

COMMISSION IMPLEMENTING DECISION (EU) 2022/857**of 31 May 2022****concerning certain interim emergency measures relating to African swine fever in Germany***(notified under document C(2022) 3660)***(Only the German text is authentic)****(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(2) thereof,

Whereas:

- (1) African swine fever is an infectious viral disease affecting kept and wild porcine animals and can have a severe impact on the concerned animal population and the profitability of farming causing disturbance to movements of consignments of those animals and products thereof within the Union and exports to third countries.
- (2) In the event of an outbreak of African swine fever in kept porcine animals, there is a serious risk of the spread of that disease to other establishments of kept porcine animals.
- (3) Commission Delegated Regulation (EU) 2020/687 ⁽²⁾ supplements the rules for the control of the listed diseases referred to in Article 9(1)(a), (b) and (c) of Regulation (EU) 2016/429, and defined as category A, B and C diseases in Commission Implementing Regulation (EU) 2018/1882 ⁽³⁾. In particular, Articles 21 and 22 of Delegated Regulation (EU) 2020/687 provide for the establishment of a restricted zone in the event of an outbreak of a category A disease, including African swine fever, and for certain measures to be applied therein. In addition, Article 21(1) of that Delegated Regulation provides that the restricted zone is to comprise a protection zone, a surveillance zone, and if necessary further restricted zones around or adjacent to the protection and surveillance zones.
- (4) Commission Implementing Regulation (EU) 2021/605 ⁽⁴⁾ lays down special disease control measures regarding African swine fever. In particular, Article 3, point (a), of that Implementing Regulation provides for the establishment of a restricted zone in the case of an outbreak of African swine fever in kept porcine animals, in accordance with Article 21(1) of Delegated Regulation (EU) 2020/687.
- (5) Germany has informed the Commission of the current African swine fever situation on its territory, following an outbreak of that disease in kept porcine animals in the state of Baden-Württemberg confirmed on 25 May, and, in accordance with Delegated Regulation (EU) 2020/687 and Implementing Regulation (EU) 2021/605, it has established a restricted zone, which comprises protection and surveillance zones, where the general disease control measures laid down in Delegated Regulation (EU) 2020/687 are applied, in order to prevent the further spread of that disease.

⁽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 Regulation (EU) 2018/1882 of 3 December 2018 on the application of certain disease prevention and control rules to categories of listed diseases and establishing a list of species and groups of species posing a considerable risk for the spread of those listed diseases (OJ L 308, 4.12.2018, p. 21).

⁽⁴⁾ Commission Implementing Regulation (EU) 2021/605 of 7 April 2021 laying down special control measures for African swine fever (OJ L 129, 15.4.2021, p. 1).

- (6) In order to prevent any unnecessary disturbance to trade within the Union and to avoid unjustified barriers to trade by third countries, it is necessary to rapidly identify at Union level the restricted zone for African swine fever, which comprises protection and surveillance zones, in Germany in collaboration with that Member State.
- (7) Given the urgency of the epidemiological situation in the Union as regards the spread of African swine fever, it is important that the measures laid down in this Decision apply as soon as possible.
- (8) Accordingly, pending the opinion of the Standing Committee on Plants, Animals, Food and Feed, the restricted zone in Germany should be established immediately and listed in the Annex to this Decision and the duration of that zoning fixed.
- (9) This Decision is to be reviewed at the next meeting of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

Germany shall ensure that:

- (a) a restricted zone which comprises a protection zone and a surveillance zone is established immediately by Germany in accordance with Article 21(1) of Delegated Regulation (EU) 2020/687 and under conditions set out in that Article;
- (b) the protection and surveillance zones referred to in paragraph (a) comprise at least the areas listed in the Annex to this Implementing Decision.

Article 2

This Decision shall apply until 25 August 2022.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 31 May 2022.

For the Commission
Stella KYRIAKIDES
Member of the Commission

ANNEX

Areas established as the restricted zone in Germany as referred to in Article 1	Date until applicable
Protection zone: Landkreis Emmendingen — Beginn A5/Kreuzung L105(Ziegelhöfe). Entlang an der A5 bis Ausfahrt Riegel (59). Auffahrt in westlicher Richtung auf L113 Richtung Riegel. Entlang bis Kreuzung Endinger Straße. Endinger Straße bis Kreuzung, Abbiegung Riedhöfe vorbei, zweiter Feldweg einbiegen. Weiter bis Höhepunkt 231,8. In gerader Linie zu Schram (Höhe 199,0m) weiter entlang Schrambach bis Kreuzung Bahlinger Weg. Feldweg in Richtung Südwest, Mündung Freiburger Weg. Weiter in gerader gedachter Linie zu Höhe Gutels (217,0m). Weiter in gerader Linie zu Schönenberg zu Höhepunkt 227,8 m. Weiter in gerader Linie zum Kreisverkehr Ortsausgang in westlicher Richtung auf Straße K5146. Entlang der Straße L105 (Endinger Straße) Richtung Königschaffhausen. Kurz vor Königschaffhausen Verbindung Bahnhofstraße entlang der K5127 (Königschaffhausener Str.) am dritten Feldweg rechts abbiegen bis Endinger Straße. In gerader gedachter Linie Kreuzungspunkt K5114 (Forchheimer Str.). Weiter entlang Feldweg in nördlicher Richtung. Bei Kreuzung links, bei nächster Kreuzung rechts. An der nächsten Kreuzung links bis Weisweiler Straße L104, entlang der L104 bis Einmündung Hinderdorfstr. (Weisweil) bis Kreuzung Kenzinger Weg (K5135) weiter in westlicher Richtung über Leopoldkanal bis zu A5 (Ausgangspunkt).	
Surveillance zone: Landkreis Emmendingen — Südwestliche Kreisgrenze Emmendingen-Breisgau-Hochschwarzwald in östliche Richtung bis A5 an der Kreisgrenze entlang. Entlang der Kreisgrenze bis zur A5, bis Waldbächle. Am Waldbächle den Feldweg in nördlicher Richtung, Richtung Rohrlache bis zur Kreuzung Neumattengraben. Südliche Grenze Nimburg/Teningen bis zu Grenze Gemarkung Teningen/Emmendingen. Am Brunnenried in gerader Linie über den Neuengraben bis zur Elz. Entlang der Gemarkungsgrenze Emmendingen/Mundingen entlang der Karl-Schmidt-Str. Bis zur Dorfstraße bis Landecker Straße bis Freiämter Straße. Entlang der Freiämter Straße (K 5136) bis Gutenrodel bis Gipfel Künlisberg. In gedachter Linie nach Norden zur Gemarkung Malterdingen/Freiamt Gemarkungsgrenze nördlich folgend bis westliche Richtung K 5139 folgen bis Bleichtalstraße, Steilbrunnengasse auf die K 5117 weiter gefolgt in die Ettenheimer Str. Folgen bis Kreisgrenze bei Ettenheim. Kreisgrenze folgen in südwestlicher Richtung bis zum Rhein. Landkreis Breisgau-Hochschwarzwald — Gemeinde Eichstetten: komplett, — Gemeinde Bötzingen: komplett, — Gemeinde Ihringen: Das Gemeindegebiet nördlich der L114 ohne den Ortsteil Wasenweiler, — Gemeinde Vogtsburg: Das Gemeindegebiet ohne die Ortsteile Achkarren und Bickensohl. Landkreis Ortenaukreis — Gemeindefreies Gebiet Rhinau: Vom Rhein, franz. Staatsgrenze beim Wehr zwischen Rheinkilometer 265 und 257 in östlicher Richtung bis zur Gemeindegrenze Rust an der Rappenkopfbrücke. — Gemeinde Rust, — Gemeinde Ringsheim, — Stadt Ettenheim: Von der Gemeindegrenze Ringsheim der B3 in nördliche Richtung folgend, abbiegend in die Freiburger Straße Richtung Ettenheim, dieser folgend bis zur Straße Im Pfaffenbach, dem abzweigenden Fußweg in südliche Richtung folgend bis zur Kahlenberggasse, weiter die Neumannstraße querend entlang dem nördlichen Bogen Im Kretzenbach. Im Weilerberg auf den Mühlenweg, diesem in östliche und anschließend in südliche Richtung folgend. Dem letzten großen Feldweg vor Ettenheimweiler in östliche Richtung über den Riedmühlbach bis zur K5342, dieser dieser in südliche Richtung bis zur Kreisgrenze folgend.	25 August 2022