

COMMISSION IMPLEMENTING DECISION (EU) 2021/1872**of 25 October 2021****amending the Annex to Implementing Decision (EU) 2021/641 concerning emergency measures in relation to outbreaks of highly pathogenic avian influenza in certain Member States***(notified under document C(2021) 7728)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') ⁽¹⁾, and in particular Article 259(1), point (c) thereof,

Whereas:

- (1) Highly pathogenic avian influenza (HPAI) is an infectious viral disease in birds and may have a severe impact on the profitability of poultry farming causing disturbance to trade within the Union and exports to third countries. HPAI viruses can infect migratory birds, which can then spread these viruses over long distances during their autumn and spring migrations. Therefore, the presence of HPAI viruses in wild birds poses a continuous threat for the direct and indirect introduction of these viruses into holdings where poultry or captive birds are kept. In the event of an outbreak of HPAI, there is a risk that the disease agent may spread to other holdings where poultry or captive birds are kept.
- (2) Regulation (EU) 2016/429 establishes a new legislative framework for the prevention and control of diseases that are transmissible to animals or humans. HPAI falls within the definition of a listed disease in that Regulation, and it is subject to the disease prevention and control rules laid down therein. In addition, Commission Delegated Regulation (EU) 2020/687 ⁽²⁾ supplements Regulation (EU) 2016/429 as regards the rules for the prevention and control of certain listed diseases, including disease control measures for HPAI.
- (3) Commission Implementing Decision (EU) 2021/641 ⁽³⁾ has been adopted within the framework of Regulation (EU) 2016/429, and it lays down disease control measures in relation to outbreaks of HPAI.
- (4) More particularly, Implementing Decision (EU) 2021/641 provides that the protection and surveillance zones established by the Member States following outbreaks of HPAI, in accordance with Delegated Regulation (EU) 2020/687, are to comprise at least the areas listed as protection and surveillance zones in the Annex to that Implementing Decision.
- (5) The Annex to Implementing Decision (EU) 2021/641 was recently amended by Commission Implementing Decision (EU) 2021/1766 ⁽⁴⁾ following an outbreak of HPAI in poultry or captive birds in Czechia that needed to be reflected in that Annex.

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) 2020/687 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and the Council, as regards rules for the prevention and control of certain listed diseases (OJ L 174, 3.6.2020, p. 64).

⁽³⁾ Commission Implementing Decision (EU) 2021/641 of 16 April 2021 concerning emergency measures in relation to outbreaks of highly pathogenic avian influenza in certain Member States (OJ L 134, 20.4.2021, p. 166).

⁽⁴⁾ Commission Implementing Decision (EU) 2021/1766 of 7 October 2021 amending the Annex to Implementing Decision (EU) 2021/641 concerning emergency measures in relation to outbreaks of highly pathogenic avian influenza in certain Member States (OJ L 358, 8.10.2021, p. 1).

- (6) Since the date of adoption of Implementing Decision (EU) 2021/1766, Italy has notified the Commission of an outbreak of HPAI of subtype H5N1 in an establishment where poultry or captive birds were kept in the Veneto region of that Member State.
- (7) The outbreak in Italy is located outside the areas currently listed in the Annex to Implementing Decision (EU) 2021/641 and the competent authority of that Member State has taken the necessary disease control measures required in accordance with Delegated Regulation (EU) 2020/687, including the establishment of protection and surveillance zones around this outbreak.
- (8) The Commission has examined the disease control measures taken by Italy in collaboration with that Member State and it is satisfied that the boundaries of the protection and surveillance zones established by the competent authority of Italy are at a sufficient distance from the establishment where the recent outbreak of HPAI has been confirmed.
- (9) In order to prevent any unnecessary disturbance to trade within the Union and to avoid unjustified barriers to trade being imposed by third countries, it is necessary to rapidly describe at Union level, in collaboration with Italy, the new protection and surveillance zones established by that Member State in accordance with Delegated Regulation (EU) 2020/687.
- (10) Therefore, protection and surveillance zones should be listed for Italy in the Annex to Implementing Decision (EU) 2021/641.
- (11) The Annex to Implementing Decision (EU) 2021/641 should therefore be amended to update regionalisation at Union level to take account of the protection and surveillance zones duly established by Italy, in accordance with Delegated Regulation (EU) 2020/687, and the duration of the restrictions applicable therein.
- (12) Implementing Decision (EU) 2021/641 should therefore be amended accordingly.
- (13) Given the urgency of the epidemiological situation in the Union as regards the spread of HPAI, it is important that the amendments to be made to the Annex to Implementing Decision (EU) 2021/641 by this Decision take effect as soon as possible.
- (14) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Implementing Decision (EU) 2021/641 is replaced by the text set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 October 2021.

For the Commission
Stella KYRIAKIDES
Member of the Commission

ANNEX

‘ANNEX

PART A

Protection zones as referred to in Articles 1 and 2:

Member State: Czechia

Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
Region: Central Bohemian	
Bratkovice (609595); Drahlín (631604); Dubno (633682); Hluboš (639681); Kardavec (639699); Lhota u Příbramě (681211); Občov (708526); Pičín (720551); Sádek (745839); Liha (759198); Trhové Dušníky (768146); část katastrálního území Příbram (číslo KÚ 735426) – severní část katastrálního území Příbram po hranici silnice č. 18.	19.10.2021

Member State: Italy

Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
Region: Veneto	
The area of the parts of Veneto Region (ADIS: IT-HPAI(P)-2021-00001) contained within a circle of radius of three kilometres, centred on WGS84 dec. coordinates N45.331231 E11.209306	12.11.2021

PART B

Surveillance zones as referred to in Articles 1 and 3:

Member State: Czechia

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
Region: Central Bohemian	
Baština (990019); Běřín (603180); Běštín (603368); Bohutín (606685); Brod u Příbramě (612634); Březové Hory (735515); Buková u Příbramě (615811); Bytíz (633356); Čenkov u Příbramě (619451); Dlouhá Lhota u Dobříše (626392); Dominikální Paseky (609609); Drásov u Příbramě (632074); Dubenec u Příbramě (633364); Háje u Příbramě (636550); Hostomice pod Brdy (645885); Hrachoviště (990591); Jince (660281); Konětopy u Příbramě (669083); Kotenčice (671045); Kozičín (671576); Křešín (676101); Lazec (671584); Lešetice (680435); Milín (694975); Naryšov (701629); Obecnice (708569);	28.10.2021

Obořiště (708682); Ohrazenice u Jince (709310); Orlov (712272); Oseč (712698); Ostrov u Ouběnic (717037); Podlesí nad Litavkou (723886); Radětice (737585); Rejkovice (740047); Rosovice (741370); Stěžov (755486); Suchodol (759201); Tisová u Bohutína (606693); Višňová (782548); Vysoká Pec u Bohutína (606707); Zavržice (662704); Zdaboř (735566); Žežice (796689); část katastrálního území Příbram (číslo KÚ 735426) – jižní část katastrálního území od hranice tvoření silnicí č. 18.	
Bratkovice (609595); Drahlín (631604); Dubno (633682); Hluboš (639681); Kardavec (639699); Lhota u Příbramě (681211); Občov (708526); Pičín (720551); Sádek (745839); Liha (759198); Trhové Dušníky (768146); část katastrálního území Příbram (číslo KÚ 735426) – severní část katastrálního území Příbram po hranici silnice č. 18.	From 20.10.2021 until 28.10.2021

Member State: Italy

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
Region: Veneto	
The area of the parts of Veneto Region (ADIS: IT-HPAI(P)-2021-00001) extending beyond the area described in the protection zone and within the circle of a radius of ten kilometres, centred on WGS84 dec. coordinates N45.331231 E11.209306	21.11.2021
The area of the parts of Veneto Region (ADIS: IT-HPAI(P)-2021-00001) contained within a circle of radius of three kilometres, centred on WGS84 dec. coordinates N45.331231 E11.209306	From 13.11.2021 until 21.11.2021'