

Circulation: MPs & Peers

Date: November 2022

Contact: NFU External Affairs Manager,
Emma Crosby

Email: Emma.crosby@nfu.org.uk

Avian Influenza (“AI”)

The UK is currently experiencing its most severe outbreak of AI with this notifiable disease affecting captive birds, poultry, and wild birds.

Between 26 October 2021 and 30 September 2022 there were 158 cases of highly pathogenic Avian Influenza (HPAI) H5N1 in poultry and captive birds confirmed in the UK. Since the 2022/23 AI outbreak administratively re-started on 1 October 2022 there have already been more than 100 cases in poultry and captive birds confirmed in the UK. Prior to this the most severe outbreaks were in 2020/21 and 2016/17 with 26 and 13 cases confirmed in the UK respectively.

The persistence of the virus over the past year, even during the warmer months, coupled with soaring energy and feed costs, has put the whole British poultry sector under huge emotional and financial pressure.

Action so far

The NFU welcomed the introduction of mandatory housing measures for all poultry and captive birds in England by the CVO which were applicable from the 7 November 2022. This extended mandatory housing measures previously in force in Suffolk, Norfolk and parts of Essex to the whole of England following a rise in the number of confirmed cases across the country.

These housing measures are an addition to the national AIPZ (Avian Influenza Prevention Zone) which was introduced across GB on 17 October 2022, and built upon the strict biosecurity measures already in place. Poultry farmers are maintaining stringent biosecurity measures in accordance with the AIPZ to try to minimise the risk of future outbreaks across the country.

Government action required

The NFU welcomes collaborative working with the government in order to ensure a viable British poultry sector for the future but asks for urgent action on the key areas outlined below:

1. **Ensure that the government’s compensation protocol and payment scheme for premises which are confirmed with AI is fit for purpose.**

The economic impact of AI on poultry farmers is devastating. APHA’s position has been that compensation should only be paid for birds which remain alive and are not showing clinical signs of disease at the time of culling. Where there are delays to culling, however, there can be very few birds left alive by the time that culling begins. Consequent to any delays, therefore, which are no fault of farmers, the large number of birds dying before culling commences can result in farmers not receiving the compensation to which they are entitled (under the relevant legislation) for birds which were healthy or suspected (i.e., birds which may have been exposed to AI, but which are not showing clinical signs of the disease) at the time they were condemned. With the sheer number of outbreaks over the past 12 months, this is a concern which farmers continue to raise with the NFU.

If government compensation is agreed at the time of disease confirmation (by reference to the number of healthy and suspected birds condemned for culling) and paid in a timely manner, businesses would be able to react more swiftly in carrying out secondary cleansing/disinfection and restocking birds.

This would facilitate efforts to contain the spread of the disease as well as offer vital financial protection to poultry farmers' livelihoods.

Defra's recent policy change announcement does not go far enough. Farmers cannot afford to wait any longer for this matter to be resolved; they, and the industry generally, are facing economic catastrophe now.

2. Expand the regional housing measures on a national basis to reflect the increase in the levels of risk across the country.

Housing measures can significantly reduce the risk of transmission of the disease from wild birds to poultry. While no free-range poultry farmer wishes to restrict outdoor access to their flock, housing measures on a GB wide scale present a necessary response to protect bird health and welfare in response to the rapidly rising risk level.

In order to get a grip on this disease, the NFU is urging Defra to work with the devolved administrations to expand the England wide housing measures across the rest of Great Britain.

3. Review the marketing legislation which provides a 16-week protection period for the marketing of free-range eggs when government housing measures are imposed.

It is essential that poultry businesses are not unfairly punished by marketing rules that would prevent eggs from being labelled free-range in the event of housing measures lasting beyond 16 weeks. The loss of free-range status and subsequent changes in labelling requirements causes significant cost and disruption to egg producers and the supply chain. The prospect of repeatedly losing free-range status each year threatens the long-term resilience of the industry.

The NFU is calling for a review of the current legislation to ensure that it is fit for purpose and that the protection period for the marketing of free-range eggs (which applies in relation to birds which are housed for their health and welfare in line with government housing measures) should last for the duration of those housing measures.

The 16-week grace period originated in EU law and is provided for in retained EU legislation.¹ We understand that the European Commission is considering amending the corresponding provision in the EU and we are calling on Defra to lead the way by rectifying this flawed policy for the benefit of the British poultry industry.

4. Provide support on longer term measures for the government and industry to deal with AI as an annual occurrence – i.e., research into vaccination.

There is an obvious need for a new strategy to protect the poultry sector from future AI outbreaks. This would help avoid uncertainty and confusion that can leave businesses feeling vulnerable. Whilst we must all deal with the immediate issues, we must also consider a strategy for the medium to long term and understanding AI as an annual threat is a fundamental first step.

This must include but is not limited to research into AI vaccination. Currently, AI vaccination is not permitted in the UK in commercial poultry and there are potential trade implications of any prospective vaccination programme which need to be better understood. Therefore, the NFU encourages greater government investment and urgency in research and development to build knowledge and understanding of the potential for vaccination to help tackle AI. Likewise, there is a need to understand any barriers to vaccination and how these may be overcome as part of a longer-term approach to

¹ See Annex II of "Commission Regulation (EC) No 589/2008 of 23 June 2008 laying down detailed rules for implementing Council Regulation (EC) No 1234/2007 as regards marketing standards for eggs (Retained EU Legislation)"

outbreaks. There is global interest in doing so as AI is not a problem solely in the UK and we need prompt collaboration to ensure there is a domestic poultry industry in the future.

Other longer-term measures for further consideration include a review of APHA resources to ensure that they have the capability to cope with the increasing number of AI cases and an updated review of virus survivability research to ensure that secondary cleansing and disinfection and restocking rules which are the physical and financial responsibility of the poultry keeper, are not overly onerous.