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LPAI Program Indemnity, Compensation and Reporting

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LPAI Program/Indemnity and Compensation Policy

LPAI Indemnity and Compensation Policy

- APHIS has two primary objectives in forming an H5/H7 LPAI indemnity and compensation policy.
  - The first objectives is to stop the spread of virus as quickly as possibly to minimize the number of affected flocks and also to mitigate the chance of mutation of an LPAI virus into an HPAI virus.
  - The second objective is to achieve the first objective in partnership with the States and producers, reducing total costs to the U.S. taxpayer for indemnity and compensation wherever possible.
- The H5/H7 LPAI prevention and control program has always been a Federal/State/industry partnership; responses, including funding, should also be a partnership.
  - This policy reflects that partnership and is applied to affected flocks to secure both the health of U.S. poultry and international trade in poultry and poultry products.

LPAI Indemnity and Compensation Policy

- In August 2017, and March 2018, APHIS held two stakeholder meetings to discuss options available for indemnity and compensation.

- Following the March 2018 meeting APHIS presented stakeholders with an option for indemnity and compensation we believe would better protect LPAI funding available into the future.

- APHIS, with input from the industry and the State Animal Health Official, held a third meeting in April 2019 to present the new LPAI Indemnity and Compensation Policy.

LPAI Indemnity and Compensation Policy

- Applicants are required to complete Appendix D – **Controlled Marketing via Slaughter Decision Determination Worksheet** as soon as possible.

- The worksheet documents the flock's risk factors and takes into account **viral load, flock location, the possibility for control marketing, and trade impacts.**

- The worksheet allows the State and company to outline recommendations for the disposition of the flock and the reasons for their recommendation.

- Based on this information, as well as available funding, APHIS determines the amount of indemnity and compensation for the flock.

LPAI Indemnity and Compensation Policy

Scenario One: The Flock can be controlled marketed

- If the flock can be control marketed via slaughter, APHIS will pay the following for indemnity and compensation:
  - **Zero percent** indemnity;
  - **Zero percent** for all compensation associated with moving birds to slaughter;
  - **100 percent** of HPAI compensation/flat rates for disposal (materials), materials destroyed, and virus elimination in all occupied houses.

LPAI Indemnity and Compensation Policy

Scenario Two: The Flock cannot be controlled marketed

- If it is logistically impractical or the flock cannot be control marketed via slaughter, APHIS will pay the following for indemnity and compensation:
  - **100 percent** indemnity;
  - **100 percent** of HPAI compensation/depopulation costs, flat rates for disposal (materials), materials destroyed, and virus elimination in all occupied houses.
- In both Scenario 1 and 2, the owner must present APHIS with evidence that the premises was following sufficient biosecurity measures to prevent the introduction of LPAI at the time the disease is suspected to have entered the flock.

LPAI Indemnity and Compensation Policy

Scenario Three: 25 percent indemnity with 100 percent compensation

- If the flock is only eligible for 25 percent indemnity per existing regulations*, or if there is evidence of significant biosecurity lapses documented by State and/or Federal personnel, or if the owner declines controlled marketing via slaughter when it is logistically feasible and recommended by APHIS, then the following guidance will be applied:
  - **25 percent** indemnity;
  - **100 percent of** HPAI compensation/depopulation costs, flat rates for disposal (materials), materials destroyed, and virus elimination in all occupied houses.

LPAI Indemnity and Compensation Policy

Scenario Three: 25 percent indemnity with 100 percent compensation

- U.S. Code of Federal Regulations Title 9 Part 56 Paragraph 3 (9 CFR §56.3) outlines three situations in which an H5/H7-affected flock is eligible for 25 percent indemnity:
  - The poultry are from a breeding flock that participates in any Plan program in part 145 of this chapter but that does not participate in the U.S. Avian Influenza Clean or the U.S. H5/H7 Avian Influenza Clean program of the Plan available to the flock in part 145 of this chapter;
  - The poultry are from a commercial flock or slaughter plant, but the flock or slaughter plant does not participate in the U.S. Avian Influenza Monitored program available to the commercial flock or slaughter plant in part 146 of this chapter;
  - The poultry are located in a State that does not participate in the diagnostic surveillance program for H5/H7 LPAI, as described in §146.14 of this chapter, or that does not have an initial State response and containment plan for H5/H7 LPAI that is approved by APHIS under §56.10, unless such poultry participate in the Plan with another State that does participate in the diagnostic surveillance program for H5/H7 LPAI, as described in §146.14 of this chapter, and has an initial State response and containment plan for H5/H7 LPAI that is approved by APHIS under §56.10.

AI Compensation Policy

Virus Elimination	Flat Rate	Completed Flock Plan	After Environmental Samples Negative Results
Floor-Raised Poultry	**$0.65***	**50%**	**50%**
Table Egg Laying Bird Barns	**$2.90▪**	**50%**	**50%**
Table Egg Storage/Processing Facility	**$1.20***	**50%**	**50%**

Payment is made to the owner of the land and structures that housed the infected birds (most often, this is the grower)

***Per Square Foot**
***▪Per Cubic Yard**

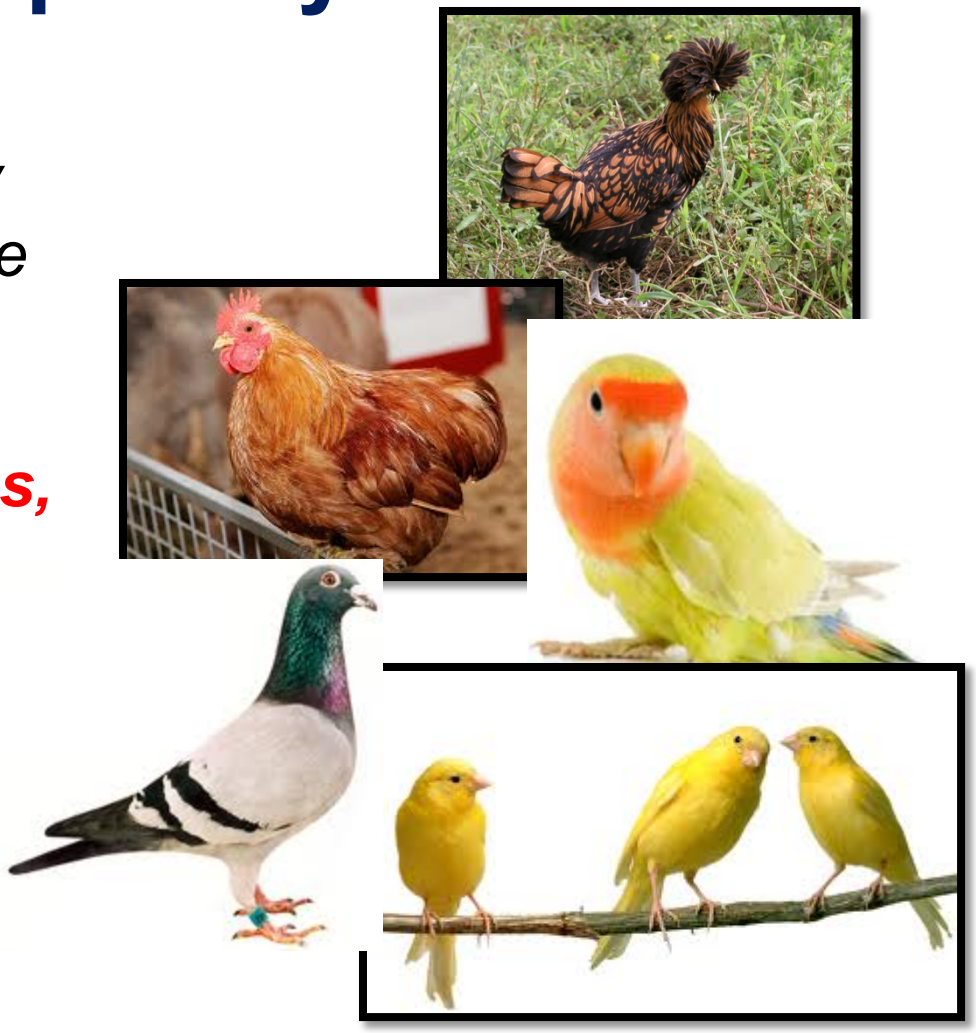
Current OIE Avian Influenza Notification/Reporting Guidelines

Current OIE Definition of Poultry

- **Poultry:** all domesticated birds, **including backyard poultry,** used for the production of meat or eggs for consumption, for the production of other commercial products, for re-stocking supplies of game, or for breeding these categories of birds, **as well as fighting cocks** used for any purpose.

Not poultry

Birds kept in captivity for any reason other than for those reasons referred to, including those kept for ***shows, races, exhibitions, competitions, pets*** *or for breeding or selling these categories of birds*



OIE AI Notification/Reporting Guidelines

OIE Definition of Avian Influenza (AI):

- The OIE is no longer using the term **"notifiable"**
- But What is notifiable (reportable) still remains the same (H5 and H7)
- AI is defined as **an *infection of poultry*** caused by an influenza A virus with high pathogenicity (HPAI), and by H5 and H7 subtypes with low pathogenicity.
- **For the purposes of the *Terrestrial Code*, HPAI and H5/H7 LPAI in poultry are termed "avian influenza" and are notifiable. Non-H5/H7 influenza A (i.e. H1–4, H6 and H8–16) are not "avian influenza" and are not notifiable.**

Reportable Avian Influenza

- Highly Pathogenic strains from poultry and other birds, including wild birds, are notifiable to the OIE
- All H5 and H7 subtypes regardless of virulence in *poultry*
- All other subtypes are *not* reportable
- The OIE clearly states in the Terrestrial Code that **no trade restrictions** should be applied to countries reporting HPAI virus only in wild birds.

Note: Antibodies against H5 or H7 subtype, which have been detected in poultry and are not a consequence of vaccination, should be immediately investigated. In the case of isolated serological positive results, infection with avian influenza viruses may be ruled out on the basis of a thorough epidemiological and laboratory investigation that does not demonstrate further evidence of such an infection.

Therefore, VS reports serological findings alone after further epidemiological investigation demonstrates evidence of H5/H7 AI spread in other subpopulations.

AI Reporting and Frequency of reporting

- Highly pathogenic AI
  - Any finding, any time – immediately upon confirmation
  - Emergency report followed by weekly updates until resolved

- Low pathogenicity AI (H5/H7)
  - Live bird marketing system (LBMS); backyard flocks
    - 6-month and annual reports
  - Commercial Production flocks
    - Immediately upon confirmation
    - (serology alone not enough to trigger reporting)

Reporting of AI in the U.S.

- In the United States AI (H5 and H7 LPAI and HPAI) are reportable diseases to State/Federal authority by all licensed veterinarians.

- Any suspect case must be reported immediately to the State veterinarian or the APHIS-Veterinary Services District Director/Veterinarian In-Charge.

- Producers, veterinarians, animal health technicians, slaughter inspectors, laboratory diagnosticians, or any other person with knowledge of the disease must report suspect or confirmed cases.

Reporting of AI to Trading Partners

- APHIS has worked with trading partners around the world for many years to explain U.S. AI surveillance and response procedures for poultry/livestock disease events of significance.

- We have built a history of providing detailed epidemiological information when requested, established extensive relationships with various animal health authorities, and through this, many of our partners have come to a place of trust in the U.S. and our systems used to control disease outbreaks.

- We rely on our OIE notification as communication with other trading partners.

- OIE notification of the incident is done immediately (with 24-48 hours).

Reporting of AI to Trading Partners

- A few individual trading partners will be notified in accordance with individual agreements (e.g. Mexico, Canada, EU, Japan, Hong Kong, Singapore, and Taiwan).

- Most LPAI restrictions are limited to the affected county, State or the 10 km radius area immediately surrounding the infected premises.

- For HPAI, the majority of countries impose restrictions to restrict products at a State level (e.g. Japan) or county level (e.g. the EU). The exceptions are China, Russia, which have restricted the entire U.S.

- Updated and detailed information for products under FSIS certification (meat, meat products, and egg products) can be found at: http://www.fsis.usda.gov/wps/portal/fsis/topics/international-affairs/exporting-products/export-library-requirements-by-country

Proposed Changes for OIE Chapter on AI

OIE Chapter on Avian Influenza

- There are some significant changes to the chapter which have been proposed to reduce trade prohibitions associated with the detection and notification of avian influenza.
  - Focusing only on high pathogenicity AI
  - Changes to the definition of “poultry”
  - Changes to the way countries should handle and report findings of H5 and H7 viruses
    - Incubation period
    - Surveillance
    - Commodity-Trade Requirements
    - Vaccination
    - Reporting

OIE Chapter on Avian Influenza

New Definition of Poultry

- Poultry: all domesticated birds ~~**including backyard poultry,**~~ used for the production of meat or eggs for consumption, for the production of other commercial products, or for breeding these categories of birds, as well as fighting cocks used for any purpose. All birds used for restocking supplies of game are considered poultry. *If birds are kept in a single household and their products are only used in the same household, these birds are not considered poultry.*

- Is it possible to clearly define “backyard poultry” - in many countries, the poultry sector are integrated in such a way that no clear separation can be made between different sectors. Due to the wide range of combinations of different types of production systems, the term ‘backyard flocks’ could not be defined.

- The modified phrase emphasizes that **the birds are kept and consumed**; and **their products are used within the same household** without having come into in contact with other birds. The Group determined that the term ‘household’ was more appropriate than that of ‘family’.

OIE Chapter on Avian Influenza

Incubation Period

- The incubation period at the flock level for high pathogenicity avian influenza shall be ~~21~~ 14 days. ***Why OIE is moving from 21 days to 14.***

- Dr. David Swayne noted that the current incubation period of 21 days had been set based on Easterday et al. from the 10th edition of Diseases of Poultry.

- "The incubation periods for the various diseases caused by these viruses range from as short as a few hours to 3 days in individual birds and up to 14 days in a flock.

- **The incubation period is dependent on the dose of virus, the route of exposure, the species exposed, and the ability to detect clinical signs.**

- Because the epidemiological unit of concern is normally the flock, it was decided to make reference to 'at flock level'. The incubation period for a flock of 14 days is usually cited in the literature.

OIE Chapter on Avian Influenza

Surveillance

- The declaration of avian influenza free establishments requires the demonstration of absence of infection with avian influenza viruses. Birds in these establishments should be randomly tested using virus detection or isolation tests, and serological methods, following the general conditions of these recommendations. The frequency of testing should be based on the risk of infection and at a maximum interval of ~~21~~ 28 days. ***Why the change from 21 days to 28?.***

- The Group discussed the frequency of testing to establish avian influenza free-establishments by explaining the concept of a period of restriction with a 14-day incubation period and either adding seven days or simply double the incubation period, which is the standard approach in other chapters.

- Following discussion, the Group decided to propose 28 days, concluded by doubling the 14 days of incubation period.

OIE Chapter on Avian Influenza

Commodity-trade requirements

- It was agreed that the articles presenting commodity requirements for “freedom from avian influenza” would no longer appear in the chapter, in accordance with the revised scope.

- The Group agreed that the H5 and H7 LPAI presented a lower risk than HPAI for spread through raw meat and table eggs, as was determined by a previous ad hoc group.

- However, the group agreed a risk assessment should be undertaken to support making changes to articles 10.4.14. and 10.4.19. on raw meat and table eggs.

OIE Chapter on Avian Influenza

Vaccination

- The purpose of vaccination is to reduce the susceptibility of birds to infection and reduce shedding titre of virus if infection occurs.

- Vaccination can be an appropriate prevention and control tool for HPAI.

- To support endemic countries' efforts on the control of HPAI, and for the purposes of the Terrestrial Code, the Group decided to add a point about the purpose of implementing vaccination programmes and the implications for free status.

- The Group noted that if vaccination was used in a country seeking to export poultry or poultry products, more information would be needed on the vaccination certificate or through the negotiation process than the date and type of vaccine used.

- The Group agreed that the exporting country would need to provide evidence supporting the absence of infection to the importing country.

OIE Chapter on Avian Influenza

Reporting

- Report LPAI only in the 6-month report, and adding a section on safe commodities and influenza.
  - Concerns - six-monthly reporting contains less information, and could lead to less transparency.

- ***H9N2:***
  - Concerns about the emergence of H9N2 virus infection reported in humans, and the widespread occurrence of this subtype in poultry, especially in Asia.

  - Consideration - It would be more appropriate to be dealt with as an emerging disease rather than adding the subtype into the recommendations of the chapter.

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Thank You For Your Attention!!

- Go to: **www.aphis.usda.gov**
- Click on Animal Health ➡ Animal Disease Information ➡ Avian

DEFEND THE FLOCK
Keeping Poultry Safe from Avian Influenza

Let's Keep Our Poultry Healthy Together

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Questions???

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