

COMMISSION IMPLEMENTING DECISION (EU) 2023/749**of 14 April 2023**

amending Annexes I and II to Implementing Decision (EU) 2021/260 as regards the national measures which apply in Denmark concerning bacterial kidney disease (BKD) and infectious pancreatic necrosis (IPN) and the national measures which apply in the United Kingdom (Northern Ireland) concerning Ostreid herpesvirus-1 μ var (OsHV-1 μ var)

(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 226(3) thereof,

Whereas:

- (1) Commission Implementing Decision (EU) 2021/260 ⁽²⁾ establishes, in Annexes I and II thereto, lists of Member States or parts thereof which are regarded as being free from certain diseases of aquatic animals, not listed under Article 9(1), point (d) of Regulation (EU) 2016/429, or which are subject to an eradication programme for those diseases.
- (2) Denmark has notified the Commission that four of the compartments within its territory, which are listed in Annex I to Implementing Decision (EU) 2021/260, have ceased to exist and should, therefore, be removed from the list of compartments which are regarded as being free from infectious pancreatic necrosis (IPN) in Denmark. One of those compartments should also be removed from the list of compartments which are regarded as being free from bacterial kidney disease (BKD).
- (3) Denmark has also notified the Commission that there has been an outbreak of IPN in one of the compartments within its territory, which is listed in Annex II to Implementing Decision (EU) 2021/260. That compartment is no longer subject to an eradication programme for IPN and should, therefore, be removed from the list.
- (4) In addition, Denmark has notified the Commission that a new compartment within its territory has commenced an eradication programme for BKD. This compartment should, therefore, be added to the list of compartments that are subject to an eradication programme for BKD in Annex II to Implementing Decision (EU) 2021/260.
- (5) Denmark has also notified the Commission that a compartment within its territory, which is listed in Annex II to Implementing Decision (EU) 2021/260, has successfully completed an eradication programme for BKD and an eradication programme for IPN. This compartment should, therefore, be removed from the list in that Annex and should, instead, be inserted into the list of compartments, that are regarded as being free from BKD and the list of compartments which are free from IPN, in Annex I to that Implementing Decision.
- (6) Furthermore, the United Kingdom in respect of Northern Ireland, has notified the Commission that as all areas of Northern Ireland where aquaculture animals which are susceptible to Ostreid herpesvirus-1 μ var are kept, are no longer free from that disease, maintaining national measures to control it, is no longer considered necessary. The territory of Northern Ireland except Dundrum Bay, Killough Bay, Lough Foyle, Carlingford Lough, Larne Lough and Strangford Lough, which is listed in Annex I to Implementing Decision (EU) 2021/260 should, therefore, be removed from that list.

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ Commission Implementing Decision (EU) 2021/260 of 11 February 2021 approving national measures designed to limit the impact of certain diseases of aquatic animals in accordance with Article 226(3) of Regulation (EU) 2016/429 of the European Parliament and of the Council and repealing Commission Decision 2010/221/EU (OJ L 59, 19.2.2021, p. 1).

- (7) Annexes I and II to Implementing Decision (EU) 2021/260 should, therefore, be amended accordingly.
- (8) 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

Annexes I and II to Implementing Decision (EU) 2021/260 are replaced by the text set out in the Annex to this Decision.

Article 2

This Decision shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 14 April 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

‘ANNEX I

Member States ⁽¹⁾ or parts thereof, regarded as being free from certain diseases affecting aquatic animals and for which the national measures are approved in accordance with Article 226(3) of Regulation (EU) 2016/429

Disease	Member State	Code	Geographical demarcation of the area for which the national measures are approved
Koi herpes virus disease (KHV)	France	FR	Zone of the Durançole, from the source of the river Durançole to the outlet from FR 13092001 CE Ferme Marine de la Durançole The following individual compartments each comprising of an aquaculture establishment with the specified approval number: FR 17116001 CE Pisciculture de l'EARL Carpio FR 34023506 CE SCEA les poissons du Soleil FR 34195501 CE Olivier Germaine – Pisciculture FR 39366002 CE Pisciculture du Moulin de Pierre FR 63263022 CE Pisciculture de Fontanas FR 66190003 CE SCEA les poissons du Soleil FR 72261001 CE Ecloserie de l'AAPPMA de Conlie – Bernay – Ruillé FR 72294001 CE Ecloserie de l'AAPPMA 72 – Sougé Le Ganelon
	Italy	IT	Zone of the Monticolo lakes encompassing the hatchery IT004BZ106, the “Grande lago di Monticolo/Große Montiggler see” and the “Piccolo lago di Monticolo/Kleiner Montiggler see”
	Ireland	IE	Whole territory
	Portugal	PT	The following compartment comprising of an aquaculture establishment with the specified approval number: PT 06001 CP Herdade de Entre Águas/PT
	United Kingdom (Northern Ireland)	UK (NI)	Northern Ireland
Spring viraemia of carp (SVC)	Denmark	DK	Whole territory
	Finland	FI	Whole territory
	Hungary	HU	Whole territory
	Ireland	IE	Whole territory
	Sweden	SE	Whole territory
	United Kingdom (Northern Ireland)	UK (NI)	Northern Ireland

Bacterial kidney disease (BKD)	Denmark	DK	The following individual compartments each comprising of an aquaculture establishment with the specified approval number: 84470 Brænderigårdens Dambrug 92158 Hørup Mølle Dambrug 103471 Abildvad Dambrug 103559 Fårup Mølle Dambrug 103587 Trend Å Dambrug 103623 Hårkjær Dambrug 103647 Egebæk Dambrug 103670 Refsgårds Dambrug 103682 Sangild Dambrug 103733 Skade Dambrug 117789 Funderholme Fiskeopdræt 118656 AquaSearch Ova, Billund 118844 Ravning ægpakkeri 128165 Ollerupgård Dambrug
	Finland	FI	The following individual compartments each comprising of aquaculture establishments with the specified approval numbers: 177-1/ Hanka-Taimen Oy, 177-2 Vanaja and Venekoski Fish Farms 386-1 Pohjois-Karjalan kalanviljely Oy, Keskijärvi Fish Farm 386-2 Pohjois-Karjalan kalanviljely Oy, Kontiolahti Fish Farm 065-3 Kainuun Lohi Oy, Likolampi Fish Farm 185-2 Terhontammi Oy, Sorsakoski hatchery 383 Kuusamon Jalokala Oy, Käylä hatchery 253-3 Natural Resources Institute Finland – Luke, Taivalkoski Fish Farm
	Ireland	IE	Whole territory
	United Kingdom (Northern Ireland)	UK (NI)	Northern Ireland
Infectious pancreatic necrosis (IPN)	Denmark	DK	The following individual compartments each comprising of an aquaculture establishment with the specified approval number: 83138 Hallesøhuse Dambrug 84470 Brænderigårdens Dambrug 92158 Hørup Mølle Dambrug 103554 Fruerlund Dambrug

			103559 Fårup Mølle Dambrug 103571 Hallesø Dambrug 103623 Hårkjær Dambrug 103647 Egebæk Dambrug 103668 Ravning Dambrug 103670 Refsgårds Dambrug 103682 Sangild Dambrug 103802 Ådal Dambrug 103910 Piledal Dambrug 104106 Hallundbæk Dambrug 106314 Ravningkær Dambrug 117789 Funderholme Fiskeopdræt 118656 AquaSearch Ova, Billund 118844 Ravning ægpakkeri 122355 FREA 125770 Aquasearch Ova 128165 Ollerupgård Dambrug 129695 Ravning Avlsstation
	Finland	FI	Continental parts of the territory
	Slovenia	SI	The following individual compartments each comprising of an aquaculture establishment with the specified approval number: SIRIB050108 Pšata SIRIB120102 Ilirska Bistrica
	Sweden	SE	Continental parts of the territory
Infection with <i>Gyrodactylus salaris</i> (GS)	Finland	FI	Water catchment areas of the Tenojoki and Näätämöjoki; the water catchment areas of the Paatsjoki, Tuulomajoki, and Uutuanjoki are considered as buffer zones
	Ireland	IE	Whole territory
	United Kingdom (Northern Ireland)	UK (NI)	Northern Ireland
Infection with salmonid alphavirus (SAV)	Finland	FI	Continental parts of the territory

(¹) In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, and in particular Article 5(4) of the Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, for the purposes of this Annex, references to Member States include the United Kingdom in respect of Northern Ireland.

ANNEX II

Member States ⁽¹⁾ or parts thereof, with eradication programmes for certain diseases affecting aquatic animals and for which the national measures are approved in accordance with Article 226(3) of Regulation (EU) 2016/429

Disease	Member State	Code	Geographical demarcation of the area for which the national measures are approved
Bacterial kidney disease (BKD)	Denmark	DK	The following individual compartments each comprising of an aquaculture establishment with the specified approval number: 106314 Ravningkær Dambrug 108516 Hulsig Dambrug 118738 Øster Højgård Avlsdambrug 122491 Tarp Dambrug 129695 Ravning Avlsstation
	Sweden	SE	Continental parts of the territory
Infectious pancreatic necrosis (IPN)	Denmark	DK	The following individual compartments each comprising of an aquaculture establishment with the specified approval number: 103606 Lundby Dambrug 108516 Hulsig Dambrug
	Sweden	SE	Coastal parts of the territory

⁽¹⁾ In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, and in particular Article 5(4) of the Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, for the purposes of this Annex, references to Member States include the United Kingdom in respect of Northern Ireland.'