



September 22, 2025

Universal Ostrich Farms Ltd.
301 Langille Road
Edgewood, BC

Dear David Bilinski and Karen Espersen,

On September 11, 2025, Universal Ostrich Farms Inc. (UOF) submitted a "Request for Ministerial Reconsideration" to the Minister of Agriculture and Agri-food, the Chief Veterinary Officer of the Canadian Food Inspection Agency (CFIA) and the President of the CFIA.

UOF requested that the Minister "rescind" the Notice of Requirement to Dispose of Animals and Things, issued to UOF on December 31, 2024 under section 48 of the *Health of Animals Act* (Notice). UOF also requested that the Minister designate its ostriches for research purposes under paragraph 13(2)(a) of the HAA, approve its "Risk-Managed Alternative Control Protocol", and authorize immediate testing of its ostriches.

The CFIA will not reconsider the Notice. This decision is in-line with the *Health of Animals Act* (HAA) and CFIA's stamping-out response policy to highly pathogenic avian influenza (HPAI), a policy which has been found reasonable on review by both the Federal Court and Federal Court of Appeal. None of the information provided by UOF suggests that any of its ostriches were not exposed to HPAI. As such, the entire herd continues to meet the criteria for depopulation under the CFIA stamping-out policy.

Your request for an exemption from depopulation was denied as the documentation you provided and our biosecurity assessment of the premises did not meet the criteria of a distinct epidemiological unit. Furthermore, UOF did not provide documentation to support the animals on this premises having rare and valuable genetics. The information provided by UOF in this request does not warrant reconsideration of the Notice or CFIA's application of the exemption criteria under the stamping-out policy.

The main purpose of the HAA is to enable CFIA to protect the health of people and animals. Reconsidering the Notice in these circumstances would threaten the CFIA's ability to discharge its mandate under the HAA in rapidly eliminating HPAI outbreaks through the timely destruction of infected and exposed birds. It would delay disposal when all criteria for implementing the policy have been met and disposal is consistent with the purposes of the HAA.

None of the information provided merits reconsideration of the Notice on the basis of the herd's scientific value. There are already numerous studies in scientific literature evaluating the duration of immunity in a variety of avian species, including ostriches.



None of the scientific information provided, including the report of Dr. Pelech, warrants reconsideration of CFIA's assessment of the risk of disease transmission posed by these birds and the premises, and the continued risks to animal health, human health and Canada's poultry industry.

The CFIA does not agree with UOF's assertion that biosecurity measures have been implemented and upheld since December 28, 2024. The single action of draining the pond will not absolutely deter wildlife and birds from accessing the property, nor does it address the environmental contamination of the premises. The inability to comply with the quarantine requirements placed by CFIA on the farm to mitigate the risk of spread of HPAI from the infected premises has been documented numerous times by the CFIA throughout the duration of the quarantine order.

Regarding the international standards cited in UOF's request, UOF has misinterpreted the WOAHP Code, and mistakenly conflated the USDA's response policy for HPAI in dairy cattle, or South Africa's approach to HPAI control in ostriches with Canada's response to HPAI in poultry. For example, the "exceedance factor" cited by UOF in relation to the WOAHP standard is applicable only after a stamping-out policy has been completed. A stamping-out policy in dairy cattle is not warranted as the current understanding of the epidemiology and pathogenesis of the disease do not require destruction of the cattle. UOF has correctly stated that South Africa has applied a modified stamping-out approach to HPAI in ostriches which cannot facilitate country level freedom from HPAI; Canada does not apply a modified stamping-out approach to HPAI in poultry and pursues country level freedom from HPAI.

The CFIA does not agree with UOF's opinion that the CFIA is inconsistently applying its disease control policies based on the Scrapie Pilot Project which UOF has referenced. The CFIA utilizes a science-based approach to disease control, which reflects the inherent characteristics of the specific reportable disease as well as the goal of the control measures. Unlike HPAI, scrapie does not infect a wide range of host species (i.e. wildlife, or ruminants other than sheep and goats), it is not zoonotic (i.e. capable of infecting humans), it is not easily transmissible, it occurs at a low level of prevalence within infected flocks, and Canada has not achieved country level freedom from Scrapie under the WOAHP Terrestrial Animal Health Code 14.8.3.

CFIA is preparing to proceed with a humane cull of all ostriches at Universal Ostrich Farm and the disposal of any contaminated things on the premises. Following the cull, CFIA will oversee the cleaning and decontamination process.

Under subsection 35(2) of the HAA, as the owners having care and control of these birds, you are required to give CFIA all reasonable assistance to enable the humane cull. Specifically, CFIA is requesting your assistance by continuing to feed/water the birds and muster the birds in a manner that will be specified by CFIA inspectors when CFIA is onsite.

Subsection 35(1) of the HAA prohibits any person from obstructing a CFIA inspector as they perform their duties. The CFIA also requests your assistance by ensuring



CFIA inspectors and other staff or contractors have unimpeded access to the property and that no individuals, including yourselves, will hinder the CFIA's actions on the premises. These actions will include: the movement of equipment on and off the site, the movement of personnel on and off the site, and the humane culling of the birds on-site. We expect your cooperation in ensuring that no individuals are permitted to be inside of the animal pens or to be present on the North side of Langille Road adjacent to the property.

We understand this is a difficult time, that these activities can be extremely upsetting, and that your ability to assist with facilitating the humane cull may be limited for those or other reasons. If so, we ask that as CFIA proceeds with the cull you, as owners of the property and birds or the persons in charge of a place, ensure there is unimpeded access to the site and that no person or objects are obstructing the activities of the CFIA. We do encourage owners that are feeling anxious or stressed to visit the [AgSafe](https://agsafebc.ca/mental-wellness/) mental health website. They have valuable resources that you may find helpful. <https://agsafebc.ca/mental-wellness/>

Sincerely,

Cortnie Fotheringham
Incident Commander, HPAI
Western Area Manager of Emergency Management
Canadian Food Inspection Agency