Singapore, Switzerland, the EU and AU-IBAR.

#### **Article 3.X.1**

In the first paragraph, the Code Commission agreed with a comment to add ‘national’ when referring to trade noting that Veterinary Services are not only responsible for ensuring safe international trade but also safe national trade.

In the same paragraph, the Code Commission agreed with a comment to include ‘health’ after wildlife as the point should also cover wildlife health and not just wildlife protection. Taking into account the proposal made by the OIE Headquarters in response to the recent infection with SARS-CoV-2, it proposed to add ‘in a One Health approach’ at the end of the last sentence given that a One Health approach is an important concept that is referred to in Chapter 3.1.

#### **Quality of Veterinary Services (Chapter 3.1)**

Comments were received from Australia, Chinese Taipei, New Caledonia, New Zealand, Switzerland, the EU and AU-IBAR.

### **Article 3.1.2**

In point 6 of Article 3.1.2, the Code Commission did not agree with a comment that the text does not effectively communicate the principle that veterinary science is made up of a range of scientific disciplines. The Commission was of the view that the original text is clear and concise and refers to ‘implement their activities on a scientific basis’, without specifying which expertise is needed. Furthermore, there is no universal definition of veterinary science, so the reference would be imprecise.

The Code Commission also did not agree with the second part of the comment to have a separate statement on economics and social sciences. The rationale provided by the Member was that although these are important considerations, there may be some debate that economics and social sciences are not ‘true sciences’. The Commission explained that the text highlights some fields contributing to the activities of Veterinary Services, independent of whether or not these are considered ‘true sciences’.

In response to a comment from OIE Headquarters to include a new point on collaboration to highlight existing links between the role of the Veterinary Services, wildlife health and risks of emerging zoonoses, the Code Commission partially agreed, and proposed a new point on ‘intersectoral collaboration’, and kept the explanatory text broad and high level, without scoping it to wildlife.

### **Article 3.1.3**

In the second paragraph, the Code Commission replaced ‘Competent Authorities’ with ‘governmental authorities’ in response to a comment that there are other relevant agencies outside of the Competent Authority, e.g. law enforcement agencies, which may also be involved.

In point 8, the Code Commission did not agree with a comment to include text on multisectoral preparedness and response mechanisms as it considered this to be too detailed. However, the Commission agreed to include this point in parenthesis as an example of the activities for which formal external coordination mechanisms would apply.

### **Article 3.1.4**

The Code Commission did not agree with a comment to include an additional point on access to private sector-based Veterinary Service providers, since this article provides provisions related mainly to personnel and resources covered by the official budget. The Commission noted that the engagement of the private sector is covered in Article 3.1.6. Furthermore, point 8 of the same article elaborates on procedures for the Veterinary Services to access personnel and other resources, which could include private sector providers.

### **Article 3.1.5**

In point 3, the Code Commission did not agree with a comment to delete ‘quality’ after ‘sufficient’ and to add ‘of the appropriate standard’ after ‘veterinary clinical services’. It explained that the point concerns both the quality and quantity of veterinary clinical services, and there was no need to elaborate on the quality or quantity needed since the last part of the sentence describes what these should be sufficient for, i.e. ‘to meet the needs of animal owners’. The same explanation would apply to other comments on the ‘quality’ of veterinary clinical services.

### **Article 3.1.6**

In the first paragraph, the Code Commission agreed with a proposal from OIE Headquarters to include wildlife managers and researchers in the list of examples.

### **Article 3.1.7**

In point 1, the Code Commission agreed with a proposal from OIE Headquarters to include ‘known and emerging’ before ‘animal diseases’ and mention of ‘wildlife’ to highlight these points.



**Article 3.1.8**

In point 2, the Code Commission agreed with a proposal from OIE Headquarters to add ‘including slaughter associated with live animal markets’ to emphasise that live animal markets should also be subject to procedures for ante-mortem and post-mortem inspections. However, it did not agree with a comment to include a new point on ‘management of risks from animal sales and slaughter associated with public markets, especially when many animal species, including wildlife are involved’ as it considered this to be too detailed for the purposes of this article.

In the same point, the Code Commission proposed to replace ‘and zoonoses’ with ‘including zoonoses’ to clarify that animal diseases include zoonoses.

**Article 3.1.9**

In point 2, the Code Commission partially agreed with a comment to rephrase the second sentence for better readability and proposed amendments to split the existing sentence. It agreed that surveillance and control of antimicrobials apply to both antimicrobial use and development and spread of antimicrobial resistant pathogens with the text as written.

**Article 3.1.10**

In the first sentence of the second paragraph, the Code Commission agreed with a comment to add ‘implementing’ before ‘antimicrobial resistance surveillance’. The Commission also agreed to add ‘as well as for associated research’ at the end of the sentence.

In the last sentence, the Code Commission agreed with a comment and replaced ‘overseas’ with ‘abroad’.

**Article 3.1.12**

In point 4, the Code Commission did not agree with a comment to add ‘including wildlife’ for the reasons given under general comments above.

**Evaluation of Veterinary Services (Chapter 3.2)**

Comments were received from Switzerland and the EU.

**Article 3.2.3**

In point 2, the Code Commission partially agreed with a comment to include a reference to the importance of independence and added the sentence ‘The Competent Authorities should consider the principle of independence when carrying out self-evaluations’. It did not agree to include prescriptive information on the appointment of independent bodies, noting that there are many ways to ensure independence.

Revised new Chapter 3.X, and revised Chapters 3.1 and 3.2 are presented as **Annexes 5, 6 and 7** for Member comments and are proposed for adoption at the 88th General Session in May 2021.

**6.3. Zoning and compartmentalisation (Articles 4.4.6 and 4.4.7)**

Comments were received from Australia, Canada, New Caledonia, New Zealand, Switzerland, the United States of America, the EU and the OIE Americas Region.

**Background**

During the last revision of Chapter 4.4, Zoning and compartmentalisation, that was adopted in 2018, some Members had requested an update regarding the status of the proposal to include new text in Article 4.4.6 on the concept of ‘temporary protection zone’ to minimise the impact that a disease introduction would have on the entire country or zone when an increased risk is considered to be temporary. At that time, the Code Commission, in consultation with the Scientific Commission, agreed

to not address these comments but rather to discuss further how to manage, clarify and incorporate this concept into the *Terrestrial Code*.

Since that time, both Commissions have discussed this concept over several dedicated meetings and have agreed on critical aspects of its implementation, the implications on animal health status, and the amendments required for its inclusion in the *Terrestrial Code*.

The proposed revised texts for Articles 4.4.6 and 4.4.7 were circulated for Member comments for the first time in the report of the Code Commission February 2020 meeting.

#### Discussion

The Code Commission noted a request to develop separate chapters on the concept of zoning and compartmentalisation to improve clarity. The Commission informed Members that there is already Chapter 4.5 on the application of compartmentalisation and that the development of a new chapter on the application of zoning is included on the work programme of the Commission.

#### **Article 4.4.6**

In the second paragraph, the Code Commission did not agree with a comment to add text regarding temporality of a protection zone with a defined maximum duration of time. It reaffirmed that the maximum duration should be specified only for diseases for which the OIE grants official recognition of animal health status, noting the new concept of protection zone presented in this draft article should be applicable to any disease.

In the same paragraph, the Code Commission did not agree with a comment to merge the first two sentences as it considered the separate sentences as written provide more clarity.

For the previous fourth paragraph regarding increased surveillance, the Code Commission agreed with a comment to move this paragraph down as the new fifth paragraph, for better clarity and flow of the article. In this paragraph, the Commission did not agree with a comment to delete ‘and the rest of the country or zone’ as it considered these words should be retained for clarity.

In the new fourth paragraph, the Code Commission did not agree with a comment to replace ‘these measures’ by ‘the measures implemented in the protection zone and the rest of the country or zone’ because ‘these measures’ means the biosecurity and sanitary measures that are described in the preceding paragraph.

In the new sixth paragraph, the Code Commission did not agree with a comment to add ‘outside the protection zone’ after ‘the rest of the country or zone’ as it considered the text clear as written, noting that ‘the rest’ means outside. The Commission noted a comment to request that a protection zone transition to a containment zone if a case occurred in the protection zone. In response to this comment, the Commission agreed to add text regarding the ‘subsequent’ establishment of a containment zone at the end of this paragraph. Furthermore, the Commission agreed to move the text regarding the scenario where vaccination was implemented from the paragraph and to create a separate paragraph to improve readability.

In the last paragraph, the Code Commission did not agree with a comment that the current text may cause misunderstanding that OIE approval is required under all circumstances. Nevertheless, the Commission introduced three indents and also proposed minor amendments to the text to improve clarity.

#### **Article 4.4.7**

In point 1, the Code Commission did not agree with a comment to replace ‘all’ by ‘one or several’ highlighting that what matters here is not the number of outbreaks but the fact that all epidemiologically linked outbreaks are included in a containment zone. If epidemiologically linked outbreaks occur at distances making it impossible to have one containment zone, it would mean the disease is not contained.

In point 3, under the third indent, the Code Commission did not agree with a comment to add ‘controlling or’ before ‘eradicating’ as it considered that eradication can only be achieved by control measures against the disease, which was already implied with ‘emergency control strategy aimed at eradicating disease’. It added that although not always feasible, in the context of a containment zone the measures should have the objective of eradicating the disease.

In point 4(a), the Code Commission did not agree with a comment to replace ‘two incubation periods’ by ‘two infective periods’. While the Commission acknowledged that ‘two infective periods’ is used in Chapter 12.1, Infection with African horse sickness virus, due to its specificity, it agreed that it is the incubation period that should be considered for effective establishment of a containment zone, which is always preceded by stamping-out or killing of the last detected case. Incubation periods are used in post control surveillance to verify the absence of transmission of the pathogenic agent. The Commission also noted that infective period is, by definition, often hard to define and it can be lifelong. Notwithstanding, the Commission agreed to add ‘unless otherwise specified in the disease-specific chapter’ in the chapeau of point 4 to allow for different conditions depending on specific characteristics of some diseases.

In point 4(b), the Code Commission welcomed a proposal from some Members regarding the naming of two different zones that make up a containment zone, and agreed to use ‘an inner zone’ and ‘an outer zone’ for the clear differentiation of the two zones.

In point 5, the Code Commission did not agree with a comment to add ‘for diseases for which the OIE grants official recognition of animal health status’ in the first sentence as it considered this principle would be applicable to any disease. In the same point, the Commission did not agree with a comment to add a new sentence that allows for science- and risk-based agreements between Members to enable continued trade between geographically distant areas which are to be considered by trading countries to remain free from the disease. The Commission reminded Members that the provisions in the *Terrestrial Code* are general principles and in the situation described in this point, the free status of the rest of the country or zone is suspended irrespective of bilateral agreements. Moreover, the trade provisions are provided in disease-specific chapters irrespective of bilateral agreements, taking into account the animal health status of the exporting country or zone.

In point 7, the Code Commission did not agree with a comment to add ‘that is epidemiologically related to the outbreak’ before ‘for which the containment zone was established’ on the basis of a necessity to explicitly allow for the continued point-source introductions which could occur with infection with high pathogenicity influenza (HPAI) viruses and other diseases. While noting that such a situation could theoretically take place for some specific diseases, the Commission questioned the practicality and feasibility to establish and manage multiple containment zones in the same area that correspond to different sources for the same disease.

Revised articles 4.4.6 and 4.4.7 are presented as **Annex 8** for Member comments and are proposed for adoption at the 88th General Session in May 2021.

#### **6.4. New chapter on animal welfare and laying hen production systems (Chapter 7.Z)**

Comments were received from Australia, Canada, China (People’s Republic of), Ecuador, Honduras, Guatemala, Israel, Japan, Mexico, Norway, South Africa, Switzerland, the United Kingdom, the United States of America, the EU, the OIE Americas Region, OIRSA-FEDAVICAC, ICFAW and IEC.

##### Background

The new Chapter 7.Z, Animal welfare and laying hen production systems, is the last chapter to be developed on animal production systems based on the prioritised list developed by the former OIE Animal Welfare Working Group. The first draft was developed by the *ad hoc* Group on Animal welfare and laying hen production systems (in 2016) and was circulated for comments on three occasions in September 2017, 2018 and 2019.

The Code Commission reiterated that one of the objectives of the revised chapter was to enable the continuous development of country specific animal welfare recommendations and monitoring during implementation.

During this commenting period, some comments were similar to those previously submitted. Where comments had been addressed previously, the Code Commission did not respond again but rather encouraged Members to refer to previous reports that included its rationale to these comments. The Commission encouraged Members to refer to its past reports and relevant *ad hoc* Group reports as they include detailed information about previous revisions as well as the rationale.

As noted in the report of its February 2020 meeting, the Code Commission only considered comments of significance that had not been submitted previously.

### Discussion

The Code Commission did not agree with the comments proposing to continue discussing the revised chapter to include regional or particular production system specifications because it considered that the current text is already flexible enough to be used in different contexts.

The Code Commission did not agree with a comment to include more details regarding what is considered a 'motivated behaviour', as considered that the introduction in point 2 of Article 7.Z.3 was sufficient, and also noted that this was already discussed in its February 2020 meeting report, where the Commission explained the reasons not to qualify behaviours as 'highly', 'strongly' and 'complex' in the text because these were qualitative terms difficult to interpret.

However, to allow for more flexibility, the Commission strengthened the text around the explanation of the outcome-based criteria (or measurables) articles of the draft, rather than amending the specific recommendations. This would ensure that all Members could implement the chapter irrespective of their level of development of animal welfare measures for laying hens and layer pullets.

The Code Commission agreed with comments to add the term 'layer' before 'pullets' and 'hens' where relevant to ensure consistency throughout the chapter.

The Code Commission did not agree to include the word 'may' in the list of measurables in the recommendation's articles, as they wished to infer that there could be other measurables and that this was not a complete list. Nevertheless, the Commission decided to modify the way lists of criteria are introduced by deleting the word 'include', and by using the terminology from Article 7.Z.3 'may be useful indicators'.

The Code Commission agreed in principle with the comment to consider including more welfare measures, but it considered that the addition of more measures so close to the proposed adoption was not feasible as it did not want to make significant changes at this time in order to be able to propose the draft chapter for adoption in May 2021.

### **Article 7.Z.3**

The Code Commission did not agree to replace the wording 'outcome-based measurables' with 'outcome-based measures', as the intended meaning is assumed to be a specific criterion that could be measured. However, the Commission agreed that consistency of the use of these terms throughout this chapter as well as all chapters in Section 7 was important. The Commission requested the OIE Secretariat to review all relevant chapters and evaluate the work needed to apply the use based on Article 7.1.4 and report back to the February 2021 Code Commission meeting.

The Code Commission agreed with the proposal to delete the examples given in the first paragraph of this article as it was an oversight from the February review of the draft.

The Code Commission did not agree to delete point 1, regarding 'Beak condition', as it is considered an important animal welfare aspect to be measured, and not only a consequence of an operation.

In point 2, the Code Commission did not agree with the proposed way of using the word 'normal' in some of the behaviour measurables (criteria), as this is already explained in the introductory part of point 2.

The Code Commission did not agree to add the term ‘when applicable’ at the beginning of the sentence introducing the list of measurables as the last paragraph of the introduction of this article already mentions that other measures may be used if defined on the basis of science and used in the right context.

In point 2(a), the Code Commission did not agree to delete the words ‘motivated behaviour’. As explained in the report of the February 2020 meeting:

‘The Code Commission agreed to focus on reinforcing the outcome-based criteria (or measurables) rather than amending the specific recommendations. They agreed that this would ensure that all Members would be able to implement the chapter irrespective of the level of development of animal welfare measures for laying hens and layer pullets.’

The *ad hoc* Group and the Code Commission decided to emphasise the importance of this concept in this section of the revised chapter, to allow for more flexibility in the implementation of the ‘recommendations’ part of the chapter.

In point 2(g), the Code Commission did not agree to delete the words ‘is a motivated’, because it is considered important to qualify the behaviour ‘nesting’ in this section.

In point 2(j), the Code Commission agreed to include a missing reference to the list and reminded Members that the list of references will be deleted after adoption.

In point 6, the Code Commission did not agree to delete ‘metabolic disorders’ from the subtitle of this point but decided to add the word ‘including’ to highlight the fact that even if metabolic disorders do not have a transmissibility component, they can be considered as important diseases.

In point 8, the Code Commission agreed to include the term ‘rates’ in the second sentence but rephrased the sentence to improve readability.

In point 9, the Code Commission agreed to add the measure of performance ‘layer pullet flock uniformity’, under a new bullet point (b) because of the importance of having a measure specific to flock uniformity. Also, and to improve the text and to avoid repetition, the Code Commission deleted the last part of bullet point (a), ‘and flock uniformity’.

In point 11, the Code Commission did not agree to include the term ‘rate’ in the subtitle as it considered that the criterion measured how layer pullets and laying hens consume feed and water rather than the amount consumed.

#### **Article 7.Z.4**

The Code Commission did not agree with the proposal to add a new sentence at the end of the first paragraph regarding the adaptation of layer pullet and laying hens to their environment, as it considered that the concept was already covered in the first part of that paragraph. The Commission agreed to remove the term ‘management’, add ‘animal welfare’ and replace ‘are lacking’ with ‘there are problems with’ to improve the readability.

#### **Article 7.Z.6**

The Code Commission did not agree to add a new sentence at the end of the first paragraph regarding the provision of conditions similar to the ones that would be offered in the intended layer housing system. It considered that by adding this new sentence, it would not allow for enough flexibility in the measures to be used to preadapt the layer pullet and laying hens to the housing and production systems. The Commission recalled that this comment was already addressed in the report its February meeting.

#### **Article 7.Z.7**

The Code Commission did not agree with the comment to add text regarding the possibility to have enough space for the expression of locomotory and comfort behaviours, as it considered the proposed wording was vague, and that the current text was adaptable enough.

**Article 7.Z.8**

The Code Commission agreed to include the term ‘pathogenic’ in the last sentence of the first paragraph, to distinguish it from microorganisms that may not be pathogenic.

**Article 7.Z.9**

The Code Commission agreed to delete the words ‘locomotion of’ in the first sentence as it agreed that they were now redundant following the wording added to this paragraph at the February 2020 meeting, which captured this concept.

**Article 7.Z.10**

The Code Commission did not agree with the comment proposing to combine the two first sentences and rephrase as ‘when dust bathing areas are provided, they should have friable and dry substrate’ as it considered that the change would restrict the meaning and not provide additional information to the current text which is considered clear as written.

The Code Commission did not agree to replace the word ‘When’ by ‘if’ in the same paragraph, as this paragraph should be written as a recommendation. The Commission did not agree with a similar comment submitted for Article 7.Z.11.

**Article 7.Z.14**

In the third paragraph of this article, the Code Commission agreed to replace ‘stagnant’ by ‘standing’ when describing ‘water’ that should be minimised in outdoor areas. In the same paragraph, the Commission did not agree with the proposal to add a new sentence regarding the provision of enrichment material to prepare the laying hens for outdoor access. However, the Commission redrafted the proposed text, to emphasise the good conditions that need to be provided in the rearing period to prepare layer pullet and laying hens to outdoor areas conditions. The Commission also agreed to consider this point in a future revision of the chapter and requested the OIE Secretariat to note this point for future revisions. The Commission did not agree with a comment to add a new sentence on the need for laying hens to have enough feather cover to be in completely outdoor systems, as it is already mentioned at the beginning of the first paragraph.

**Article 7.Z.15**

The Code Commission decided to add ‘relative’ to humidity as it is the correct measure that affects the thermal environment. The Commission recalled that even though this criterion is not described in Article 7.Z.3, it is consistent with Article 7.1.4, and corresponds to a resource-based measure.

**Article 7.Z.16**

To be consistent with the changes made in Article 7.Z.15, the Code Commission added the term ‘relative’ to ‘humidity’ as it is the appropriate measure that affects the air quality.

**Article 7.Z.19**

The Code Commission did not agree to add a new sentence clarifying the timing and extent of the partial beak removal when other methods to manage injurious feather pecking failed. The Commission considered that the current revised text is flexible enough and that this method should be considered as a final course of action rather than a routine one.

The Code Commission agreed to add a bullet point ‘providing nesting areas during lay’ following newly published research showing the importance of this concept for the welfare of layers.

### **Article 7.Z.20**

The Code Commission partially agreed with the proposal to modify the wording of the first and third sentences of the first paragraph of this article. The Commission agreed to include the words ‘and adequate periods of light’ but did not agree with the proposal to add ‘which can be mitigated by proper management’ in the first sentence as it considered the current text to be clear as written.

### **Article 7.Z.26**

The Code Commission agreed with the comment on the difficulties to implement evacuation procedures in some contexts, for example, in a sanitary one. Therefore, due to the importance of this concept, the Commission did agree to add ‘evacuation procedures and’, but at a different place in the text to make it more flexible, while keeping the possibility to implement this kind of measure in emergency situations.

The revised new Chapter 7.Z, Animal welfare and laying hen production systems, is presented as **Annex 9** for adoption at the 88th General Session in May 2021.

## **6.5. New chapter on infection with animal trypanosomes of African origin (Chapter 8.Y)**

Comments were received from Brazil, Switzerland, Mexico, New Caledonia, the United States of America, the EU and AU-IBAR.

### Background

In its September 2019 meeting, the Code Commission agreed to amend Article 1.3.1 to add ‘Infection with animal trypanosomes of African origin (*T. vivax*, *T. congolense*, *T. simiae* and *T. brucei*)’ to the diseases, infections and infestations listed by the OIE and circulated a new Chapter 8.Y, Infection with animal trypanosomes of African origin, for Member comments. The Code Commission reiterated that the decision agreed by the Code Commission and the Scientific Commission was that three separate chapters on animal trypanosomes with different coverage of trypanosomes species and host animals would be developed and that a new draft Chapter 8.Y would be developed first.

The Code Commission, at its February 2019 meeting, reviewed the new draft Chapter 8.Y, Infection with animal trypanosomes of African origin, that had been developed by the *ad hoc* Group. The new chapter was circulated twice for Member comments.

### Discussion

#### **Article 8.Y.1**

In points 1 and 4, the Code Commission did not agree with a comment to add ‘cyclically transmitted by tsetse flies’ to the definition of animal Trypanosomes of African origin, as other vectors can also transmit the pathogenic agents. The Commission reminded Members that this point had been extensively discussed by the *ad hoc* Group on Animal trypanosomes of African origin, who agreed to focus the definition of the disease on the pathogenic agents and not on the vectors. Nevertheless, the Commission requested the Secretariat to seek further expert advice on this point to be considered in its February 2021 meeting. The Commission amended the text of point 1 for clarity.

In point 4, the Code Commission did not agree with a comment requesting to amend the wording and explained that this point refers to the ‘incubation period’ of the disease, i.e., ‘infection with animal trypanosomes of African origin’, and not to the infective period. The Commission reminded Members that the infective period of this disease can be lifelong.

#### **Article 8.Y.2**

In point 2, the Code Commission agreed with a comment that ‘lanolin’ could be considered as a safe commodity given that it was a derivative of wool which is included in the list of safe commodities in Article 8.Y.2. Nevertheless, the Commission decided not to add lanolin to Article 8.Y.2 as it considered that, as wool is a safe commodity, it was implicit that ‘lanolin’ could be considered as safe. The

Commission explained that, for practical reasons, it is not possible to include all products that are exclusively derived from commodities already listed as safe.

In point 3, the Code Commission agreed with a comment to modify the wording to ‘gelatine and collagen’ given that the production of collagen, whether by acid, alkaline or enzymatic hydrolysis, includes a thermal step that ensures elimination of vegetative pathogens. This addition is also consistent with other *Terrestrial Code* chapters.

In point 5, the Code Commission did not agree with a comment to merge points 5 and 6. The Commission reminded Members that ‘meat’ would only be considered safe when derived from animals that passed ante- and post-mortem inspections, whereas all ‘meat products’ should be considered safe. The Commission had included these two entries in the list to clarify this difference.

In point 7, in response to a comment, the Code Commission reminded Members that the *ad hoc* Group on Animal trypanosomes of African origin had considered that there was a remote but not negligible risk of the presence of the pathogenic agent in raw hides and skins, and therefore hides and skins could not be considered safe commodities.

### **Article 8.Y.3**

In point 3, the Code Commission agreed to include a new point 3(c) to cover the possibility of a country or zone to be recognised as free from infection with animal trypanosomes of African origin when the absence of competent vectors has been demonstrated by a surveillance programme. The Commission noted this is the case in several other vector-borne disease-specific chapters of the *Terrestrial Code*.

In the last paragraph, the Code Commission agreed to replace ‘neighbouring to’ with ‘adjacent to’ for consistency with other chapters of the *Terrestrial Code*. This was also applied to the second paragraph of Article 8.Y.9.

### **Article 8.Y.5**

In point 2, the Code Commission did not agree with a comment to add text at the end of the current sentence about the need for these measures to be applied in conjunction with measures applied to positive animals (i.e., treated, slaughtered, or killed and appropriately disposed of). The Commission explained that this was already covered by point 1, since animals linked to a confirmed case and reacting positively to a test should be considered as cases, and therefore, these two points should be considered together as presented in the current text.

In point 2, the Code Commission agreed with a comment on the need to clarify the wording referring to the protection of animals against vectors and agreed to replace ‘vector protection’ by ‘protection from vector attacks’, for consistency with other vector-borne disease-specific chapters of the *Terrestrial Code* (e.g., African horse sickness).

In point 5, the Code Commission agreed with a comment to delete ‘may’, as biosecurity measures for trypanosomes of African origin should always consider including protection against vector attack.

### **Article 8.Y.6**

In point 3, the Code Commission agreed with a comment and amended the text for clarity.

### **Article 8.Y.7**

In the first paragraph, the Code Commission agreed with editorial comments and replaced the references by ‘Articles 8.Y.7 to 8.Y.10’.

In the second paragraph, the Code Commission did not agree with a comment to delete the paragraph as the Commission considered it was important to explain the goals of the surveillance, and to specify that it is not intended only for disease freedom. The Commission also emphasised that this text is especially relevant for this disease as the surveillance strategies would vary considerably between



countries and with different epidemiological situations. The Commission did not agree with a comment to delete the first sentence of the third paragraph for the same reasons.

In the last paragraph, the Code Commission partially agreed with a comment to delete the last sentence but moved it to the beginning of the paragraph for better flow.

#### **Article 8.Y.8**

In point 1(c), the Code Commission agreed with a comment to add ‘reporting’ as it considered that it is a critical component of a surveillance system.

In point 2(a), the Code Commission agreed with a comment to amend the wording for clarity, and to ensure consistency with other chapters as well as to better reflect the involvement of veterinarians and veterinary paraprofessionals in the early warning system.

#### **Article 8.Y.9**

In the fifth paragraph, the Code Commission partially agreed with a comment and, in line with the language of Chapter 1.4, replaced ‘rate’ with ‘expected prevalence’. The rest of the text of the paragraph was considered consistent with other chapters of the *Terrestrial Code*.

In points 1 and 2, the Code Commission agreed with a comment and amended the wording of both points to remove redundancies.

In point 6, in the second paragraph, the Code Commission amended the text for consistency with the changes introduced in Article 8.Y.3 to cover the possibility for a country or zone to be recognised as free from infection with animal trypanosomes of African origin when the absence of competent vectors has been demonstrated by a surveillance programme.

#### **Article 8.Y.10**

The Code Commission did not agree with a comment requesting to move the content of this article to Article 8.Y.5, as this is the standard structure used for disease-specific chapters of the *Terrestrial Code*.

In response to a comment on the wording of points 1, 2 and 3, the Code Commission reminded Members that the convention for the *Terrestrial Code* is not to repeat ‘and’ at the end of each point of a list. When items are listed and separated by commas, they are all considered necessary. On the contrary, when alternatives are proposed, they are separated explicitly by ‘or’.

Revised new Chapter 8.Y is presented as **Annex 10** for Member comments and proposed for adoption at the 88th General Session in May 2021.

### **6.6. Infestation with *Aethina tumida* (Small hive beetle) (Article 9.4.5)**

Comments were received from Australia, China (People’s Republic of), Mexico, Switzerland and the EU.

#### **Background**

At its February 2020 meeting, the Code Commission proposed amendments to Article 9.4.5 following a comment to modify points 2 and 3 of Article 9.4.5 concerning the timing of inspection prior to export and area freedom from the occurrence of infestation with *Aethina tumida*. The revised article has been circulated for Member comments for the first time in the report of the Code Commission February 2020 meeting.

The Commission thanked the OIE Reference Laboratory experts who provided advice on the comments received.

## Discussion

In point 2, the Code Commission agreed with a comment that the timing of inspection should be specific and proposed to replace ‘on the day of packing’ with ‘immediately prior to packing’. The Commission considered that this also addressed another comment on the packing of queens into queen cages immediately after inspection.

In the same point, the Code Commission did not agree with a comment to delete ‘hives or’ before ‘colonies’, and to add ‘as well as the hive’ after ‘inspected’ as it did not agree with the rationale provided that a hive is just the box where the colony lives.

In point 3, several comments were received on the appropriate geographical radius where no apiary has been subject to any restrictions associated with the occurrence of infestation with *A. tumida*. The Code Commission noted the advice of the OIE Reference Laboratory experts that there is no published data to support a specific radius. On the other hand, the Commission noted that empirical evidence from an infected Member showed that the disease had not spread through exportation despite using a smaller restriction area, as long as the other risk mitigation measures recommended in the article were also applied. Therefore, the Commission proposed to retain the proposed recommendation of a 50 km radius.

In point 6, the Code Commission agreed with a comment to include ‘cages or the whole’ before ‘consignment of bees’ to prevent the infestation or contamination of the cages. The Commission partially agreed with a comment from the same Member and proposed to add ‘immediately after the packing’ to align with point 2.

In the same point, the Code Commission did not agree to add ‘adult’ before ‘beetle’ as it considered that this would not provide any additional value.

Revised Article 9.4.5 is presented as **Annex 11** for Member comments and is proposed for adoption at the 88th General Session in May 2021.

## **6.7. Infection with avian influenza viruses (Chapter 10.4) [together with Diseases, infections and infestations listed by the OIE (Article 1.3.6) and Glossary definition for ‘poultry’]**

### **Infection with avian influenza viruses (Chapter 10.4)**

Comments were received from Argentina, Belize, Canada, China (People’s Republic of), Chinese Taipei, Costa Rica, Ecuador, Japan, New Caledonia, Switzerland, the United States of America, the OIE Americas Region, the EU and the IPC.

### Background

A comprehensive review of Chapter 10.4, Infection with avian influenza viruses, was undertaken by the *ad hoc* Group on Avian influenza between 2017 and 2019. The revised chapter had been circulated for Member comments on three occasions and was proposed for adoption in the May 2020 General Session. Due to the postponement of the 88th General Session, the revised text was proposed for an additional round of comments in the report of the Code Commission February 2020 meeting noting that only substantive comments that had not been submitted before would be considered.

The revised Glossary definition for ‘poultry’ and the revised Article 1.3.6, which were presented as Annex 5 and 13, respectively, at the report of the Code Commission February 2020 meeting, were not further amended at this meeting, therefore these texts are not presented in this report as, in line with the guidance described in the report of the February 2020 meeting, Members are not invited to submit new comments in this occasion. Revised text will be presented in the report of the February 2021 meeting as proposed for adoption at the 88th General Session in May 2021.

## Discussion

### **General comments**

The Code Commission did not agree with a comment requesting that this chapter should remain as ‘Infection with avian influenza viruses’ so that all H5 and H7 subtypes, including low pathogenicity avian influenza (LPAI), should be notified to the OIE. The Commission stressed that this issue had been extensively discussed during previous meetings and encouraged Members to thoroughly review the relevant Commission’s reports and *ad hoc* Group reports for the detailed rationales provided.

In response to a comment requesting that the current title of the chapter not be amended because of the inclusion of some guidance on LPAI in this chapter, the Code Commission reiterated that, even if some monitoring of LPAI is necessary, the objective of this chapter was to mitigate animal and public health risks posed by the listed disease ‘Infection with high pathogenicity avian influenza viruses’, and this should be reflected in the title as in other places in the *Terrestrial Code*.

The Code Commission noted a comment requesting the development of a procedure to determine ‘LPAI having proven natural transmission to humans associated with severe consequences’ as well as another comment made for Article 10.4.1 stating that notification of such events of zoonotic LPAI is undefinable and unfeasible. The Commission pointed out that decisions regarding these specific LPAI should be made based on the gathered data at an appropriate point in time, but while that decision is pending, Members can respond to the event by considering it as ‘emerging disease’ as described in the Glossary and Chapter 1.1 of the *Terrestrial Code*. Nevertheless, the Commission requested that the comment be referred to the Biological Standards Commission for its consideration in revising the corresponding chapter in the *Terrestrial Manual*.

Furthermore, the Code Commission informed Members that criterion 4) a) of Article 1.2.2 should be considered met if there is clear scientific evidence (e.g., peer-reviewed publications, official reports, grey literature) that the pathogenic agent is zoonotic, and the disease causes severe consequences in humans. The public health impact of the disease should be taken into consideration at the population level, and not only at the individual level (e.g., according to WHO-DALYs). One single occurrence of disease in humans is not sufficient to consider the criterion as met.

The Code Commission did not agree with a comment to ‘develop provisions for safe trade of live birds in terms of LPAI’, as the current text already takes into account the LPAI risk posed by live birds: trade provisions for live birds and hatching eggs include requirements for parent flocks regarding avian influenza in general, thus including LPAI.

In response to a comment saying that the OIE should keep collecting and analysing information on the occurrence of LPAI to allow for better preparation for future zoonotic events, the Code Commission noted that the OIE/FAO Global network of expertise on animal influenza (OFFLU) is exchanging scientific data and biological materials (including AI virus strains) within this network for analyses and continues to share this information with the wider scientific community.

### **Article 10.4.1**

In point 3, in the second sentence, the Code Commission did not agree with a comment to add ‘and transmission’ after ‘virulence’ as it considered that this was clear as currently presented.

In point 3, in the third sentence, the Code Commission did not agree with a comment to replace ‘domestic and captive’ with ‘domestic or captive’ as this accurately reflects the disease name listed in the revised Article 1.3.6.

In point 4, in the first sentence, the Code Commission agreed with a comment to replace ‘infection of poultry or captive wild birds’ with ‘infection of domestic or captive wild birds’ noting that this provision applies to all domestic birds including poultry. In the second sentence, the Code Commission did not agree with a comment to add ‘or on the trade of birds other than poultry’ after ‘poultry commodities’ as while HPAI is defined as the infection of poultry for the purposes of this chapter, including disease status, there could be specific situations where importing countries could justify restricting the trade of live birds other than poultry, in response to notifications of infection with HPAI viruses described in the previous sentence.

In the same point, in the same sentence, the Code Commission noted a comment requesting clarification as to what is meant by ‘or to other information on the presence of any influenza A virus in birds’ and explained that this corresponds to point 1 of Article 1.1.6 of the *Terrestrial Code*. Nevertheless, it proposed to add ‘non-notifiable’ before ‘influenza’ for clarity. In the same point, the Commission did not agree with a comment to add ‘other than poultry, including wild birds’ at the end of the sentence, explaining that birds here means all birds, including both poultry and other birds that are not poultry.

The Code Commission did not agree with a suggestion to reinstate the existing point 5 of Article 10.4.1 as it considered this to be clear as currently presented.

#### **Article 10.4.1bis**

The Code Commission did not agree with a comment to include a recommendation, in this article, on the need to avoid contact with any source of HPAI virus on the basis that such recommendation is included in some of the articles that address the trade of commodities. The Commission stressed that the commodities listed in this article should be considered safe per se, noting that the risk of cross-contamination after the production not only concerns safe commodities but also other commodities. The Commission noted that as stated in the general provisions of Article 2.2.1 (point (iii) in the fourth paragraph) ‘it is expected that any other steps in the treatment, processing and subsequent handling of the animal product do not jeopardise its safety’.

In point 3, the Code Commission did not agree with a comment to add ‘that are not intended for feeding poultry’ at the end as well as to add a new article on trade recommendations for poultry products for poultry feed, claiming that treatments of poultry feed may not always be effective in inactivating the pathogenic agent. The Commission considered that it is implicit that necessary treatments have been appropriately applied as per industry standards in each country, and added that re-contamination of *Salmonella*, which was given as an example of insufficient treatment in the comment, is not relevant here.

#### **Article 10.4.2**

In the fourth indent, the Code Commission partially agreed to a proposal to improve clarity regarding the awareness programme, and proposed amendments accordingly.

#### **Article 10.4.2ter**

In the first paragraph, the Code Commission did not agree with a comment to replace the paragraph with a completely new text that includes a reference to Article 4.4.7 as it noted that this paragraph is used consistently in other disease-specific chapters in the *Terrestrial Code*.

In the third paragraph, the Code Commission noted a comment requesting to delete the second sentence for consistency with the revised Chapter 15.2, Infection with classical swine fever virus, but agreed not to delete it as it considered it useful and stated that it would instead review the corresponding text in Chapter 15.2 at its February 2021 meeting.

In response to a comment requesting to include provisions for the occurrence of non-epidemiologically-related cases due to possible repeated point-source introductions from wildlife, the Code Commission advised Members to refer to its response to a similar comment made for point 7 of Article 4.4.7 (see item 6.3 of this report).

#### **Article 10.4.2quater**

The Code Commission did not agree with a comment to replace ‘28 days (i.e. two flock-level incubation periods)’ with ‘three months’ reminding Members that the 28-day period is the minimum period and Members could use a longer period, if needed. It also encouraged Members to refer to the relevant part of the previous *ad hoc* Group reports on this point.

### **Articles 10.4.11 and 10.4.13**

The Code Commission did not agree with a comment to include a new point for precautions to avoid contact with any source of HPAI viruses in these two articles. It reiterated that it is implicit that measures to avoid contamination are in place and highlighted that these provisions are for the importation from a country, zone or compartment free from HPAI.

### **Article 10.4.20**

In point 1, the Code Commission noted a comment requesting consistency between the *Terrestrial Code* and the *Terrestrial Manual* on the potential mutation, and proposed amendments to the text accordingly.

In point 3, the Code Commission agreed with a comment to replace ‘domestic and captive’ with ‘domestic or captive’ because, unlike its response to the comment made for point 3 of Article 10.4.1 (see above), this was not a citation of the disease name listed in the revised Article 1.3.6 and the use of ‘or’ is correct here in terms of grammar.

### **Article 10.4.21**

In point 2(b), the Code Commission did not agree with a comment to replace ‘clinical inspection, or serological and virological testing’ with ‘clinical inspection, and serological and virological testing’ as it is noted that these options should be implemented ‘as relevant’.

### **Article 10.4.22**

In point 1, in the sixth paragraph, the Code Commission did not agree with a comment to delete ‘or indirect’ as it considered indirect contacts can be and have been a cause of the spread of infection. Moreover, the Commission stressed that this article is about surveillance, for which all possible pathways should be considered.

### **Article 10.4.22ter**

The Code Commission did not agree with a comment suggesting to add a sentence ‘Such monitoring system may be applied for enabling early detection of the occurrence of LPAI naturally transmitted to humans associated with severe consequences in domestic and captive wild birds’. It considered that the suggested text is not relevant in this context, as early detection of zoonotic AI in humans would be achieved by the public health sector. The Commission, however, noted that Members could make the effective use of information obtained from the monitoring system in collaboration with the public health sector.

### **Diseases, infections and infestations listed by the OIE (Article 1.3.6)**

‘Infection of domestic and captive wild birds with low pathogenicity avian influenza viruses having proven natural transmission to humans associated with severe consequences’

The Code Commission noted a comment requesting to clarify what category of birds are included under ‘domestic birds’ and explained that domestic birds can be either poultry or other birds that are not poultry, but they are not wild or feral birds.

### **Glossary definition for ‘poultry’ (in relation to item 6.2. Glossary Part A)**

The Code Commission did not agree with a comment stating that the current definition for ‘poultry’ is concise and clear, and thus the proposed amendments are not necessary. The Commission encouraged the Member to refer to the previous discussions on the amended definition, including the issue around ‘backyard poultry’ that are available in previous *ad hoc* Group reports and the Commission’s reports. It stressed that different types of birds and a variety of purposes are covered in the proposed revised definition because of their respective epidemiological significance.

The Code Commission noted a comment querying whether the text regarding the definition for ‘poultry’ in Chapter 10.9, Infection with Newcastle disease virus, would be removed once the revised definition was adopted together with Chapter 10.4. The Commission stated that, in line with current practice, if the revised

definition was adopted in the Glossary, any other definitions for poultry described in other chapters would be deleted.

The Code Commission did not agree with a comment to add ‘including’ or reinstate ‘as well as’ before ‘fighting cocks’ as it considered it unnecessary and the sentence grammatically correct and clear as written.

The Code Commission did not agree with a comment suggesting the addition of a separate definition for ‘birds’ as it considered it unnecessary given that the term ‘birds’ is used in line with the standard dictionary meaning, while a Glossary definition for ‘poultry’ is required as it is specific to the *Terrestrial Code*.

The Code Commission did not agree with a comment to delete ‘any’ before ‘commercial animal products’ as it considered that the deletion of ‘any’ did not address the concern raised by the Member that ‘commercial animal products’ could be interpreted in a variety of ways.

The Code Commission did not agree with a comment to delete ‘or indirect’ and reiterated that the infection can also be spread through indirect contacts.

In addition, the Code Commission did not agree with a comment requesting to delete ‘provided that they have no direct or indirect contact with poultry or poultry facilities’, emphasising that direct or indirect contact had been causes for the spread of the infection, and if such contacts were confirmed, the birds should be considered poultry and any HPAI event in those birds would indeed affect the country or zone status.

The revised Chapter 10.4, Infection with avian influenza viruses, is presented as **Annex 12** for Member comments and is proposed for adoption at the 88th General Session in May 2021. As this text has already undergone extensive consultation, Members are requested to only submit comments on the new amendments proposed in this version shown as highlighted text.

## **6.8. Infection with avian mycoplasmosis (Chapter 10.5)**

Comments were received from Switzerland and the EU.

### Background

At its February 2020 meeting, the Code Commission reviewed Chapter 10.5, Avian mycoplasmosis (*Mycoplasma gallisepticum*), to align with proposed amendments to Chapter 3.3.5, Avian mycoplasmosis (*Mycoplasma gallisepticum*, *M. synoviae*), of the *Terrestrial Manual*.

The Commission thanked the OIE Reference Laboratory experts who provided advice on Member comments received.

### Discussion

The Code Commission proposed to amend the title of this chapter to ‘Infection with *Mycoplasma gallisepticum* (avian mycoplasmosis)’ for consistency with the naming approach being used in disease-specific chapters, i.e. infection with pathogenic agent X, while keeping the former name in parenthesis.

#### **Article 10.5.2**

In points 3(a) and 3(b), the Code Commission agreed with the advice of OIE Reference Laboratory experts to delete ‘with negative results on at least the last two tests’ noting that it is not possible to reliably eliminate *Mycoplasma gallisepticum* from an infected flock. When testing is performed at flock level at the prescribed age intervals, all results should be negative in order to maintain the status as a flock free from avian mycoplasmosis.

#### **Article 10.5.3**

In point 3, a comment was received to replace ‘agent identification test’ with ‘serological test’. The Code Commission noted the inputs of the OIE Reference Laboratory experts that a serological test alone is not enough to confirm that the birds are negative for avian mycoplasmosis and an agent identification test is necessary at the end of the quarantine period. The Commission concurred with the experts and proposed

amendments to indicate that a serological test was required at the beginning of the quarantine period to detect any previous exposure, and an agent identification test at the end of the quarantine period to take into account the possibility that birds might have been treated with antibiotics to mask infection.

Revised Chapter 10.5 is presented as **Annex 13** for Member comments and is proposed for adoption at the 88th General Session in May 2021.

## 6.9. Infection with equine influenza (Article 12.6.6)

Comments were received from Mexico, Switzerland, the United States of America and the EU.

### Background

At its February 2019 meeting, the Code Commission had proposed amendments to Article 12.6.6 based on the results of work coordinated by an OIE Reference Laboratory for equine influenza. The revised article has been circulated three times for Member comments, most recently in the report of the Code Commission February 2020 meeting.

### Discussion

In point 2, the Code Commission proposed to delete ‘came from a country, zone or compartment not known to be free from EI’ as this was considered redundant.

In point 3, the Code Commission agreed with a comment that highlighted that international surveillance programmes should monitor antigenic drift among equine influenza viruses, as referenced in Chapter 3.5.7 of the *Terrestrial Manual*, and noted that each year the Expert Surveillance Panel (ESP) for Equine Influenza makes recommendations for suitable vaccine strains. The Commission reminded Members that the *Terrestrial Manual* should be referred to for standards for vaccines.

In the last sentence of the last paragraph, the Code Commission agreed with a comment to include ‘prior to’ before ‘shipment’ to clarify that the sample should be collected within the four days prior to shipment and not after shipment.

Revised Article 12.6.6 is presented as **Annex 14** for Member comments and is proposed for adoption at the 88th General Session in May 2021.

## 7. Texts circulated for comments

The Code Commission discussed the following new and revised texts, including the consideration of comments received for the texts previously circulated for Members comments. Its considerations and responses are presented below. Items discussed under this section are presented for Member comments.

### 7.1. Glossary definitions for ‘Competent Authority’, ‘Veterinary Authority’ and ‘Veterinary Services’

#### Background

In September 2018, the Code Commission agreed to revise the Glossary definitions for ‘Competent Authority’, ‘Veterinary Authority’ and ‘Veterinary Services’ in the *Terrestrial Code* following Member requests and the feedback from the *ad hoc* Group that revised the PVS Tool in 2018. The Commission proposed amendments to these definitions and the revised definitions were circulated for Member comments in the report of its September 2018 meeting. At its February 2019 meeting, the Commission requested that the *ad hoc* Group on Veterinary Services review these comments and propose amendments as appropriate.

The *ad hoc* Group proposed new amendments and those amended definitions were further revised by the Code Commission, the Scientific Commission and the Biological Standards Commission in September 2019, as well as by an internal OIE Headquarters Group that considered possible impacts on different OIE activities such as the OIE PVS Pathway. The Aquatic Animals Commission also discussed the proposed draft definitions at its February 2020 meeting, to discuss how the Aquatic Animals

Commission could amend the corresponding definitions in the *Aquatic Code* and to identify any potential conflicts these amendments may generate for the *Aquatic Code*.

Given the importance of aligning these definitions, as appropriate, in the *Aquatic* and *Terrestrial Codes* to avoid confusion by Members when implementing these *Codes*, the Presidents of the Code Commission and the Aquatic Animals Commission met in July 2020 to discuss these proposed revisions and potential issues for alignment that had been identified. The Presidents agreed on revised proposals that were aligned in both *Codes*, and agreed that these should be presented for the consideration of both Commissions at the September 2020 meetings. The Presidents noted that the definitions should be concise and clearly describe the link between one government authority and the OIE, but they should also provide flexibility to reflect the different administrative arrangements within Members.

The Presidents also agreed that given the importance of these definitions in both *Codes*, the amended definitions should be presented in the September 2020 reports of the Code Commission and the Aquatic Animals Commission respectively so that Members can consider all proposed amendments when preparing comments.

### Discussion

The Code Commission had internal exchanges with the *ad hoc* Group and considered the draft amendments proposed by the *ad hoc* Group together with the suggestions further developed by the two Presidents. The text below describes the Code Commission's consideration of the amendments proposed by the *ad hoc* Group including some Member comments. The Commission noted that the *ad hoc* Group, given the common nature of the comments received, did not provide individual responses, but provided detailed rationale supporting the modifications being proposed.

#### *'Competent Authority'*

The Code Commission agreed with the *ad hoc* Group that this term is widely understood, and commonly defined and used in other international standards, as well as in national and regional regulations. However, it agreed that it was useful to include a specific OIE definition in the context of the *Terrestrial Code*.

The Code Commission recognised that in many countries, more than one governmental authority is responsible for implementing standards of the *Terrestrial Code*, either because they do not necessarily cover all standards or they do not do it in the whole country, and that this should be reflected in the definition. The Commission agreed that the definition should be simple and that detailed recommendations should be provided in the relevant articles of the *Terrestrial Code*, for example details relevant to veterinary legislation are provided in Article 3.4.5, Competent Authorities, of Chapter 3.4, Veterinary Legislation.

#### *'Veterinary Authority'*

The Code Commission highlighted the importance of this term in the context of the *Terrestrial Code*, as it was vital to clarify the responsibility of a Member to the OIE and other Members regarding the development and application of OIE international standards. The Commission explained that given the possible existence of one or more Competent Authorities in a country, a single Veterinary Authority is needed to coordinate and ensure standards are implemented in the whole country, as well as to represent the Member internationally. The Commission agreed with the *ad hoc* Group that this was important for compliance with current *Terrestrial Code* provisions such as disease notification obligations, and when submitting comments on proposed amendments to *Terrestrial Code* or demonstrating compliance with international trade.

Although the Code Commission recognised the vital role of OIE Delegate to ensure this function, it agreed that it was not pertinent to include a 'single person' in a definition as his/her nomination could depend on many factors.



### *‘Veterinary Services’*

The Code Commission agreed that this term does not refer to a defined governmental structure, but rather to a combination of individuals and organisations; too many to warrant being individually listed in the definition. The Commission agreed with the *ad hoc* Group that the purpose of this definition in the *Terrestrial Code* was to address a broad range of actors that are responsible at some stage and level for the implementation of OIE standards and are not necessarily part of the governmental authorities, as is the case for many standards that involve complex chains of responsibilities to be appropriately implemented.

The Code Commission agreed to include the word ‘individuals’ to ensure that private veterinarians, veterinary paraprofessionals and others, could be covered under the definition even when not belonging to a given organisation.

The Code Commission concurred with the *ad hoc* Group that the definition should capture both delegated official activities and broader regulated activities, such as disease notification and surveillance, and considered that with the clearer definition being proposed for Competent Authority, the current reference to the Veterinary Authority within the definition was no longer appropriate. The Commission noted that the chain of command and reporting would be determined by each Member’s legislation.

The Code Commission noted that the Aquatic Animals Commission was also circulating revised amendments to these terms, for use in the *Aquatic Code*, and encouraged Members to review both Commission reports to ensure alignment of comments, as appropriate.

The revised Glossary definitions for ‘Competent Authority’, ‘Veterinary Authority’ and ‘Veterinary Services’ are presented as **Annex 15** for Member comments.

## **7.2. Infection with rabies virus (Chapter 8.14)**

### Background

The last revised version of Chapter 8.14, Infection with rabies virus, was adopted in 2019. At the time of adoption, the President of the Code Commission noted that there had not been sufficient time to address pending work of the chapter in view of the urgency and importance of the Zero by 30 initiative (the global strategic plan to end human deaths from dog-mediated rabies by 2030).

These pending issues concerned the divergent views expressed by Members, the Code Commission, the Scientific Commission, and the *ad hoc* Group on Rabies regarding the provisions for vaccination, testing and shipment of animals (current Article 8.14.7), and the provisions on the risk mitigation measures for the importation of mammals outside of the Orders *Carnivora* and *Chiroptera* (current Articles 8.14.8 and 8.14.10). The Code Commission had requested the OIE Secretariat to seek further expert advice before considering revisions of these articles.

In addition, the Code Commission and the Scientific Commission had agreed to seek advice from the Working Group on Wildlife on the relevance of including specific provisions on the control of rabies in wildlife, including oral vaccination.

In February 2020, the Scientific Commission reviewed the report of the *ad hoc* Group on Rabies that met in October 2019, which, among other tasks, reviewed the scientific evidence regarding the safety of importation of dogs from one month after the date of rabies vaccination, and proposed draft text to amend the current provisions in Chapter 8.14. The Scientific Commission reviewed and endorsed a concept paper (Annex 15 of the Scientific Commission’s February 2020 meeting report) that provided scientific evidence on the safety of importation of dogs from infected countries or zones from one month after the date of rabies vaccination.

At the request of the Code Commission in its February 2020 meeting, the *ad hoc* Group on the Revision of Chapter 7.7 Stray dog population control, which met from April to July 2020, proposed a new draft article on how to implement rabies vaccination programmes in Chapter 8.14.

### Discussion

The Code Commission considered the position paper prepared by the *ad hoc* Group on Rabies and the views of the Scientific Commission regarding the safety of importation of dogs from infected countries or zones from one month after the date of rabies vaccination.

The Code Commission noted that the scientific evidence presented referred only to dogs and therefore agreed to add a new Article 8.14.6bis on recommendations for the importation of dogs from countries or zones infected with rabies virus, based on that evidence. The Commission consequently amended the title of Article 8.4.7 to remove dogs from the scope of the article.

The Code Commission also considered the new text providing guidance on how to implement rabies vaccination programmes proposed by the *ad hoc* Group on the Revision of Chapter 7.7. The Commission agreed with the proposal to include such recommendations in Chapter 8.14 but requested the OIE Secretariat to amend the text in compliance with the formatting and style of the *Terrestrial Code* and to seek the opinion of the Scientific Commission before proposing these amendments to Members.

The Code Commission also requested the OIE Secretariat to consult subject matter experts and the OIE Wildlife Working Group, as relevant, to progress the other pending issues to be taken into consideration for this revision.

The new Article 8.14.6bis and the revised Article 8.4.17 are presented as **Annex 16** for Member comments.

## **7.3. Stray dog population control (Chapter 7.7)**

### Background

In September 2018, the Code Commission agreed to revise Chapter 7.7, Stray dog population control, to ensure it was aligned with the OIE Global Strategy to end human death due to dog-mediated rabies by 2030. An *ad hoc* Group on the Revision of Chapter 7.7 Stray dog population control was first convened in November 2019 to review current recommendations that address the monitoring and evaluation of stray dog control schemes and responsible dog ownership. It discussed additional recommendations that could support the Global Strategy, and developed a draft chapter structure. At its February 2020 meeting, the Commission reviewed the report of the *ad hoc* Group and requested the Group be reconvened to continue its work taking into consideration the Commission's feedback.

The *ad hoc* Group on the Revision of Chapter 7.7 Stray dog population control met via video conference between April and July 2020.

### Discussion

The Code Commission considered the *ad hoc* Group's report and thanked its members for their hard work and acknowledged the challenges that working virtually posed to progress work on a heavily revised chapter.

During its meetings, the *ad hoc* Group considered the Commission's feedback regarding the structure of the chapter, the rationale for changing the title of the chapter, as well as the focus on animal welfare (i.e., moving animal health related topics to Chapter 8.14, Infection with rabies virus), and the replacement of the term 'stray dogs' by 'free roaming dogs'. For more information on these clarifications, the Commission encouraged Members to refer to the *ad hoc* Group report presented as **Annex 26**.

The Code Commission agreed that the draft revised Chapter 7.7, Stray dog population control, should be renamed 'Dog population management' and agreed to circulate the new draft chapter for Member comments.

The revised Chapter 7.7, Stray Dog population control, is presented as **Annex 17** for Member comments.

The report of the *ad hoc* Group on the Revision of Chapter 7.7 Stray dog population control is presented as **Annex 26**.

#### **7.4. Infection with foot and mouth disease virus (Chapter 8.8)**

##### **Chapter 8.8, Infection with foot and mouth disease virus**

Comments were received from Australia, Canada, China (People’s Republic of), Japan, New Caledonia, New Zealand, Singapore, South Africa, Switzerland, Chinese Taipei, Thailand, the United States of America, the OIE Americas Region, the EU, AU-IBAR and the CVP.

##### Background

Chapter 8.8, Infection with foot and mouth disease virus, was last circulated for Member comments in February 2017. Comments were received from Members but the Code Commission deferred its discussion on the chapter pending the proposed changes to Chapter 4.4, Zoning and compartmentalisation. Since that time, amendments have been proposed by the *ad hoc* Group on Alternatives for surveillance for demonstration of freedom from foot and mouth disease (FMD) and the Scientific Commission in response to selected Member comments on shortening the recovering status period (from six to three months) when emergency vaccination without stamping-out is applied. The *ad hoc* Group report was attached to the report of the Scientific Commission of September 2018 meeting.

##### Discussion

The Code Commission highlighted that in addition to the work described above (under Background), there is also other ongoing work that will need to be addressed in Chapter 8.8, including harmonisation of text relating to status recognition for alignment with Chapter 14.7, Infection with peste des petits ruminants virus, and 15.2, Infection with classical swine fever virus, and the development of provisions for game meat and small ruminants, which are being developed by the *ad hoc* Group on Foot and mouth disease in consultation with the Scientific Commission. These proposed amendments will be presented in a future circulation of Chapter 8.8.

##### General comments

The Code Commission noted a comment from a Member that Chapter 8.8 has been progressively revised to promote vaccination instead of eradicating FMDV by stamping-out. In response to the Member’s concern that efforts to achieve global freedom from FMD may be undermined by provisions on the international trade of commodities from countries infected with FMDV or free from FMD where vaccination is practised, the Commission noted that a stepwise Progressive Control Pathway (<http://www.fao.org/eufmd/global-situation/pcp-fmd/en/>) had been developed for countries to move towards obtaining official freedom from FMD and expressed that in the future there could be a possibility for the chapter to refer to an eventual call for global eradication.

The Code Commission acknowledged comments requesting clarification of the term ‘bovine’ and agreed that this should be defined for the purposes of Chapter 8.8. Nonetheless, as the terms ‘bovids’ and ‘bovines’ are used with specific definitions for different disease-specific chapters and that the term ‘bovine’ is used in several articles of Chapter 8.8, the Code Commission requested the OIE Secretariat to propose a definition for the purposes of this chapter, in consultation with relevant experts as necessary, for discussion at its next meeting in February 2021.

The Code Commission noted comments that requested clarification on the use of the terms ‘case’, ‘transmission’, ‘case with clinical signs’ in the chapter, and proposed that these definitions be reviewed together with the Scientific Commission at their next joint meeting.

##### **Article 8.8.1**

The Code Commission agreed with a comment to include the heading ‘General provisions’.

In point 6, the Code Commission did not agree with a comment to insert text on the duration of the carrier state of all susceptible animals as it considered this too detailed for a chapter of the *Terrestrial Code*. The Code Commission did not agree with a comment to remove ‘limited’ before ‘period of time’, noting the opinion of the Scientific Commission that the carrier status does not last longer than 28 days in the majority of cases and is hence ‘limited’.

In the first sentence of the same point, the Code Commission agreed to add ‘after infection’ after ‘28 days’ for clarity.

In the last sentence of the same point, the Code Commission agreed with a comment to add ‘from this species’ after ‘transmission’ for clarity. However, it did not agree with a comment that the risk of transmission of FMDV from African buffalos to cattle is significant and therefore did not accept the comment to amend the last sentence of point 6. The Commission recalled the opinion of the Scientific Commission (in September 2017 report) that FMDV transmission from African buffalo to domestic ruminants was rare.

In point 7, a comment was received that the terms ‘case’, ‘transmission’, ‘case with clinical signs’ were confusing, and not used consistently throughout the chapter. The Code Commission acknowledged this comment and proposed to delete point 7 as it considered that this point did not provide any additional value. The case definition for FMDV is already covered in point 3 of this article and the corresponding surveillance recommendations are described in Articles 8.8.40 to 8.8.42. Notwithstanding, the Commission acknowledged that these terms need to be reviewed (see ‘General Comments’ above).

#### **Article 8.8.1bis (new article)**

The Code Commission considered Member proposals on commodities to be included in the list of safe commodities for FMD and drafted a new Article 8.8.1bis.

##### 1. UHT milk and derivatives thereof

Members had proposed to add ‘UHT milk and derivatives’ as a safe commodity based on existing provisions in Article 8.8.25. The Code Commission considered that ‘UHT’ is an industrial standardised heat treatment process which is sufficient to inactivate FMDV and therefore meets the general provisions of Chapter 2.2, Criteria applied by the OIE for assessing the safety of commodities. The Code Commission thus proposed to include ‘UHT milk and derivatives thereof’ to the list of safe commodities.

The Code Commission agreed that Articles 8.8.35 and 8.8.36 had to be amended to reflect the addition of UHT milk as a safe commodity.

##### 2. Meat in hermetically sealed containers with a F<sub>0</sub> value of 3 or above

Based on the current Article 8.8.31 which describes heat treated canning as a procedure that has been demonstrated to inactivate FMDV, the Code Commission accepted the proposal to add canned meat products as a safe commodity, but amended the description to ‘meat in hermetically sealed container with a F<sub>0</sub> value of 3 or above’ for consistency with other disease-specific chapters of the *Terrestrial Code*, which use this standard terminology.

##### 3. Meat and bone meal, and blood meal

The proposal from Members stated that meat and bone meal, and blood meal are obtained through a sterilisation process of the by-products of slaughter with a temperature sustained over a period of time (using dry or wet methods), and that such a process reaches a temperature for a sufficient period of time for the inactivation of FMDV as detailed in Article 8.8.26. Therefore, the Code Commission agreed with the proposal to include ‘meat and bone meal, and blood meal’ as a safe commodity, and consequently deleted Article 8.8.26.

#### 4. Gelatine

The proposal from Members provided a definition of gelatine and described processes used based on the Gelatine Manufacturers of Europe (GME). The Code Commission agreed that the standard manufacturing protocols involved in the production of gelatine would inactivate the FMDV, and thus proposed to include ‘gelatine’.

#### 5. In vivo derived bovine embryos collected, processed and stored in accordance with Chapter 4.8

The Code Commission agreed that the current Article 8.8.17 recognised *in vivo* derived embryos as a safe commodity and thus added ‘*In vivo* derived bovine embryos collected, processed and stored in accordance with Chapter 4.8’. The Commission thus proposed to delete Article 8.8.17.

The Code Commission did not agree with the proposal of Members to include ‘fresh boneless ruminant meat’ as a safe commodity as additional risk mitigation measures, as described in Article 8.8.22 are required. However, the Code Commission requested the OIE Secretariat to seek advice on the existence of globally standardised industrial processes, not specifically directed at addressing the risk of FMD, which could ensure the absence or inactivation of FMDV in boneless bovine meat from a potentially infected animal.

#### **Article 8.8.2**

In point 4(d), the Code Commission did not agree to include ‘and risk material’ after ‘other products’. However, it added the words ‘and fomites’ for consistency with other disease-specific chapters.

In the third sentence of point 4(e), the Code Commission agreed with a comment to add ‘vaccinated’ before ‘animals’ to reinforce that paragraph 4(e) is referring to vaccinated animals. It also agreed with a comment to add ‘direct’ before ‘slaughter’ for consistency with the wording used in Articles 8.8.8, 8.8.9 and 8.8.9bis.

In the same point, the Code Commission did not agree with a comment to replace ‘favourable’ with ‘negative’, noting that ‘favourable results’ is the standard term used in the *Terrestrial Code*.

A comment was received to delete the seventh paragraph, with the rationale that an incursion with African buffaloes that are potentially infected with FMDV should not allow a country to retain its FMD free status. The Code Commission recalled that this was discussed by the *ad hoc* Group on FMD that met in June 2016. It also noted the Scientific Commission’s opinion that the presence of African buffaloes should not lead to the suspension of an officially recognised FMD free status except in the case of FMDV transmission to the domestic cattle. The Code Commission considered the proposal of the Scientific Commission to apply a containment zone to manage the threat of African buffaloes. However, in view of the recent updates to Chapter 4.4, Zoning and compartmentalisation, and proposed amendments to Article 4.4.6 (see item 6.3 of this report), the Code Commission considered that a protection zone would be more appropriate to accommodate the risk posed by African buffaloes. Therefore, the Commission deleted this paragraph, but proposed to include the sentence ‘In the case of an incursion of stray African buffaloes, a protection zone according to Article 4.4.6 should be established to manage the threat and maintain the free status of the rest of the country’ to the end of this article.

In the second indent of the eighth paragraph, the Code Commission, in agreement with the Scientific Commission, did not agree with a comment to delete the word ‘domestic’. In some zoological collections, domestic animals are part of the collection and they should be effectively separated. Animals in the zoological collection should also be effectively separated from other domestic animals outside of the zoological collection.

In the same indent, the Code Commission did not agree with a comment to add ‘and up to six years (for African buffalo)’ after ‘12 months’, noting the explanation from the Scientific Commission that surveillance for 12 months should be sufficient for detecting potential carriers.

In the tenth paragraph, the Code Commission did not agree with a comment to include mention of the necessity to distinguish the status of the protection zone from the rest of the country or zone as it

considered this to be implicit in the proposal for the proposed revised Article 4.4.6 (see item 6.3 of this report). The Code Commission proposed further changes to this paragraph to align with the proposed changes to Article 4.4.6 (see item 6.3 of this report).

### **Article 8.8.3**

In point 2, the Code Commission noted a comment seeking clarification on the requirement for no case in the last two years and no transmission during the past 12 months. The Code Commission noted the explanation of the Scientific Commission that in this point, ‘no case’ referred to the absence of ‘clinical’ cases of FMD during the past two years and proposed to add ‘with clinical signs’ after ‘case’ for clarity. However, the Code Commission proposed to review the use of these terms with the Scientific Commission, as they might be confusing. The Code Commission also deleted the word ‘evidence’ as it considered this to be redundant since this sentence is about declaring the absence of cases or transmission based on documented evidence.

In point 3(a), the Code Commission accepted a comment to move ‘to detect clinical signs of FMD has been implemented’ after ‘surveillance’ for clarity. In the same point, the Commission proposed to delete ‘no evidence of’ as the preceding sentence in point 3 already refers to supplying documented evidence.

In reference to the recommendations of the Scientific Commission from September 2017, the Code Commission amended the time requirements in point 3. The Code Commission also modified ‘two years’ to ‘12 months’ in point 2(b) in line with these changes.

In point 3(a)(i), a question was received as to what sort of animals were considered as unvaccinated given that vaccination is practised. The Code Commission noted the response by the Scientific Commission that based on the epidemiology of FMD in the country, it might be decided to vaccinate only a defined subpopulation of animals, such as one species. Other subpopulations such as sentinel animals, new-borns or other species might also not be vaccinated.

Regarding a comment on moving the seventh paragraph to Article 8.8.2, the Code Commission agreed with the Scientific Commission to leave this paragraph in Article 8.8.3 considering it refers to a country or zone where vaccination is practised.

In the first sentence of the same paragraph, the Code Commission agreed with a comment to add ‘and is recognised by the OIE as such’ after ‘practised’, and to add ‘an application and’ before ‘a plan’ for clarity. The Code Commission also agreed with the changes proposed by the Scientific Commission to the second sentence.

In the second sentence of the same paragraph, comments were received as to whether a country must wait for OIE’s approval before embarking on emergency vaccination. The Code Commission noted the opinion of the Scientific Commission provided its September 2017 report, and recalled that this paragraph is applicable in the case a Member wishes to change its status from free without vaccination to free with vaccination, not as a response to an emergency but to a change in the control strategy. The Commission explained that emergency vaccination could be implemented in response to either an outbreak, in which case provisions in Article 8.8.6 on containment zone would apply; or in response to an increased risk of FMD, for which they may implement a protection zone in accordance with Article 4.4.6.

In the eighth paragraph, the Code Commission proposed further changes to this paragraph to align with the proposed changes to Article 4.4.6 (see item 6.3 of this report). With this change, some Member comments to the original text were no longer relevant. The Commission did not agree with a comment to replace ‘remains unchanged’ with ‘is reinstated’.

### **Article 8.8.4**

The Code Commission agreed with a comment to include compartment free from FMD in Articles 8.8.13, 8.8.14, 8.8.15, 8.8.18, 8.8.19 and made the corresponding amendments to these articles.

In response to a question on whether the use of germplasm from vaccinated animals in compartments or zones free from FMD with vaccination would result in the loss of status of FMD free without

vaccination, the Code Commission, in agreement with the Scientific Commission, noted that this will not be the case if this was done in accordance with the relevant articles in this chapter (refer to point 2(e) of this article).

In the first paragraph, the Code Commission did not agree with a comment to replace ‘biosecurity plan’ with ‘biosecurity management system’ as ‘biosecurity plan’ is a defined term used in the *Terrestrial Code*, including in Chapter 4.5, Application of compartmentalisation.

In point 2(b), the Code Commission proposed to delete ‘evidence of’ before ‘infection’ and replaced the word ‘found’ by ‘detected’.

In the third paragraph, a comment was received that the level of surveillance required is beyond the capacity of most compartments where wildlife is present in the vicinity, as it would be difficult to detect sub-clinical infection in wildlife since their movement cannot be effectively controlled. The Code Commission noted the view of the Scientific Commission that one of the critical elements of risk mitigation is to ensure that FMDV incursion does not occur, which implies that adapted biosecurity measures have to be maintained and adequate surveillance in place to detect if an incursion has occurred. The Code Commission proposed to add ‘or transmission’ after ‘case’ to address this point but recognised that the definitions of ‘case’ and ‘transmission’ need to be further clarified and that this work is planned for its next meeting, in collaboration with the Scientific Commission.

The Code Commission did not agree with a comment to add ‘the approval should be suspended if FMD occurs within a 10-kilometre radius of the compartment at any time’ to the end of the paragraph as this would contradict the objective of compartmentalisation, which is to allow the maintenance of a specific free health status for a subpopulation through the implementation of an adequate biosecurity plan, while infection is still occurring in the area. The approval of the compartment should be given when no case occurs, but subsequently, if the biosecurity plan is correctly applied, cases can occur outside the compartment without affecting the health status of the compartment.

#### **Article 8.8.4bis**

The Code Commission, in agreement with the Scientific Commission, did not agree with a comment to delete Article 8.8.4bis. The Code Commission noted the view of the Scientific Commission that stricter provisions for surveillance and biosecurity measures would be in place in compartments to ensure the early detection of infection and absence of undetected infection. The establishment of such compartments would support bilateral trade agreements and allow access to regional and international markets. The rationale is also included in the report of the June 2016 meeting of the *ad hoc* Group on FMD.

In the first sentence of the first paragraph, a comment was received to replace ‘free country or zone where vaccination is practised’ to ‘free country or zone where vaccination is not practised’ with the rationale that there is no purpose to establish a compartment free from FMD where vaccination is practised within a zone or country free from FMD where vaccination is practised. The Code Commission in agreement with the Scientific Commission, did not agree with this comment as establishing a compartment free from FMD with vaccination in a country or zone with the same status is a practice used by countries to ensure the continuity of trade from the compartment via bilateral trade agreements, in case of an outbreak in the country or zone, outside the compartment. Indeed, compartments should have additional biosecurity measures to ensure its safety and integrity and are established mainly for the purpose of bilateral trade.

In point 2(a), the Code Commission, in agreement with the Scientific Commission, did not agree with a comment to replace 12 months with 2 years, noting the clarification by the Scientific Commission that 12 months should be sufficient as additional biosecurity and risk mitigation measures are required.

In point 2(b), the Code Commission proposed to replace ‘no evidence of infection with’ with ‘no transmission of’.

In point 2(d), the Code Commission did not agree with a comment to refer to the specific articles for the movement of animals, semen, embryos and animal products.

In the last paragraph, the Code Commission added ‘or transmission’ for consistency with Article 8.8.4. The Code Commission again did not agree with a comment to add ‘the approval should be suspended if FMD occurs within a 10-kilometre radius of the compartment at any time’ to the end of the paragraph for the reason given above.

#### **Article 8.8.6**

The Code Commission accepted proposed amendments to this article from the Scientific Commission and the OIE Secretariat to ensure consistency and minimise duplication with Article 4.4.7 but proposed further modifications to align with proposed changes to Article 4.4.7 (see item 6.3 of this report), as well as to harmonise with other disease-specific chapters, as relevant.

#### **Article 8.8.7**

In points 1(c) and 3(a), the Code Commission proposed to include the recommendations from the *ad hoc* Group August 2018 meeting report on Alternative surveillance and recovery periods. The Commission also considered that the work of the *ad hoc* Group addressed a comment that questioned the waiting period of three months.

#### **Article 8.8.8**

The Code Commission acknowledged a comment on the use of terminology ‘case’, ‘infection’ and ‘with clinical signs’ and agreed this would be addressed in future work as noted above.

#### **Article 8.8.9bis**

The Code Commission did not agree with comments to merge Articles 8.8.9bis and 8.8.11bis, explaining that these articles have different objectives. Article 8.8.9bis concerns the maintenance of status of a free zone where vaccination is not practised, even if animals from a zone where vaccination is practised are introduced for direct slaughter. Whereas, Article 8.8.11bis refers to the requirements for certification when importing animals for direct slaughter (from a country or zone where vaccination is practised). Furthermore, unlike in Article 8.8.9bis, the FMD status of the destination, i.e. importing country or zone, is irrelevant in Article 8.8.11bis. In the *Terrestrial Code*, articles on export certification provide risk mitigation measures that are not linked with the status of the importing country.

In point 4, the Code Commission agreed with a comment to insert ‘the animals’ before ‘were not exposed’ for clarity.

The Code Commission did not agree with a comment to add a new point 5 to include details regarding ante- and post-mortem inspections of the animals and the destruction or treatment of the head, including the pharynx, tongue and associated lymph nodes, noting that this aspect goes beyond the necessary requirements for allowing movement. Furthermore, these provisions are already addressed in Article 8.8.2.

#### **Article 8.8.10**

In point 2, the Code Commission agreed with a comment to move the reference to compartments earlier in the sentence. This was applied throughout the text, where relevant.

#### **Article 8.8.11**

In points 3 and 4, a comment requested including when the tests should be done in relation to shipment. The Code Commission agreed with the proposal of the Scientific Commission that 14 days is a reasonable time to obtain results after sampling prior to shipment and proposed to add ‘on samples collected not earlier than 14 days before the shipment’.

#### **Article 8.8.11bis**

The Code Commission did not agree with a comment that Article 8.8.11bis is a subsection of Article 8.8.11 and to combine both articles as they addressed different commodities.



The Code Commission did not agree with a comment to add a new point 5 to include details regarding ante- and post-mortem inspections of the animals and the destruction or treatment of the head, including the pharynx, tongue and associated lymph nodes, for the reason given above under ‘Article 8.8.9bis’.

#### **Article 8.8.12**

In point 2, the Code Commission did not agree with a comment to only retain this point if Article 8.8.31bis is expanded to include requirements aimed at avoiding cross-contamination of swill after treatment. The Commission explained that articles on inactivation are concerned with specifying the parameters for inactivation and not subsequent cross-contamination, which is also the case for all commodities, even when complying with specific risk mitigation measures, and need not be specified in the *Terrestrial Code* articles.

In the same point, the Code Commission did not agree with a comment to delete ‘not complying with Article 8.8.31bis’ and to have a blanket statement prohibiting the feeding of swill. The Commission explained that swill feeding in compliance with Article 8.8.31bis, and combined with other measures described in this article, would provide the necessary safety.

#### **Article 8.8.13 (proposed to be merged with Article 8.8.14)**

The Code Commission agreed with a comment to merge Articles 8.8.13 and 8.8.14. In merging the two articles, the Code Commission considered that the risk of FMDV in fresh and frozen semen would be the same and there was therefore no justification for the additional requirement for donor animals of frozen semen to show no clinical signs of FMD for the 30 days following semen collection if this was not required of donor animals of fresh semen.

In the title of the article, the Code Commission deleted ‘compartments free from FMD’ and added ‘or compartments’ after ‘zones’ for improved readability. This change was also applied to other article titles, where relevant.

In point 1(c), the Code Commission proposed to delete ‘where none of the animals had a history of infection with FMDV’ as it considered this was more relevant to Chapters 4.6, General hygiene in semen collection and processing centres, and 4.7, Collection and processing of bovine, small ruminant and porcine semen.

#### **Article 8.8.22**

In point 2, regarding a query as to why bovines and water buffaloes are not subjected to any test prior to slaughter, unlike the requirement for pigs, the Code Commission noted the explanation from the Scientific Commission that the decrease in pH in the carcass of pigs is not sufficient to inactivate the virus, which was the reason why the new Article 8.8.22bis was introduced.

#### **Article 8.8.22bis**

In point 1, the Code Commission agreed with a comment to delete ‘points 1 to 6 of’ as this was considered redundant.

#### **Articles 8.8.24 and 8.8.25**

With the proposed addition of Article 8.8.1bis, the Code Commission added ‘(other than those defined in Article 8.8.1bis)’ after ‘milk and milk products’.

#### **Article 8.8.31bis**

In response to comments questioning the scientific evidence that supported the inactivation procedures for FMDV in swill, the Code Commission reiterated that this article was introduced for consistency with other disease-specific chapters such as Chapter 15.1, Infection with African swine fever virus, and based upon long-standing practices and field experience that showed the inactivation of virus in swill. The Commission highlighted that there is ongoing work on developing a definition for ‘swill’ in its work programme (see item 5.1.1 of this report).

**Article 8.8.35**

As a consequence of the addition of UHT milk to the list of safe commodities in Article 8.8.1bis, the Code Commission proposed to delete point 1 of Article 8.8.35 for consistency.

**Article 8.8.36**

Following the addition of UHT milk to the list of safe commodities in Article 8.8.1bis, the Code Commission acknowledged that if the commodity is considered safe, it is for all usages, including animal feeding, and consequently proposed to delete point 3 of Article 8.8.36 for consistency.

**Article 8.8.40**

The Code Commission agreed with the proposal of the *ad hoc* Group on Alternative surveillance and recovery periods to add two new points 7 and 8.

**Article 8.8.42**

The Code Commission proposed to delete Figures 1 - 3 in line with its position to remove diagrams and illustrations from the *Terrestrial Code*. However, it requested the OIE Secretariat to see how these diagrams could be updated to reflect new developments in the chapter and whether they could be made available on the OIE website as guidance for Members.

Revised Chapter 8.8 is presented as **Annex 18** for Member comments.

**7.5. Rinderpest (Chapter 8.16)**Background

At its September 2018 meeting, the Code Commission agreed to undertake a thorough review of Chapter 8.16, Infection with rinderpest virus, in response to Member requests and to update the chapter to better clarify the definitions of ‘case’ and ‘suspected case’, the reporting obligations of countries when a suspected case is detected, and measures to be taken should there be a re-emergence.

In previous discussions, the Code Commission agreed with the Scientific Commission and OIE Headquarters that in this post-eradication era, the priority should be the maintenance of global freedom from rinderpest, and its prompt recovery should there be a re-emergence. To this end, the structure of the chapter and trade provisions should be compatible and aligned with this objective. Both Commissions thus agreed with the proposal to limit trade provisions from infected countries to safe commodities.

Discussion

The Code Commission considered the report of the *ad hoc* Group on Rinderpest that was convened in March 2020 to undertake this work and also wished to thank the *ad hoc* Group for its work.

The Code Commission considered the draft revised chapter prepared by the *ad hoc* Group on Rinderpest. The Commission agreed with the proposal to divide the chapter into two sections, one containing general provisions relevant in the era of global freedom, and another including provisions relevant in the event of re-emergence.

The Code Commission agreed with the proposal by the *ad hoc* Group to include a gradation in the level of suspicion for rinderpest, i.e. ‘potential case’, ‘suspected case’ and ‘case’, and actions to be taken in the event of suspicion or confirmation that will facilitate early detection and response to a re-emergence. The Commission highlighted that given the global freedom status of rinderpest, unlike other OIE listed diseases, infections and infestations, a suspected case of rinderpest must be immediately notified to the OIE.

The Code Commission reminded Members that in previous discussions with the Scientific Commission and OIE Headquarters, it was agreed that in the event of the confirmation of rinderpest in a country, the

entire country will be considered infected. The Code Commission also noted that this was consistent with the current Chapter 8.16. Therefore, for consistency the Commission amended the draft text to remove references to ‘infected zone’, as infection status should be defined only at the level of the country. Nonetheless, the Commission explained that in the event of confirmation of rinderpest, Members may apply zoning for the purposes of disease control, including the establishment of a containment zone.

The Code Commission noted that due to the extensive nature of the amendments made, the revised chapter is being presented as clean text only.

The revised Chapter 8.16 is presented as **Annex 19** (clean version) for Member comments.

The report of the *ad hoc* Group on Rinderpest is attached as **Annex 27** for Member information.

## **7.6. Bovine spongiform encephalopathy (Chapter 11.4) and application for official recognition by the OIE of free status for bovine spongiform encephalopathy (Chapter 1.8)**

Comments were received from Australia, Brazil, Canada, China (People’s Republic of), Chinese Taipei, Japan, Korea (Republic), New Zealand, South Africa, Singapore, Switzerland, Thailand, the United States of America, the EU, and the IMS.

### Background

In February 2018, the Code Commission and the Scientific Commission had agreed on an in-depth review of Chapter 11.4, Bovine spongiform encephalopathy (BSE). The OIE convened three *ad hoc* Groups between July 2018 and March 2019: i) BSE risk assessment, which met twice, ii) BSE surveillance, which met once, and iii) a joint BSE risk assessment and surveillance *ad hoc* Group, which met once. The Code Commission, at its September 2019 meeting, reviewed the four *ad hoc* Group reports and the opinion of the Scientific Commission regarding the revised draft chapter, and circulated the revised chapter for comments for the first time.

In February 2020, the Code Commission considered all comments and while it addressed some comments it also identified comments that needed further expert advice and requested that the joint *ad hoc* Group be reconvened to address these comments.

In June 2020, the joint *ad hoc* Group on BSE risk assessment and surveillance was convened to address the comments for Chapter 11.4 that had been referred from the Code Commission and to refine the draft revised Chapter 1.8, Application for official recognition by the OIE of free status for bovine spongiform encephalopathy, to ensure alignment with Chapter 11.4.

### Discussion

The Code Commission commended the joint *ad hoc* Group on BSE risk assessment and surveillance on its comprehensive and quality work and thanked its members for their continued commitment to this priority topic.

The rationales for the amendments that the Code Commission had proposed in February 2020 as well as the amendments it proposed at this meeting in response to the text proposed by the *ad hoc* Group are presented below. The Commission highlighted that for amendments made by the *ad hoc* Group that the Commission agreed with, the rationale is provided in the *ad hoc* Group report (Annex 28). The Commission also emphasised the importance of referring to the June 2020 *ad hoc* Group report and the previous four *ad hoc* Group reports for detailed explanations of much of this work.

## **Chapter 11.4. Bovine spongiform encephalopathy**

### **Article 11.4.1**

In point 1, the Code Commission discussed whether and how atypical BSE should be addressed in this chapter recalling the relevant discussions on this point in the past. Recognising the difficulties of strictly applying the criteria in Article 1.2.2 to atypical BSE and that there are still gaps in scientific knowledge

regarding atypical BSE, the Commission agreed to keep atypical BSE as an OIE listed disease. Nevertheless, the Commission recognised that this was an interim solution and that this issue would need to be revisited in the future when any relevant evidence becomes available.

In point 2, the Code Commission noted comments that the use of ‘a bovid’ is not consistent with point 1 where BSE is described as a disease of cattle, and proposed an amendment for clarity, noting that cattle is defined in point 3 for the purposes of this chapter.

In point 4, the Code Commission noted reservations regarding the new definition for ‘protein meal’ in the chapter, and reminded Members that the rationale for this proposal was provided in the report of the *ad hoc* Group on BSE risk assessment and surveillance that met in March 2019. In addition, the Commission explained that once the revised chapter is adopted, it will review the use of terms ‘meat-and-bone meal’ and ‘greaves’ throughout the *Terrestrial Code* and consider where these terms should be replaced by ‘protein meal’.

For the second last paragraph, the Code Commission did not agree with a comment to add ‘other than ruminant feeds that may be contaminated with BSE agents’ after ‘commodities’ as it did not consider that the proposal enhanced the existing text and also noted that there is no trade provision for ‘contaminated feed’ in this chapter.

#### **Article 11.4.1bis**

In point 1, the Code Commission did not agree with a comment to add ‘derived from cattle’ at the end of this point, as it considered that it was clear in the first paragraph that all the commodities listed under safe commodities are derived from cattle. Notwithstanding, the Commission added ‘derived from cattle’ in the first paragraph for clarity.

In point 2, in response to a comment querying whether references to both the *Terrestrial Code* and the International Embryo Technology Society (IETS) should be included, the Code Commission clarified that the reference to the relevant chapters of the *Terrestrial Code* is sufficient, noting that the relevant chapters such as Chapter 4.8, Collection and processing of *in vivo* derived embryos from livestock and equids, include references to the IETS.

In point 4, the Code Commission agreed with the *ad hoc* Group’s rationale for the inclusion of gelatine and collagen as safe commodities. It encouraged Members to refer to the relevant part of the June 2020 *ad hoc* Group report.

For the deleted point 6, the Code Commission agreed with comments that tallow derivatives would be made from tallow that complied with the requirements in point 5, and therefore proposed to add ‘and derivatives made from this tallow’ at the end of point 5. It also stressed that tallow derivatives are used in many commercial products and have a greater importance in international trade, therefore including explicitly the derivatives of tallow in the text is appropriate, while this is usually not the case for safe commodities currently included in the *Terrestrial Code*, where it is implicit.

In point 7, the Code Commission agreed with the *ad hoc* Group to include ‘foetal blood’ as a safe commodity.

#### **Article 11.4.2**

After careful consideration of the latest *ad hoc* Group report and its proposed amendments, the Code Commission noted that the BSE risk described in the draft revised chapter was primarily referring to the risk of recycling BSE agents in a country, zone or compartment, not necessarily the risk of BSE posed by the entire cattle population of the country. While the Commission did not disagree with this new approach, it highlighted that this fundamental shift regarding the interpretation of BSE risk should be well communicated to Members due to its relevance regarding trade provisions of this chapter (see relevant sections below) and the consequent application for international veterinary certificates.

In point 1, in the first paragraph, the Code Commission did not agree with a comment to replace ‘in accordance with’ with ‘as described in’ as it did not consider that the proposal improved the existing text.

With respect to some comments suggesting improved definition of the steps of the risk assessment to prevent confusion with the terminology in Chapter 2.1, Import risk analysis, the Code Commission agreed with the proposed text by the *ad hoc* Group. It further noted that the flowchart of risk assessment steps (Figure 1 of the June 2020 *ad hoc* Group report) should be placed somewhere on the OIE website for Members' information once the revised chapter is adopted.

In response to a comment seeking to reinstate the two points on 'ongoing awareness programme' and 'compulsory notification and investigation', the Code Commission proposed to include in point 2 a reference to Article 11.4.18, which captures both aspects under point 1 as pillars to support the credibility of the surveillance programme.

### **Article 11.4.3**

In the chapeau paragraph, the Code Commission did not agree with a comment to add 'the Member Country has demonstrated through documented evidence that' after 'if' noting that documented evidence in support of points 2 to 4 should be provided as part of the application for disease status recognition whereas point 1 highlights that the risk assessment should include documented evidence.

The Code Commission agreed with the *ad hoc* Group's proposed amendments to point 1. It also noted that the Group had proposed to change 'likelihood' to 'risk' in this article and agreed to the proposal. The Commission noted that the use of 'likelihood' or 'risk' had been reviewed throughout the chapter and amended where relevant.

In response to a comment to reinstate provisions applicable to feed and birth cohort animals when an indigenous case of classical BSE is identified, the Code Commission reminded Members that the *ad hoc* Group on BSE risk assessment that met in July 2018 concluded that, based on 16-year surveillance data, the complete destruction of all cohort animals would not provide a significant gain in risk reduction. The Commission did not agree to reinstate the text.

The Code Commission acknowledged a comment requesting to revise the form for the annual confirmation of BSE risk status to ensure alignment with this revised chapter, and requested the OIE Secretariat to address this matter.

### **Article 11.4.3bis**

The Code Commission agreed with the *ad hoc* Group's proposed amendments to address some Member comments for clarity and consistency.

In response to a comment to clarify that the provision proposed in this article will also be applicable to cases confirmed before the adoption of the revised Chapter 11.4, the Code Commission clarified that revised chapters become effective from the day of adoption.

### **Deleted previous Article 11.4.6**

The Code Commission extensively discussed the rationale for the *ad hoc* Group's proposed deletion of the previous Article 11.4.6 and merging the negligible and controlled risk into Article 11.4.7, noting that this relates to the issue of the concept of risk status that the Commission had pointed out in Article 11.4.2 above and has significant implications on the rest of the trade provisions. After extensive discussions, the Commission agreed to present the *ad hoc* Group's proposal for Member comments. The proposal would allow for two different subpopulations within a country, zone or compartment recognised as either negligible or controlled risk, based on the date of birth of the cattle relative to the period when the risk of BSE agents being recycled in the cattle population had been demonstrated to be negligible.

### **Article 11.4.7**

In response to comments requesting to reinstate the requirements regarding animal identification, the Code Commission agreed that BSE concerns the lifespan of an animal and animal identification enables the Veterinary Authorities to trace the origin of animals for the purpose of the effective control, and amended the text accordingly.

**Article 11.4.8**

In point 2, the Code Commission did not agree with a comment to reinstate the provision that cattle selected for export were born at least two years after the likelihood of the BSE agents being recycled was demonstrated to be negligible, as it considered it too stringent and prescriptive considering the reality of risk and the current global situation on BSE. The Commission also encouraged Members to refer to the report of the *ad hoc* Group on Risk assessment and surveillance that met in March 2019 for details on the rationale for this amendment.

**Deleted previous Article 11.4.9**

For consistency with the reasoning applied to the previously deleted Article 11.4.6, the Code Commission agreed with the *ad hoc* Group's proposal to delete previous Article 11.4.9. The Commission's response to some Member comments received for the previous Article 11.4.9 are presented in the following section for Article 11.4.10.

**Article 11.4.10**

In point 1, the Code Commission did not agree with a comment to replace 'came from' with 'were born in and have always been a resident in' as it considered that the existing text is clear regarding risk mitigation.

On the same point, the Code Commission did not agree with a comment to add 'and' at the end, as this is not the convention used in the *Terrestrial Code*.

The Code Commission did not agree with a comment to reinstate the previous provision which provided recommendations for the importation from negligible BSE risk countries where there has been an indigenous case. The Commission agreed with the *ad hoc* Group that met in March 2019 that it was no longer relevant to provide such recommendations given that the revised Article 11.4.3 clearly defines the conditions related to the occurrence of an indigenous case.

The Code Commission did not agree with a comment to delete point 3 as it considered it consistent with the trade provisions for live animals, for fresh meat and for meat products.

**Article 11.4.11**

Regarding a comment requesting guidance on how a Member could comply with point 2, the Code Commission acknowledged that it may be difficult to certify that the cattle from which the meat was derived have never been fed with ruminant protein meal. However, the Commission agreed that it was not impossible and that including provisions for this product was necessary.

**Article 11.4.12**

The Code Commission agreed with the *ad hoc* Group's proposed amendments to this article and its responses to Member comments requesting to retain the requirements for countries with negligible BSE risk status where there has been an indigenous case (see relevant section of the June 2020 *ad hoc* Group report).

**Article 11.4.13**

Following the same logic as expressed above regarding risks posed by cattle subpopulations in controlled or negligible risk countries, the Code Commission agreed with the *ad hoc* Group's proposed amendments to this article.

**Article 11.4.14**

The Code Commission extensively discussed the amendments proposed by the *ad hoc* Group to this article and made some additional amendments to further explain the approach the Group had chosen with respect to the concept of BSE risk status.

The Code Commission noted the *ad hoc* Group had considered that the risk status of a country, zone or compartment is determined by the risk of BSE agent being recycled and thus, trade recommendations should take into account the risk posed by different subpopulations within a given status. While recognising that this approach appears to be different from the current perception of the risk status of a country, zone or compartment and that it might undermine efforts of some Members to reach negligible risk status, the Commission considered the approach was technically correct from the perspective of risk. The Code Commission, however, found the amendments to this article proposed by the *ad hoc* Group did not completely follow the logic of this approach, since the non-negligible risk posed by a ‘sub’-population in a country, zone or compartment having a negligible risk status was not considered for commodities in this article. The Code Commission, therefore, proposed further amendments to address this point, except for cattle-derived protein meal, or any commodities containing such products, where the Code Commission agreed with the *ad hoc* Group, as the risk of cross-contamination was higher and such differentiation of sub-populations within controlled risk country was not possible.

In addition, the Commission noted that the last paragraph was no longer needed because risks posed by the ‘sub’-populations in both negligible and controlled status are now considered in the revised text.

In point 1, the Code Commission did not agree with comments to reinstate ‘tonsils’, noting that the *ad hoc* Group had concluded that the restriction applicable to tonsils should be removed. The Commission reminded Members to refer to the rationale provided in the report of the *ad hoc* Group that met in March 2019.

#### **Article 11.4.16bis**

In line with the amendment to point 5 of Article 11.4.1bis, the Code Commission reinstated the previously deleted Article 11.4.18 on recommendations for the importation of tallow derivatives (other than as defined as safe commodities) intended for food, feed, fertilisers, cosmetics, pharmaceuticals including biologicals, or medical devices, as Article 11.4.16bis.

#### **Article 11.4.17**

In response to a comment to include the levels of risk reduction associated with specific processing parameters, the Code Commission recalled that the parameters for effective BSE infectivity reduction are currently defined but empirical. It therefore encouraged Members to provide further evidence to consider including alternative techniques in this chapter.

In response to a comment to retain the terms ‘meat-and-bone meal’ and ‘greaves’ due to the ease of reference from the World Customs Organization (WCO) Harmonization System Code, the Code Commission noted that the new term ‘protein meal’, which had been proposed by the *ad hoc* Group that met in March 2019, could be a good replacement for both ‘meat-and-bone meal’ and ‘greaves’ because there is no clear difference between the two. The Commission was of the view that once the new definition for ‘protein meal’ is adopted in the Glossary of the *Terrestrial Code*, it could be a consideration for the WCO.

#### **Article 11.4.18**

The Code Commission agreed with the *ad hoc* Group’s proposed texts and its responses to Member comments.

### **Chapter 1.8, Application for official recognition by the OIE of free status for bovine spongiform encephalopathy**

The Code Commission agreed with the proposed amendments to the draft Chapter 1.8 proposed by the *ad hoc* Group.

The revised Chapter 11.4, Bovine spongiform encephalopathy, and the revised Chapter 1.8, Application for official recognition by the OIE of free status for bovine spongiform encephalopathy, are presented as **Annex 20** and **Annex 21** respectively, for Member comments.

The report of the June 2020 meeting of the OIE *ad hoc* Group on BSE risk assessment and surveillance is attached as **Annex 28** for Member information.

## **7.7. Theileriosis (Chapters 11.10 and 14.X)**

### Background

The revised Chapter 11.10, Infection with *Theileria annulata*, *T. orientalis* and *T. parva*, and the new Chapter 14.X, Infection with *Theileria lestoquardi*, *T. luwenshuni* and *T. uilenbergi*, were first circulated in September 2017, following the work of the *ad hoc* Group on Theileriosis that met in February 2017.

At the Code Commission's February 2018 meeting, in response to some Member comments which questioned the listing of some *Theileria* spp., the review of comments was put on hold while expert advice was sought regarding listing.

At its September 2019 meeting, the Code Commission was informed that *Theileria lestoquardi*, *T. luwenshuni*, *T. uilenbergi* and *T. orientalis* (Ikeda and Chitose) had been assessed by experts against the criteria for listing in accordance with Chapter 1.2 and were found to meet the criteria for listing (refer to Annex 19 of the Scientific Commission's February 2019 meeting report).

Given that these pathogenic agents were found to meet the criteria for listing, the Code Commission, at its September 2020 meeting, agreed to recommence work on these draft chapters and considered Member comments that had been received in February 2018.

### **Chapter 11.10 Infection with *Theileria annulata*, *T. orientalis* and *T. parva***

Comments were received from Australia, China (People's Republic of), New Caledonia, New Zealand, South Africa, Switzerland, Thailand, the EU and AU-IBAR.

### Discussion

In response to comments questioning the listing of *T. orientalis* (Chitose and Ikeda), the Code Commission highlighted that the inclusion of *T. orientalis* (Chitose and Ikeda) in the chapter had been supported by the Scientific Commission, the *ad hoc* Group on Theileriosis and the experts who had undertaken the assessments against the criteria for listing.

In response to a comment requesting to have one chapter on theileriosis across species, the Code Commission reiterated that given the host specificity of the different *Theileria* spp., maintaining separate chapters would allow their management in different species, including surveillance easier for Members.

In response to a comment on species-specific diagnostic tests, the Code Commission noted that the Biological Standards Commission had agreed to review and update the corresponding disease-specific chapters of the *Terrestrial Manual* once suitable validated tests are available.

### **Article 11.10.1**

In agreement with the Scientific Commission, the Code Commission did not agree with a comment to consider *T. orientalis* in the chapter without specifying the genotype, as only *T. orientalis* Ikeda and *T. orientalis* Chitose satisfied the listing criteria. The Commission also noted that this point is well described in the article.

### **Article 11.10.3**

In point 1(c), a comment was received that questioned whether all ticks are to be targeted by the surveillance programme, as it would be difficult to demonstrate the total absence of ticks in a country or zone for a period of two years. The Code Commission agreed with the Scientific Commission that this referred to competent tick vectors, and thus added the word 'competent' before 'tick vectors'.



In point 2, in response to a comment on the involvement of non-tick vectors in the mechanical transmission of *T. orientalis*, the Code Commission requested the OIE Secretariat to seek further expert advice.

#### **Article 11.10.5**

In point 3, the Code Commission agreed with a comment to remove reference to the time periods for treating the animal with an acaricide as there are some acaricide products that allowed long-term protection against ticks. It also agreed with a comment to include a reference to the efficacy of the acaricide used in view of tick resistance, and proposed to include ‘the efficacy of which has been confirmed in relation to the area of origin of the animals, at the entrance of the isolation zone and then at regular intervals’ before ‘according to manufacturer’s instructions’, and ‘allowing continuous protection against ticks until their shipment’ at the end of the sentence.

In point 4, in response to a comment requesting to use the same test schedule as that used in Chapter 12.1, Infection with African horse sickness virus, i.e. testing is conducted at least 25 days after entry to the isolation establishment, the Code Commission requested the OIE Secretariat to seek expert advice on the appropriate test schedule to be applied at the beginning and end of the quarantine period.

#### **Article 11.10.6**

The Code Commission did not agree with a comment to delete Articles 11.10.6 and 11.10.7 and to move these commodities to Article 11.10.2 on safe commodities. In response to the rationale provided by the Member that there are no measures in place for the trade in hides, skins and trophies for other tick-borne disease chapters like heartwater, bovine anaplasmosis and bovine babesiosis, the Commission explained that the lack of mention of hides, skins and trophies in these other chapters did not mean that these commodities were ‘safe’, but rather that their safety has not been assessed. Furthermore, these chapters have not been updated for some time and the inclusion of articles on safe commodities is still a work in progress across the disease-specific chapters of the *Terrestrial Code*. The Commission agreed with the Scientific Commission that treated skins and hides might qualify as safe commodities but that would not be the case for untreated commodities as they might still contain infected ticks and pose a risk. The Commission invited Members to submit data on standardised treatments that could assure the safety of hides, skins and trophies as per Chapter 2.2, Criteria applied by the OIE for assessing the safety of commodities, as such evidence could be used to assess the safety of these commodities.

#### **Article 11.10.7**

The Code Commission agreed with a comment to delete ‘wild’ from the title, agreeing that trophies from susceptible domestic or feral ruminants, as well as wild susceptible ruminants should be included.

Revised Chapter 11.10 is presented as **Annex 22** for Member comments.

#### **Chapter 14.X, Infection with *Theileria lestoquardi*, *T. luwenshuni* and *T. uilenbergi***

Comments were received from Canada, New Caledonia, South Africa, Switzerland, Thailand, the EU and AU-IBAR.

The Code Commission noted that there is no recommendation for diagnostic tests for *Theileria lestoquardi*, *T. luwenshuni* and *T. uilenbergi* in the *Terrestrial Manual*. Given that this would have an impact on the case definition and appropriate diagnostic tests to be recommended in the chapter, the Code Commission agreed not to progress further work on this chapter until the Biological Standards Commission can provide advice on the development of recommended diagnostic tests for these *Theileria* spp. in the *Terrestrial Manual*. The Commission requested the OIE Secretariat to seek advice from the Biological Standards Commission as to how to address this gap.

### **7.8. Trichomonosis (Chapter 11.11)**

The Code Commission was informed that a Member had asked for clarification regarding the appropriate tests for trichomonosis for the importation of bulls given that the recommendations in the disease-specific chapters of the *Terrestrial Code* and *Terrestrial Manual* are different. The Code

Commission thanked the Reference Laboratory experts for Trichomonosis for their inputs as to the appropriate tests to be recommended in the *Terrestrial Code*.

The experts clarified that real-time PCR is the appropriate test, and thus proposed amendments to Articles 11.11.2 to 11.11.4 to replace microscopy and cultural examination with an ‘agent identification test’. The Code Commission also requested the OIE Secretariat to ensure that recommendations on diagnostic tests for trichomonosis in Chapter 4.7 are reviewed as part of the proposed work to review Chapter 4.7.

Revised Chapter 11.11 is presented as **Annex 23** for Member comments.

## **7.9. Contagious equine metritis (Chapter 12.2)**

### Background

At its February 2019 meeting, the Code Commission agreed to amend Chapter 12.2, Contagious equine metritis, to include requirements for the temporary movement of horses. In addition, given that this chapter had not been reviewed for some time, the Commission requested a comprehensive revision be undertaken.

An electronic expert consultation was conducted between September and December 2019 and its report, including the draft revised chapter, was endorsed by the Scientific Commission at its February 2020 meeting. The full report of this consultation was annexed to the Scientific Commission’s February 2020 meeting report.

### Discussion

The Code Commission considered the report of the electronic expert consultation and the draft revised chapter.

The Code Commission reviewed the revised chapter and proposed amendments to the text for clarity and consistency with other chapters in the *Terrestrial Code*. In addition, the Commission wished to highlight the following points.

#### **Article 12.2.1**

The Code Commission agreed with the proposal from the experts to specify that this chapter deals not only with the occurrence of clinical or asymptomatic infection of the mare caused by *T. equigenitalis* but also with the presence of *T. equigenitalis* on the genital mucous membrane surface in the stallion. The Commission noted that this was a very specific case and that this particular reference to the presence of the pathogenic agent on the genital mucous membrane surface (not entering and developing or multiplying in the body) was needed to avoid inconsistency with the glossary definition for ‘infection’.

The Code Commission highlighted that this article defines the incubation period only for mares as they are the only ones potentially showing clinical signs, but it also defines the infective period for ‘horses’, meaning females and males, of all categories. The Commission explained that this is a consequence of the point explained above regarding the definition of the scope of this chapter, as uncastrated males, although not ‘infected’, can also harbour the pathogenic agent on their genital mucosa and be ‘infective’.

The Code Commission supported the approach proposed to manage the provisions for the temporary importation of horses. The Commission recognised that the general provisions included in Article 12.7.1 defining the concept of ‘temporary importation’ for the purpose of this chapter provided a clear framework to differentiate it from a regular importation where the horse remains permanently in, and has a direct relation with the health status of the importing country. The Commission explained that this approach allowed for the definition of different measures for both situations, in a manner that can also be applied to other horse disease-specific chapters.

### Article 12.2.2

The Code Commission acknowledged the discussion noted in the *ad hoc* Group report regarding the inclusion of ‘geldings’ in the list of safe commodities in Article 12.2.2. The Commission discussed the different risk management implications that such a decision would imply recognising the important movement this category of animals has both internationally and at country level.

The Code Commission noted that the *ad hoc* Group referred to some studies that found geldings to be carriers of *T. equigenitalis*, nevertheless there was no clear evidence of their capacity to transmit the disease nor about their epidemiological significance. Taking this into account, and considering the criteria applied by the OIE for assessing the safety of commodities as defined in Chapter 2.2 of the *Terrestrial Code*, notably point 1 of Article 12.2.2, the Commission decided to include ‘geldings’ in the list of safe commodities.

### Article 12.2.3

The Code Commission noted that the *ad hoc* Group had proposed a new article for the ‘Establishment free from infection with *T. equigenitalis*’, but the Scientific Commission, in its February 2020 meeting report, referred to provisions for ‘compartment freedom’.

The Code Commission agreed with the proposal and the rationale provided by the *ad hoc* Group and agreed that managing this disease at establishment level is the appropriate way of managing risks, and is also achievable in practical terms. The Commission reminded Members that compartmentalisation principles could be implemented by countries, but taking into account the epidemiology of the disease, the Commission agreed that full compliance with Chapters 4.4 and 4.5 should not be considered mandatory to secure the health status of horses in this case.

The Code Commission noted that due to the extensive nature of the amendments made, the revised chapter is being presented as clean text only.

Revised Chapter 12.2 is presented as **Annex 24** for Member comments.

## 7.10. Equine piroplasmiasis (Chapter 12.7)

### Background

At its February 2019 meeting, the Code Commission agreed to amend Chapter 12.7, Equine piroplasmiasis, to include requirements for the temporary movement of horses. In addition, given that this chapter had not been reviewed for some time, the Commission requested for a comprehensive revision be undertaken.

An electronic expert consultation was conducted between September and December 2019 and its report, including the draft revised chapter, was endorsed by the Scientific Commission at its February 2020 meeting.

In addition, during the OIE-International Horse Sport Confederation (OIE-IHSC) Technical Committee in March 2020, the IHSC representatives requested that the Code Commission consider the possible interference of antiparasitic treatments with testing for equine piroplasmiasis before the importation of horses and provided scientific evidence on the use of imidocarb dipropionate.

### Discussion

The Code Commission considered the report of the electronic expert consultation and the draft revised chapter and proposed amendments to the draft chapter for clarity and consistency with other chapters in the *Terrestrial Code*.

The Code Commission agreed with the *ad hoc* Group on not including *T. haneyi* at current time, because of uncertainty as to whether *T. haneyi* meets the criteria for inclusion on the OIE List.

The Code Commission supported the approach proposed to manage the provisions for the temporary importation of horses. The Commission recognised that the general provisions included in Article 12.7.1 defining the concept of ‘temporary importation’ for the purpose of this chapter provided a clear framework to differentiate it from a regular importation, where the horse remains permanently in, and has a direct relation with the health status of the importing country. The Commission explained that this approach allowed for the definition of different measures for both situations, in a manner that can also be applied to other horse disease-specific chapters.

The Code Commission discussed the request from the IHSC and considered the possibilities to include provisions regarding the interference of antiparasitic treatments with testing before the importation of horses. The Commission agreed that this is a very important issue for the international movement of horses that could bring additional risks to free countries. Nevertheless, they recognised that it could be a challenge for Veterinary Authorities to certify requirements related to the absence of such treatments, as it would be difficult to have adequate evidence of compliance. The Commission noted that the value of different diagnostic tests in drug-treated animals was already covered for some tests in Chapter 3.5.8, Equine Piroplasmiasis, of the *Terrestrial Manual*, and agreed to request the opinion of the Biological Standards Commission on this issue.

Revised Chapter 12.7 is presented as **Annex 25** for Member comments.

#### **8. Other texts proposed for adoption in the report of the Code Commission’s February 2020 meeting (adoption postponed to May 2021)**

The Code Commission considered all comments received on the texts proposed for adoption in the report of the Code Commission’s February 2020 meeting (adoption postponed to May 2021). For efficiency, the Commission only addressed, in this meeting, those chapters where substantial comments had been received and for those for which it considered that the input of the Scientific Commission was required.

Based on this approach, only the new Chapter 7.Z, Animal welfare and laying hen production systems, and the revised Chapter 10.4, Infection with avian influenza viruses, were further amended after consideration of the comments received. These revised chapters are presented for Member comments and are being proposed for adoption at the 88th General Session in May 2021 (see items 6.4 and 6.6 of this report).

##### **– Infection with peste des petits ruminants virus (Articles 14.7.3, 14.7.7, 14.7.24 and 14.7.34)**

The Code Commission considered the comments received on Articles 14.7.3, 14.7.7, 14.7.24 and 14.7.34, and deferred its discussion to its February 2021 meeting given that selected comments relevant to the official recognition of animal health status had been sent to the Scientific Commission for its opinion.

The Code Commission will address all comments received, together with the advice of the Scientific Commission, at its February 2021 meeting.

##### **– Infection with classical swine fever virus (Chapter 15.2)**

The Code Commission considered the comments received on Chapter 15.2, and deferred its discussion to its February 2021 meeting given that selected comments relevant to the official recognition of animal health status had been sent to the Scientific Commission for its opinion.

The Code Commission will address all comments received, together with the advice of the Scientific Commission, at its February 2021 meeting.

The Code Commission considered the comments received on the other texts that were proposed for adoption in the report of the Code Commission’s February 2020 meeting and agreed to defer its discussion until its February 2021 meeting. These texts are:

- User’s Guide
- Glossary Part A (‘epidemiological unit’, ‘captive wild [animal]’, ‘feral [animal]’ and ‘wild [animal]’)
- Animal health surveillance (Article 1.4.3)
- Notification of diseases, infections and infestations, and provision of epidemiological information (Chapter 1.1)
- Procedures for self-declaration and official recognition by the OIE (Chapter 1.6)
- Veterinary legislation (Chapter 3.4)
- New chapter on official control programmes for listed and emerging diseases (Chapter 4.Y).

The Commission wished to note that all responses to comments received and the corresponding amended texts (incorporating any revisions resulting from these considerations) will be presented in the February 2021 meeting report as proposed for adoption in May 2021.

## 9. Other updates

### 9.1. Update on Guidelines on compartmentalisation for African swine fever

The Code Commission was informed of the work of the *ad hoc* Group on Compartmentalisation for African swine fever (ASF) that was convened in March 2020 to contribute to the development of practical guidelines on compartmentalisation for ASF. A representative of the Code Commission also participated in that meeting.

These guidelines will incorporate the general principles outlined in the *Terrestrial Code* and also provide specific guidance for the application and validation of compartmentalisation in support of OIE Members with the objective of minimising the impact of ASF and ensuring business continuity.

The Guidelines, consisting of the main document plus tools and examples, is currently being prepared for publication which is planned for November 2020. The Guidelines will be made available on the OIE website.

The Code Commission noted that the report of the *ad hoc* Group is annexed to the September 2020 report of the Scientific Commission.

### 9.2. Wildlife health management framework concept note

The OIE Secretariat updated the Code Commission on the OIE Headquarters work to develop a wildlife health management framework, including the development of a concept note. The Code Commission reviewed the concept note presented for information to the Specialists Commissions, and that has been annexed to the September 2020 report of the Scientific Commission.

The Code Commission acknowledged the work done by the OIE Headquarters and the OIE Wildlife Working Group and recognized the risks that the close interaction between wildlife, domestic animals and humans could pose to animal and human health. The Commission highlighted the importance of considering these issues with a One health approach and emphasised the urgent need of ensuring complementarity between the different actors involved in addressing them.

The Code Commission agreed on the value of strengthening the role of Veterinary Services in improving wildlife health management and on the need to establish priorities and assess the needs of Members at an early stage.

The Code Commission noted that the *Terrestrial Code* already considers wildlife as a key component of animal health management, notably for its potential role as a reservoir for a number of diseases, but also because the impact on wildlife is a specific criterion for listing an OIE disease, and that it is addressed explicitly in both horizontal and disease-specific chapters. The Commission agreed that, if needed, new elements could be considered for inclusion in existing chapters or by developing new ones. However, such inclusions should only be considered on the basis of scientific evidence and a risk analysis to ensure their relevance and sustainability.

The Code Commission requested the OIE Secretariat to report back on progress on this work at its next meeting.

**10. Date of next meeting**

The next meeting will be held from 2 to 11 February 2021.

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.../Annexes