

This is Exhibit "EE" referred to in the
Affidavit 1 of Dr. Cathy Furness
affirmed before me at Guelph, Ontario
this 5 day of June, 2025.



From: West AI Case Officer Seven / Ouest IA Agent de cas sept (CFIA/ACIA)
To: universalostrich@hotmail.com
Cc: West AI Case Officer Seven / Ouest IA Agent de cas sept (CFIA/ACIA)
Subject: Exemption from Depopulation Required Documents
Attachments: Distinct Unit Package.pdf
Sent: 1/2/2025 11:31:12 AM

Hello Again,

Sorry for the multiple emails!

This process is document heavy, but I'm here to help you navigate the process!

Based on the information we've gathered, you fall into the "birds classified as having rare and valuable genetics" category. I've copied CFIA's description here:

Rare and valuable genetics in poultry refers to uncommon genetic lines of poultry that hold a high economic value. Genetic breeding of poultry involves the creation of multi-generation genetically diverse populations on which selection is practiced to create adapted animals with new combinations of specific desirable traits. It is this combination of an uncommon breed or line of poultry, which undergoes a selection process to create specific desirable traits which leads to its high economic value.

3.1 Initial screening to classify birds as having rare and valuable genetics

The genetics of the flock can be demonstrated to be distinctive from standard commercial flocks with criteria such as but not limited to the following:

- *There is historical evidence of genetic investment (e.g. breeding books, use of closed flocks of breeding pure line birds for a prolonged period, a selection program from trained geneticists is implemented);*
- *The flock consists of high quality pure-bred birds (e.g. are recognized by breed associations, 3rd party national/international organizations or by the poultry industry as top producers/prized genetics/suppliers of genetics);*
- *Genomics testing for specific traits has been undertaken*

Here's what we need from you at this time to get started:

- We need documented proof that these birds are distinctive from standard commercial flocks. The highlighted section above gives good examples of the types of documents we're looking for.
 - If you have any documentation of the agreement between you and the university – that'd be really helpful to send to us.
- I'll also need you guys to fill out the attached document Distinct Unit Package that will need to be completed and sent back to me.

Thanks,

Cassandra Berreth

Case Officer 007

Western Area Avian Influenza Response

Canadian Food Inspection Agency

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Call or Text: 403-795-9461



Government of Canada
Gouvernement du Canada



Distinct Unit Request Package

Background

Canada's response to the ongoing H5N1 highly pathogenic avian influenza (HPAI) event includes humane depopulation of all susceptible domestic birds on an infected premises. An epidemiological unit (epi unit) means a group of animals with the same likelihood of exposure to a pathogenic agent. This aligns with the "stamping out" policies of the World Organization for Animal Health (WOAH) and helps to hasten Canada's claim of HPAI freedom and resumption of any trade that may have been discontinued. Canada's national poultry industries continue to support a stamping out approach to HPAI management in Canada.

In most situations, all birds on a premises owned by the same owner or that regularly share staff or equipment are considered to be a single epi unit.

In some exceptional circumstances, a distinct population of birds may be recognized by the CFIA on a premises that becomes infected. This distinct population of birds, including the land on which they reside, are referred to as a "distinct unit". If a group of birds are physically and functionally separate from the rest of an infected epi unit, the CFIA may exercise its discretion to consider this group of birds as a distinct unit and exempt it from depopulation.



Distinct unit request package

A producer with an infected epi unit may request to have a distinct unit evaluation by submitting a request package for consideration to the CFIA via their case officer.

The distinct unit request package includes the following:

- Part 1 – Distinct unit initial assessment
- Part 2 – Flock health attestation
- Part 3 – Producer declaration
- Relevant documents to support the request:
 - Aerial photo map of premises outlining the boundaries of the distinct unit
 - Biosecurity Standard Operating Procedures (SOP) with site map
 - Movement log of any poultry movements in or out of the distinct unit with origin/destination
 - Visitor log and staff schedule for the distinct unit AND the infected epi unit for the past 21 days
 - Most recent On-Farm Food Safety Audit (OFFSA) and/or biosecurity audit, if applicable

You may ask your flock veterinarian or industry association for assistance filling out the required information.

Assessment process

Once the distinct unit request package is submitted to CFIA, the assessment process consists of:

- **Document review:** The CFIA will review the information included in the producer request package that supports the claims of the distinct unit being a physically and functionally separate epi unit. Missing or poorly documented information will slow down the process or result in a denied request.
- **On-site audit:** An on-site audit by CFIA staff is conducted to ensure procedures on the farm reflect what is provided in the request package.
- **Dead bird surveillance:** A minimum of 3 dead bird surveillance events with negative results are required prior to final distinct unit approval.
- **CFIA response:** The producer will receive a written response indicating if the request for the CFIA to recognize a distinct unit was accepted or denied with explanations.



Additional resources:

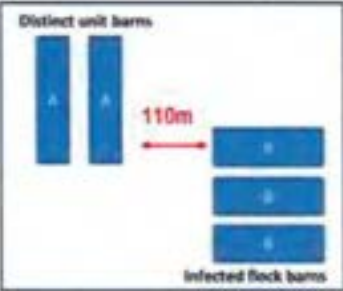
Producers are encouraged to refer to the following documents for additional guidance on biosecurity measures including but not limited to:

- [National Avian On-Farm Biosecurity Standard \(second edition\)](#)
- [General Producer Guide - National Avian On-Farm Biosecurity Standard](#)
- [Poultry Service Industry Biosecurity Guide](#)



Part 1 – Distinct unit initial assessment

The distinct unit initial assessment serves as a self-screening tool. Any "no" responses will likely result in a denial of the request. If there is a "no" response, additional documentation must be provided to justify why the request should still be considered and will be evaluated on a case-by-case basis.

Background information		
The distinct unit is physically and functionally separate from the infected epi unit and has been for 21 days prior to the first clinical signs in the infected epi unit	☐ Yes	☐ No
The distinct unit contains galliformes such as turkeys or chickens (i.e. does not contain anseriformes such as ducks and geese).	☐ Yes	☐ No
Site design and layout		
Birds are confinement-reared in barns with solid walls (e.g. no curtain walled barns, no outdoor access)	☐ Yes	☐ No
Barns in the distinct unit are more than 110m away from barns housing the infected epi unit.  In the illustration, the distinct unit barns are labelled "A" and the infected epi unit barns are labelled "B". The closest distance between barns is measured even if clinical signs are not apparent in the B barn closest to the distinct unit.	☐ Yes	☐ No
The distinct unit is protected from surface water accumulation (pooling and run-off) from manure, compost, and mortality storage from the infected premises and surrounding areas.	☐ Yes	☐ No
Site access management and zoning		
Traffic pathways to access the distinct unit are: - completely independent from the infected epi unit (e.g. separate driveway) OR - physically separated by a permanent or semi-permanent barrier such as a fence	☐ Yes	☐ No



Operational management (people)		
The distinct unit barns have a two-zone entry system with a physical barrier (e.g. bench), or a three-zone entry system with a shower, to separate the controlled access zone (CAZ) from the restricted access zone (RAZ). Dedicated clothing and footwear and hand sanitation is required for <u>all</u> people entering the barns/pens, including family, owner, staff and visitors.	☐ Yes	☐ No
Entirely different personnel (e.g. family, owner, hired staff) work on the distinct unit OR There is a deliberate separation of personnel (e.g. family, owner, hired staff) through scheduling and biosecurity where staff have dedicated days for work in the distinct unit and are required to shower, change clothing and footwear (don clean personal clothing and footwear not worn on the infected premises) prior to their next shift on the distinct unit.	☐ Yes	☐ No
Service providers and visitors entering the distinct unit RAZ must don dedicated/clean footwear and coveralls, sanitize hands and use a biosecurity SOP that they normally would use between <u>different</u> premises. Service providers may include: • Feed trucks • Catching crew • Veterinary services • Vaccination crew • Deadstock • Other service providers, e.g. an electrician	☐ Yes	☐ No
Pest control, domestic animal and wildlife management		
There is an effective monitored pest control program (for both insects and rodents) in place on the infected premises and the distinct unit	☐ Yes	☐ No
Domestic animals (e.g. dogs/cats) cannot enter the distinct unit RAZ	☐ Yes	☐ No
Wild birds do not have access to the distinct unit RAZ	☐ Yes	☐ No
Deadstock and waste management		
Carcasses and manure/litter from the distinct unit are stored and disposed of in a different area than those from the infected epi unit. Appropriate biosecurity SOPs are in place for managing carcasses. Carcasses are contained or covered to prevent scavengers/contact with other pests.	☐ Yes	☐ No
Carcasses and manure/litter from the infected epi unit are not stored nor disposed of in close proximity (less than 110 meters) to the distinct unit barns	☐ Yes	☐ No



Garbage from the infected epi unit is not stored/disposed of on the distinct unit. Garbage is securely stored in a manner that will not attract other birds or animals that may act as vectors	☐ Yes	☐ No
Birds, products, equipment and supplies		
Birds or their products have not moved into the distinct unit from the infected epi unit for a minimum of the past 21 days	☐ Yes	☐ No
Equipment or supplies are dedicated for the distinct unit OR have not moved into the distinct unit from the infected epi unit without a full cleaning and disinfection process.	☐ Yes	☐ No
Feed and bedding storage for the distinct unit: • are separate from the storage areas for the infected premises • is protected from contamination by scavengers and pests	☐ Yes	☐ No
Surplus feed has not moved from the infected premises into the distinct unit	☐ Yes	☐ No
The water source for the distinct unit is either from a deep well (>60m depth), municipal source, or treated (e.g. with chlorine or hydrogen peroxide)	☐ Yes	☐ No



Part 2 – Flock health attestation

Submit the same Flock Health Attestation used for movement permitting in a primary control zone. A Flock Health Attestation form can be requested through the applicable provincial marketing board organization or [relevant contacts listed by province](#).

Complete the flock health attestation with information from the distinct unit only. The reporting period is 14 days: the last day of the reporting period is the day that the Distinct Unit Request Package is submitted. Do not include information on the health status of the birds included in the original infected premises.



Part 3 – Producer declaration

Date: _____

Location (civic address or legal land location of the current infected premises):

Producer /Farm /Corporation name: _____

I, _____ (name of person signing this document)
understand and acknowledge the following:

- The duration of the distinct unit assessment period may take up to 2 weeks
- I am the owner of the birds or have possession, care or control of the birds in the distinct unit, at the location noted above, during the assessment period;
- I am responsible for ensuring the birds in the distinct unit are cared for and fed during this assessment period
- There is no guarantee that a distinct unit will be recognized if a Distinct Unit Request Package is submitted
- I will immediately notify CFIA of any clinical signs in the distinct unit consistent with HPAI such as increased mortalities, reduced feed or water consumption, or a drop in egg production; and
- If a distinct unit is recognized by the CFIA, it is subject to the same requirements as other premises within the primary control zone as per the authority under the *Health of Animals Act*. If the distinct unit is <200m from barns housing the infected epi unit, it will be considered a high risk contact premises.

Documents included in this Distinct Unit Request Package include (check all that apply):

- ☐ Part 1 – Distinct unit initial assessment
- ☐ Part 2 – Flock Health Attestation
- ☐ Aerial photo map of premises outlining the boundaries of the distinct unit
- ☐ Biosecurity Standard Operating Procedures (SOP)



- ☐ Site map if not included in Biosecurity SOP
- ☐ Movement log
- ☐ Visitor log
- ☐ Staff schedule
- ☐ Most recent On Farm Food Safety Audit (OFFSA) and/or biosecurity audit, if current and available

I, _____ (name of person signing this document)
am authorized to sign on behalf of _____ (farm
/corporation name) at _____ (location).

By signing this document, I acknowledge my understanding and agreement with the
above, and attest that all information submitted in this Distinct Unit Request Package is
accurate and true:

Producer/Owner/Signee signature: _____

Producer/Owner/Signee name: _____