

COMMISSION IMPLEMENTING REGULATION (EU) 2022/215**of 17 February 2022**

amending Annexes V and XIV to Implementing Regulation (EU) 2021/404 as regards the entries for Canada and the United States of America in the lists of third countries authorised for the entry into the Union of consignments of poultry, germinal products of poultry and fresh meat of poultry and game birds

(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 Articles 230(1) and 232(1) thereof.

Whereas:

- (1) Regulation (EU) 2016/429 requires that consignments of animals, germinal products and products of animal origin must come from a third country or territory, or zone or compartment thereof, listed in accordance with Article 230(1) of that Regulation in order to enter the Union.
- (2) Commission Delegated Regulation (EU) 2020/692 (2) lays down the animal health requirements with which consignments of certain species and categories of animals, germinal products and products of animal origin from third countries or territories, or zones thereof, or compartments thereof, in the case of aquaculture animals, must comply with in order to enter the Union.
- (3) Commission Implementing Regulation (EU) 2021/404 (3) establishes the lists of third countries, or territories, or zones or compartments thereof, from which the entry into the Union of the species and categories of animals, germinal products and products of animal origin falling within the scope of Delegated Regulation (EU) 2020/692 is permitted.
- (4) More particularly, Annexes V and XIV to Implementing Regulation (EU) 2021/404 set out the lists of third countries, or territories, or zones thereof authorised for the entry into the Union, respectively, of consignments of poultry, germinal products of poultry, and of fresh meat from poultry and game birds.
- (5) Canada notified the Commission of an outbreak of highly pathogenic avian influenza in poultry. The outbreak is located in the province of Nova Scotia and was confirmed on 1 February 2022 by laboratory analysis (RT-PCR).
- (6) Additionally, the United States of America notified the Commission of an outbreak of highly pathogenic avian influenza in poultry. The outbreak is located in the county of Dubois, state of Indiana, and was confirmed on 8 February 2022 by laboratory analysis (RT-PCR).

(1) OJ L 84, 31.3.2016, p. 1.

(2) Commission Delegated Regulation (EU) 2020/692 of 30 January 2020 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for entry into the Union, and the movement and handling after entry of consignments of certain animals, germinal products and products of animal origin (OJ L 174, 3.6.2020, p. 379).

(3) Commission Implementing Regulation (EU) 2021/404 of 24 March 2021 laying down the lists of third countries, territories or zones thereof from which the entry into the Union of animals, germinal products and products of animal origin is permitted in accordance with Regulation (EU) 2016/429 of the European Parliament and of the Council (OJ L 114, 31.3.2021, p. 1).

- (7) The veterinary authorities of Canada and the United States of America established a 10 km control zone around the affected establishments and implemented a stamping-out policy in order to control the presence of highly pathogenic avian influenza and limit the spread of that disease.
- (8) Canada and the United States of America have submitted information to the Commission on the epidemiological situation on their territories and the measures they have taken to prevent the further spread of highly pathogenic avian influenza. That information has been evaluated by the Commission. On the basis of that evaluation, the entry into the Union of consignments of poultry, germinal products of poultry, and fresh meat from poultry and game birds from the areas under restrictions established by the veterinary authorities of Canada and the United States of America due to the recent outbreaks of highly pathogenic avian influenza should no longer be authorised.
- (9) Annexes V and XIV to Implementing Regulation (EU) 2021/404 should be therefore amended accordingly.
- (10) Taking into account the current epidemiological situation in Canada and the United States of America as regards highly pathogenic avian influenza and its serious risk of introduction into the Union, the amendments to be made to Implementing Regulation (EU) 2021/404 by this Regulation should take effect as a matter of urgency.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes V and XIV to Implementing Regulation (EU) 2021/404 are amended in accordance with the Annex to this Regulation.

Article 2

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

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 17 February 2022.

*For the Commission
The President
Ursula VON DER LEYEN*

ANNEX

Annexes V and XIV to Implementing Regulation (EU) 2021/404 are amended as follows:

(1) Annex V is amended as follows:

(a) Part 1 is amended as follows:

(i) in the entry for Canada, the following row for zone CA-2.1 is inserted after the row CA-2:

'CA Canada	CA-2.1	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		1.2.2022	
		Breeding ratites and productive ratites	BPR	N, P1		1.2.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		1.2.2022	
		Ratites intended for slaughter	SR	N, P1		1.2.2022	
		Day-old chicks other than ratites	DOC	N, P1		1.2.2022	
		Day-old chicks of ratites	GOR	N, P1		1.2.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		1.2.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		1.2.2022	
		Hatching eggs of ratites	HER	N, P1		1.2.2022	
		Less than 20 heads of poultry other than ratites	HE-LT20	N, P1		1.2.2022'	

(ii) in the entry for the United States, the following row for zone US-2.4 is inserted after the row for zone US-2.3:

'US United States	US-2.4	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		8.2.2022	
		Breeding ratites and productive ratites	BPR	N, P1		8.2.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		8.2.2022	
		Ratites intended for slaughter	SR	N, P1		8.2.2022	
		Day-old chicks other than ratites	DOC	N, P1		8.2.2022	

	Day-old chicks of ratites	GOR	N, P1		8.2.2022	
	Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		8.2.2022	
	Hatching eggs of poultry other than ratites	HEP	N, P1		8.2.2022	
	Hatching eggs of ratites	HER	N, P1		8.2.2022	
	Less than 20 heads of poultry other than ratites	HE-LT20	N, P1		8.2.2022'	

(b) Part 2 is amended as follows:

(i) in the entry for Canada, the following description of the zone CA-2.1 is inserted after the row CA-2:

‘Canada	CA-2.1	Province of Nova Scotia: Municipalities of Gaspereau, Grand Pre, Lower Wolfville, Melanson, Wolfville, Avonport, Greenfield, Hantsport, Hortonville, New Minas, North Grand Pre, Port Williams and White Rock’
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(ii) in the entry for US, the following description of the zone US-2.4 is inserted after the description of zone US-2.3:

‘United States	US-2.4	State of Indiana: Dubois County: A zone of a 10 km radius starting with North point on the circular Dubois 01 premise Control Zone border and extending in a clockwise fashion: (a) North: 0.56km northeast from intersection of E. Schnellville Road and Rustic Acres Road. (b) Northeast: 1.28km north-northwest from the intersection of S 600E and E 400S highways. (c) East: 0.45km west intersection of S Schnell Road and S Kyana Road. (d) Southeast: 0.11km south from intersection of Highway 64 and E Ferdinand Road E. (e) South: 0.66km southeast from intersection of County Road 875 E and E County Road 2100N. (f) Southwest: 0.66km east from intersection of S US Highway 231 and W 1100 S. (g) West: 0.94km southeast from intersection of S 500W and W 630S. (h) Northwest: 0.2km north of intersection of S US Highway 231 and S Witz Road’
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(2) Annex XIV is amended as follows:

(a) Part 1 is amended as follows;

(i) in the entry for Canada, the following row for zone CA-2.1 is inserted after the row CA-2:

'CA Canada	CA-2.1	Fresh meat of poultry other than ratites	POU	N, P1		1.2.2022	
		Fresh meat of ratites	RAT	N, P1		1.2.2022	
		Fresh meat of game birds	GBM	P1		1.2.2022'	

(ii) in the entry for the United States, the following row for zone US-2.4 is inserted after the row for zone US-2.3:

'US United States	US-2.4	Fresh meat of poultry other than ratites	POU	N, P1		8.2.2022	
		Fresh meat of ratites	RAT	N, P1		8.2.2022	
		Fresh meat of game birds	GBM	P1		8.2.2022'	

(b) Part 2 is amended as follows:

(i) in the entry for Canada, the description of the zone CA-2. is replaced by the following:

'Canada	CA-2.	The territory of Canada corresponding to:
	CA-2.1	Province of Nova Scotia: Municipalities of Gaspereau, Grand Pre, Lower Wolfville, Melanson, Wolfville, Avonport, Greenfield, Hansport, Hortonville, New Minas, North Grand Pre, Port Williams and White Rock'

(ii) in the entry for the United States, the following description of the zone US-2.4 is inserted after the description of zone US-2.3:

'United States	US-2.4	State of Indiana: Dubois County: A zone of a 10 km radius starting with North point on the circular Dubois 01 premise Control Zone border and extending in a clockwise fashion: (a) North: 0.56km northeast from intersection of E. Schnellville Road and Rustic Acres Road. (b) Northeast: 1.28km north-northwest from the intersection of S 600E and E 400S highways. (c) East: 0.45km west intersection of S Schnell Road and S Kyana Road. (d) Southeast: 0.11km south from intersection of Highway 64 and E Ferdinand Road E.

		<p>(e) South: 0.66km southeast from intersection of County Road 875 E and E County Road 2100N.</p> <p>(f) Southwest: 0.66km east from intersection of S US Highway 231 and W 1100 S.</p> <p>(g) West: 0.94km southeast from intersection of S 500W and W 630S.</p> <p>(h) Northwest: 0.2km north of intersection of S US Highway 231 and S Witz Road'</p>
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