

COMMISSION IMPLEMENTING DECISION (EU) 2023/872**of 20 April 2023****amending Implementing Decision (EU) 2022/2333 concerning certain emergency measures relating to sheep pox and goat pox in Spain***(notified under document C(2023) 2749)***(Only the Spanish 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(1) thereof,

Whereas:

- (1) Commission Implementing Decision (EU) 2022/2333 ⁽²⁾ was adopted within the framework of Regulation (EU) 2016/429 and it lays down emergency measures for Spain in relation to outbreaks of sheep pox and goat pox, that were detected in the regions of Andalusia and Castilla-La Mancha, where they form two distinct clusters, one in each region.
- (2) More particularly, Implementing Decision (EU) 2022/2333 provides that the protection, surveillance and further restricted zones, to be established by Spain following outbreaks of sheep pox and goat pox, in accordance with Article 21 of Commission Delegated Regulation (EU) 2020/687 ⁽³⁾, are to comprise at least the areas listed in the Annex to that Implementing Decision.
- (3) In addition to the protection and surveillance zones, a further restricted zone was established, in accordance with Article 21(1), point (c), of Delegated Regulation (EU) 2020/687, in both the regions of Andalusia and Castilla-La Mancha, where Spain is required to apply certain measures regarding restrictions on the movements of sheep and goats outside that zone, with a view to preventing the spread of the disease to the rest of its territory and the rest of the Union.
- (4) After the adoption of Implementing Decision (EU) 2022/2333, Spain notified the Commission of eight additional outbreaks of sheep pox and goat pox in establishments where ovine and/or caprine animals were kept, located in the region of Castilla-La Mancha. As a result, the areas listed as protection and surveillance zones, as well as further restricted zones for Spain, in the Annex to Implementing Decision (EU) 2022/2333, were further amended, and the last amendment to that Annex was made by the Commission Implementing Decision (EU) 2023/836 ⁽⁴⁾.
- (5) Since the date of adoption of Implementing Decision (EU) 2023/836, Spain has notified the Commission of one additional outbreak of sheep pox and goat pox in establishments where ovine and/or caprine animals were kept, in the region of Castilla-La Mancha, concretely in the Province of Ciudad Real, inside the protection zone already established in that region.

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ Commission Implementing Decision (EU) 2022/2333 of 23 November 2022 concerning certain emergency measures relating to sheep pox and goat pox in Spain and repealing Implementing Decision (EU) 2022/1913 (OJ L 308, 29.11.2022, p. 22).

⁽³⁾ 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).

⁽⁴⁾ Commission Implementing Decision (EU) 2023/836 of 11 April 2023 amending Implementing Decision (EU) 2022/2333 concerning certain emergency measures relating to sheep pox and goat pox in Spain (OJ L 105, 20.4.2023, p. 51).

- (6) The competent authority of Spain 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 the new outbreaks. Spain has also maintained the previously established restricted zones, around the previous three outbreaks, recorded since the beginning of 2023 in Castilla-La Mancha.
- (7) Therefore, the areas listed as protection, surveillance and further restricted zones for Spain in the Annex to Implementing Decision (EU) 2022/2333 should be amended, spatially and temporally, taking into account the current epidemiological situation in the region of Castilla-La Mancha.
- (8) Furthermore, in view of the current epidemiological situation, it is necessary to put in place stricter measures in relation to movements of sheep and goats kept in the protection or surveillance zones, in order to prevent the spread of the disease to the rest of the territory of Spain and the rest of the Union. To this end, movements of sheep and goats kept in the protection or surveillance zones should only be allowed to a slaughterhouse for immediate slaughter within the same protection or surveillance zone respectively, as the establishment of origin. Furthermore, it is necessary to ensure that sheep and goats due for movement are subject to clinical inspection beforehand, to ensure absence of disease suspicion, the means of transport must be cleaned and disinfected before and after transport and must include only sheep and goats of the same health status kept in the same establishment.
- (9) Given the urgency of the epidemiological situation in the Union as regards the spread of sheep pox and goat pox, it is important that the amendments to be made to Implementing Decision (EU) 2022/2333 by this Decision take effect as soon as possible.
- (10) In addition, taking into account the current epidemiological situation in the Union as regards sheep pox and goat pox, the period of application of Implementing Decision (EU) 2022/2333 should be prolonged until 31 October 2023.
- (11) Implementing Decision (EU) 2022/2333 should therefore be amended accordingly.
- (12) 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

Implementing Decision (EU) 2022/2333 is amended as follows:

- (1) Article 3 is replaced by the following:

'Article 3

Measures to be applied in the protection, surveillance and the further restricted zones

1. Movements of sheep and goats kept in the protection zone shall only be permitted if they are authorised by the competent authority and they comply with the conditions set out in paragraphs 2, 7 and 8.
2. Movements of sheep and goats kept in the protection zone may be authorised by the competent authority when such movements of sheep and goats are directly to a slaughterhouse located in the same protection zone as the establishment of origin, for immediate slaughter.
3. Movements of sheep and goats kept in the surveillance zone shall only be permitted if they are authorised by the competent authority and they comply with the conditions set out in paragraphs 4, 7 and 8.

4. Movements of sheep and goats kept in the surveillance zone may be authorised by the competent authority when such movements of sheep and goats are directly to a slaughterhouse located in the same surveillance zone as the establishment of origin, for immediate slaughter.

5. Movements of sheep and goats from the further restricted zone to a destination outside that further restricted zone shall only be permitted if they are authorised by the competent authority, and they comply with the conditions set out in paragraphs 6, 7 and 8.

6. Movements of sheep and goats kept in the further restricted zone to a destination outside that further restricted zone may be authorised by the competent authority when such movements of sheep and goats are directly to a slaughterhouse located within the territory of Spain for immediate slaughter.

7. The sheep and goats due for transport shall be subject to clinical inspection by the competent authority 24 hours or less before the date of transport.

8. The means of transport used for the movements of sheep and goats from the protection, surveillance or further restricted zones, set out in paragraphs 1, 3 and 5, shall:

- (a) comply with the requirements for the means of transport laid down in Article 24(1) of Delegated Regulation (EU) 2020/687;
- (b) be cleaned and disinfected before any transport of animals under the control or supervision of the competent authority;
- (c) be cleaned and disinfected in accordance with the requirements for the means of transport laid down in Article 24(2) of Delegated Regulation (EU) 2020/687 under the control or supervision of the competent authority;
- (d) only include sheep and goats of the same health status kept in the same establishment;
- (e) be sealed by the competent authority at the establishment of origin after the loading of the animals and unsealed by the competent authority at the slaughterhouse of destination.;

(2) Article 5 is replaced by the following:

'Article 5

Application

This Decision shall apply until 31 October 2023.;

(3) the Annex to Implementing Decision (EU) 2022/2333 is replaced by the text set out in the Annex to this Decision.

Article 2

Addressee

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 20 April 2023.

For the Commission
Stella KYRIAKIDES
Member of the Commission

ANNEX

‘ANNEX

A. Protection and surveillance zones established around confirmed outbreaks

Region and ADIS reference number of the outbreak	Areas established as protection and surveillance zones, part of the restricted zones in Spain as referred to in Article 1	Date until applicable
Region of Castilla–La Mancha ES-CAPRIPOX-2023-00003 ES-CAPRIPOX-2023-00004 ES-CAPRIPOX-2023-00005 ES-CAPRIPOX-2023-00006	Protection zone: A protection zone that comprises the following areas: In the province of Ciudad Real the municipalities of: — Alcázar de San Juan — Campo de Criptana	31.5.2023
	Surveillance zone: A surveillance zone that comprises the following areas: In the province of Ciudad Real the municipalities of: — Villarta de San Juan — Villarrubia de los Ojos — Tomelloso — Socuéllamos — Puerto Lápice — Pedro Muñoz — Manzanares — Llanos del Caudillo — Las Labores — Herencia — Daimiel — Argamasilla de Alba — Arenas de San Juan — Arenales de San Gregorio In the province of Toledo the municipalities of: — Villafranca de los Caballeros — Villacañas — Quintanar de la Orden — Quero — Miguel Esteban — Madridejos — La Villa de Don Fabrique — La Puebla de Almoradiel — El Toboso — Camuñas In the province of Cuenca the municipality of: — Mota del Cuervo	15.6.2023
	Surveillance zone: A surveillance zone that comprises the following areas: In the province of Ciudad Real the municipalities of: — Alcázar de San Juan — Campo de Criptana	1.6.2023-15.6.2023

B Further restricted zones

Region	Areas established as further restricted zones, part of the restricted zones in Spain as referred to in Article 1	Date until applicable
Region of Castilla–La Mancha	A further restricted zone that comprises the following provinces: — Albacete — Ciudad Real — Cuenca — Toledo	31.7.2023'