

**Japan's comments on
the Code Commission Report of the September 2011 meeting**

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NOTE

Please find the following specific comments in which proposed insertion is underlined and proposed deletion is ~~struck-out~~. Any deletions or insertions by Japan are written in grey on this paper.

1. General Comments

Japan would like to express its appreciation to the Terrestrial Animal Health Standards Commission (TAHSC) and related Working Groups and *ad hoc* Groups for all the work they've done and thanks the TAHSC for giving us the opportunity of offering comments on proposed revisions to Terrestrial Animal Health Code texts.

Editorial comments: In the proposed chapters on bee diseases (9.1-6) Brucellosis(11.3) and Peste des petits ruminants(14.8), missing is one paragraph on authorising import or transit of commodities, which is commonly provided before Article 2 (safe commodities) in chapters such as Anthrax(8.1), Aujeszky's disease(8.2), Bluetongue(8.3), Rift valley fever (8.11) and West Nile fever (8.16), and it should be added in the chapters accordingly.

In addition, provided that the proposed text would be approved, the chapter on Brucellosis should be moved to Section 8, multiple species.

CHAPTER 9.1.

INFESTATION OF HONEY BEES WITH *ACARAPIS WOODI*

Article 9.1.1.

General provisions

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When authorising import or transit of the *commodities* covered in the chapter, with the exception of those listed in Article 9.1.2., *Veterinary Authorities* should require the conditions prescribed in this chapter relevant to the *A. woodi* status of the honey bee population of the *exporting country* or *zone*.

Article 9.1.2.

Safe commodities

When authorising import or transit of the following *commodities*, *Veterinary Authorities* should not require any *A. woodi* related conditions, regardless of the *A. woodi* status of the honey bee population of the *exporting country* or *zone*:

1. pre-imagos (eggs, larvae and pupae) of honey bees;
- 2.....

(Please note similar changes to other bee disease chapters)

CHAPTER ~~11.8~~. ~~3X~~.

INFECTION WITH *BRUCELLA ABORTUS*, *MELITENSIS* AND *SUIS*

Article ~~11.8~~.~~3X~~.1.

General provisions

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When authorising import or transit of other *commodities* listed in this chapter, with the exception of those listed in Article 8.X.2., *Veterinary Authorities* should require the conditions prescribed in this chapter relevant to the *Brucella* status of the animal population of the *exporting country, zone or herd or flock*.

Article ~~118.3X~~.2.

Safe commodities

When authorising import or transit of the following *commodities*, *Veterinary Authorities* should not require any *Brucella*-related conditions, regardless of the *Brucella* status of the animal population of the *exporting country, zone, herd or flock*:

1. skeletal muscle *meat*,
- 2.....

When authorising import or transit of other *commodities* listed in this chapter, *Veterinary Authorities* should require the conditions prescribed in this chapter relevant to the *Brucella* status of the animal population of the *exporting country, zone or herd or flock*.

CHAPTER 14.8.

INFECTION WITH PESTE DES PETITS RUMINANTS VIRUS

Article 14.8.1.

General provisions

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When authorising import or transit of other *commodities* listed in this chapter, with the exception of those listed in Article 14.8.2., *Veterinary Authorities* should require the conditions prescribed in this chapter relevant to the PPR status of the animal population of the *exporting country or zone*.

Article 14.8.2.

Safe commodities

When authorising import or transit through their territory of the following commodities, *Veterinary Authorities* should not require any PPR related conditions regardless of PPR status of the exporting country or zone:

.....

2. Chapter 1.2- Criteria for the Inclusion of Diseases and Infections on the OIE List (Annex III)

Specific Comments

Japan supports the TAHSC in having replaced ‘production losses’ (in point 3.b and point 5.) and ‘negative effects’ (in point 3.c) by ‘morbidity or mortality’ for clarification.

As for emerging diseases with evidence of zoonotic properties in point 5, however, the criterion should only cover those with severe consequences in humans such as death or serious illness in order to concentrate our limited resources on important diseases. For example, an emerging zoonotic mycosis which has significant impact on public health such as stubborn itchiness in humans but is curable easily by antifungal agents should not be included in the listed disease.

In addition, Japan proposes an addition of a new criterion “the disease has been eradicated globally but is under surveillance for eventual reoccurrence” to maintain rinderpest in the listed diseases because we should continue to assume responsibility for immediate notification of the disease. It would be best if rinderpest remained in the list, but if not, then immediate notification of reoccurrence of a disease which is eradicated globally but is under surveillance for eventual reoccurrence should be placed under responsibility by Veterinary Authorities in Article 1.1.3.

Article 1.2.1bis.

5. The disease or infection is an *emerging disease* with evidence of zoonotic properties with severe consequences in humans (death or serious illness), rapid spread, or significant morbidity or mortality and a case definition is available to clearly identify cases and allow them to be distinguished from other diseases or infections.

OR

6. The disease has been eradicated globally but is under surveillance for eventual reoccurrence.

Article 1.1.3.

Veterinary Authorities shall, under the responsibility of the Delegate, send to the *Headquarters*:

1. in accordance with relevant provisions in the *disease* specific chapters, *notification* through the World Animal Health Information System (WAHIS) or by telegram, fax or e-mail, within 24 hours, of any of the following events:
 - a) first occurrence of a *listed disease* and/or *infection* in a country, a *zone* or a *compartment*;
 - b) re-occurrence of a listed disease and/or infection in a country, a zone or a compartment following a report declared the outbreak ended;
 - c) first occurrence of a new strain of a pathogen of a listed disease in a country, a zone or a compartment;
 - d) a sudden and unexpected increase in the distribution, incidence, morbidity or mortality of a listed disease prevalent within a country, a zone or a compartment;
 - e) an emerging disease with significant morbidity or mortality, or zoonotic potential;
 - f) re-occurrence of a disease which is eradicated globally but is under surveillance for eventual reoccurrence;
 - fg) evidence of change in the epidemiology of a listed disease (including host range, pathogenicity, strain) in particular if there is a zoonotic impact;

3. Chapter 3.4 - Veterinary Legislation (Annex V)

General Comments

Japan agrees with the OIE in setting guidelines for modernizing veterinary legislation of Members to globally enhance the overall veterinary governance, which is emphasized in the “Fifth Strategic Plan of the OIE”. In this context, Japan also agrees to add the new text that the objective of the chapter is to provide advice and assistance to OIE Members when formulating or modernizing veterinary legislation.

We have, however, an opposition to coding them because Members should make efforts to achieve the objective of formulating or modernizing veterinary legislation through proper guidelines and by considering each of their circumstances. Japan suggests the OIE put off the coding process until most of the OIE Members recognise a code is needed to achieve the objective, or develop it as a reference document in the Code as attached before.

Specific Comments

Article 3.4.10.

Animal welfare

1. General provisions

Veterinary legislation should provide a basis for actions to address the *animal welfare* related requirements in the *Terrestrial Code*.

To this end, the legislation should contain as a minimum, a legal definition of cruelty as an offence ~~subject to penal action~~, and provisions for direct intervention of the *Competent Authority* in the case of neglect by animal keepers.

(Comments)

Japan thinks an actual design and implementation of specific provisions to ensure advices such as sanction or penalty, should be left to Member's decision according to conditions of each Member. In this context, we support this revised text in having not specifically but generally provided that veterinary legislation should provide for the application of sanctions, either criminal or administrative, as appropriate to the situation (Point f of Article 3.4.4.), and that officials have the legal authority to intervene in accordance with the legislation and the penal procedure in force (point 1. a of Article 3.4.5.).

We, however, wonder why only an article for animal welfare (Article 3.4.10) includes a provision regarding penal action. Japan, then, proposes a deletion of “subject to penal action” in point 1 of the article because it loses the chapter’s overall balance.

4. Chapter 7.1 – Introduction to the Recommendations for Animal Welfare (Annex XII)

General Comments

Japan reiterates its opinion that the OIE should develop flexible standards that all OIE Members can implement, rather than prescriptive standards with which some OIE Members, especially developing countries, cannot comply. Japan supports the decision of the Code Commission to eliminate “detail that it considered to be superfluous or repetitive” in its September 2011 meeting.

Numeric values may provide clear target for implementation. They should be set only if there are sufficient scientific bases and only when all OIE Members consider them feasible. If there is no broadly recognized and accepted scientific information, a new study may be needed before developing a new standard.

Specific Comments

Article 7.1.4.

7. *Diseases* and parasites should be prevented as much as possible through good management practices and in accordance with relevant recommendation found in the *Terrestrial Code*. *Animals* with serious health problems should be isolated and treated promptly or killed humanely if treatment is not feasible or recovery is unlikely.

(Rationale)

Concerning disease control, recommendations in other Chapters of the Code should also be referenced (The text was copied from Pont 1. a of Article 7.X.5. of beef cattle production system).

Related comments

5. Although the most recent draft text on broiler production system has paragraphs on “biosecurity and disease prevention”, chapter 6.4. (biosecurity procedure in poultry production) provides more detailed recommendations. It would be more appropriate to replace them with a reference to chapter 6.4. in a future proposed text.

Chapter 7.X – Animal Welfare and Beef Cattle Production System (Annex XIII)

Specific Comments

Article 7.X.5.

Recommendations

3. Management

.....

b) -bis Hoof management

Appropriate management of hoof is important to maintain good animals welfare and to enable normal activities such as walking, standing up and laying down. Especially under intensive production system, it is recommended to observe hoof condition, such as its growth and shape, of cattle as necessary. If hoof is overgrown or deformed, it should be trimmed appropriately by competent persons.

Hoof conditions may be affected by nutritional condition and environment, such as floor. Farmers, animal handlers and those who are working for daily management should consult to veterinarian and other experts to get appropriate advice and relevant knowledge for the management.

Outcome-based measurables: behavior, morbidity rates (lameness), changes in weight and body condition score, physical appearance, handling responses

(Rationale)

Japan proposes to add hoof management recommendation to the list as it is an important management factor to maintain good animal welfare.

Article 7.X.5.

Recommendations

3. Management

.....

f) Handling and inspection

Electro immobilisation should not be used which renders paralysis or unconsciousness. Electric fencing with low current is acceptable.

(Rationale)

To be clear the degree of unacceptable electricity. Low electric current used by a tool such as electric fencing should be acceptable.

6. Chapter 8.13—Infection with *Trichinella spp.* (Annex XVII)

(General Comments)

Japan suggests the TAHSC send the recent draft back to the *ad hoc* Group and have them review it before circulating it again among Members for comments. We think, in particular, the following problems should be considered.

1. Japan thinks all the requirements to determine of the status of *Trichinella* infection in domestic pigs for a country, zone or herd in Article 8.13.4 should be deleted because they are infeasible for many OIE Members. The criteria should be actually practicable for all Members including developing countries if they want, because some Members, otherwise, might use them as a pretext for posing a trade restriction.
2. It is also impossible for Members to meet the requirements for a country or zone with a negligible risk because each of all farms with a variety of production systems in a territory should fulfill them. The status has no significance for Members because they can export meat and meat products of domestic pigs from *Trichinella*-free pig herds with the same requirement, irrespective of the status of countries or zones and it can be considered that the risk of meat and meat products from free herds is the same as that from any countries or zones with the status.
3. Japan also thinks provisions in Article 8.13.3. should be arranged in an independent chapter because they are not specific for *Trichinella* infection but rather for general recommendations for biosecurity measures.

7. Chapter 8.10—Rabies (Annex XVIII)

Specific Comments

Article 8.10.1.

General provision:

For the purpose of the Terrestrial Code,

1. Rabies is a disease caused by one member of the *Lyssavirus* genus; the *Rabies virus* (formerly referred to as classical rabies virus; genotype-1). All mammals are susceptible to *infection*.
2. A *case* is any *animal* infected with the *Rabies virus* species;
3. The *incubation period* for rabies is variable, and considered to be 6 months or less. The *infective period* for dogs, cats and ferrets is considered to start mostly 10 days before the onset of the first apparent clinical signs.

Globally, the most common source of exposure of humans to rabies virus is the dog. Other mammals, particularly members of the Orders Carnivora and Chiroptera, also present a risk

(Comments)

Japan supports the TAHSC in having provided that mammals other than dogs also present a risk. The accurate description on the infective period is “start mostly 10 days”.

Article 8.10.4.

2. ~~and either:~~

~~a) have been captured at a distance that precludes any contact with *animals* in an infected country. The distance should be defined according to the biology of the species exported, including home range and long distance movements; or~~

~~b) were kept for the six months prior to shipment in a rabies free country.~~

(Rationale)

It is practically impossible for importing and exporting countries to scientifically decide a specific “distance that precludes any contact with animals in an infected country” and to conclude an agreement about it. Japan suggests the TAHSC withdraw their proposal which might cause trouble between Members.

Article 8.10.5.

4. were subjected not less than ~~36~~ months and not more than 12 months prior to shipment to an antibody titration test as prescribed in the *Terrestrial Manual* with a positive result of at least 0.5IU/ml;

(Rationale)

Japan proposes to make ensure to keep the animals in exporting countries for at

least 6 months after antibody titration test prior to shipment, taking the incubation period into account. Some animals which have a sufficient titer of antibody 3 months prior to shipment may show clinical symptoms of rabies after export if they have been infected with the virus before the test. According to “Assessment of the risk of rabies introduction into the UK, Ireland, Sweden, Malta, as a consequence of abandoning the serological test measuring protective antibodies to rabies” (the EFSA Journal 436 1-54), if an animal is infected prior to vaccination, there is a 7.1 % probability of the pet developing clinical symptoms after 90 days from vaccination, depending on approach. It also mentions vaccination after infection has little or no effect on subsequent development of disease.

Article 8.10.8.

Recommendation for importation of *wildlife* (only for mammals) from countries considered infected with rabies

Veterinary Authority should require the presentation of an *international veterinary certificate* attesting that the *animal*.

(Rationale)

For clarification

8. Chapter 8.12 – Rinderpest (Annex XIX)

General Comments

Japan would like to express its appreciation to the TAHSC and the related *ad hoc* Group for their efforts to draft a new Code on rinderpest, and generally supports it.

Japan suggests the OIE collect from Members and cooperative laboratories information on rinderpest useful for its diagnosis including pictures and video films and share them among Members so that we could maintain our competency for the correct diagnosis.

Japan also suggests the OIE facilitate relevant education and training, simulation exercises for eventual leak of the virus and studies on emergency responses based on them.

Specific Comments

Article 8.12.5.

2. Procedures to be followed in the event of the suspicion of RP

..... If the contingency procedure cannot rule out the suspicion of RP, samples should be submitted to an international reference laboratory. These samples should be collected in duplicate in accordance with Chapter 2.1.15. of the *Terrestrial Manual* with one set being dispatched to one of the OIE-FAO Reference Laboratories for RP to enable molecular characterisation of the virus to facilitate identification of its source.

(Comments)

Japan would like to request the TAHSC to clarify what is the international reference laboratory described in Article 8.12.5 and provide Members with a list of OIE/FAO reference laboratories for RP accompanying with explanation of how they are different from the OIE reference laboratories.

9. Chapter 4.14 – Official Health Control of Bee Diseases (Annex XXI)

Specific Comments

Article 4.14.3.

Official registration of the apiaries by the Veterinary Authority in the whole country

.....

3) the average number of hives expected in a given *apiary* as specified by each OIE Member;

(Rationale)

There is no agreed method to calculate an average number of hives. The Code should accept some flexibility to specify the number according to the production systems in each OIE Member. .

10. Chapter 14.8 – Infection with Peste des Petits Ruminants Virus (Annex XXVI)

Specific Comments

Article 14.8.3.

PPR free country or zone

The PPR status of a country or *zone* can only be determined after considering the following criteria in domestic ruminants, as applicable.

1. PPR should be notifiable in the whole territory, and all clinical signs suggestive of PPR should be subjected to appropriate field and/or *laboratory* investigations;
2. an on-going awareness programme should be in place to encourage reporting of all *cases* suggestive of PPR;
3. the *Veterinary Authority* should have current knowledge of, and authority over, all domestic ruminants in the country or *zone*;
4. for domestic ruminants, appropriate *surveillance*, capable of detecting the presence of *infection* even in the absence of clinical signs, is in place; this may be achieved through a *surveillance* programme in accordance with Chapter 1.4.

A country or *zone* may be considered free from PPR either:

a) historical freedom as described in Chapter 1.4.; or

b) surveillance programme in point 4 for at least past three years

has demonstrated no evidence of PPRV in the country or *zone*.

when it has been shown that PPR has not been present for at least the past three years.

(Comments)

Japan proposes an addition of “historical freedom” as a requirement to recognise PPR free country or zone because a lot of Members have never experienced occurrence of PPR.

11. Development of official standard setting procedure in the OIE

General Comments

Japan appreciates the work of the OIE to provide a document explaining the OIE procedures to set standards and recommendations for international trade. It encompasses a variety of OIE standards: two Codes, OIE Manuals and approved Standard Sera (reagents). It would be useful to understand the OIE activities on international standards.

Nevertheless, Japan thinks that the OIE should make specific and concise texts on procedures for each standard separately, then it would be more user-friendly even for those who do not have basic knowledge of the OIE. It would also show legitimacy of transparent, democratic and science based procedure clearly and objectively.

To start with, specific procedure for two Codes should be developed to improve OIE Member's involvement in developing standard. It is essential to provide and consider Member comments sufficiently as such a consultation process would also improve understanding of the OIE standard setting and improve participation of OIE Members.

Specific Comments

1. Background information for creation or revision of Codes

As recommended in the 27th Regional Commission meeting for Asia, Far East and Oceania in November, Japan proposes to include a text stipulating that the OIE should provide "detailed scientific information article by article on significant Code text under creation or modification when appropriate" into the procedure. Such information will facilitate consultation within each OIE Member as well as enhance information sharing and understanding among OIE Members and OIE headquarters.

2. Starting new work

- a) Considering a new work may be started and processed in any specialist commissions, Japan proposes for all specialist commission reports to provide work programme for better follow-up.
- b) Japan proposes to include text which enable for the Code Commission to provide concrete documents (such as project proposals) for Member comments even before *ad hoc* Group meetings. Such procedure will contribute to the information sharing and understanding among OIE Members and OIE headquarters (please see Point 1).