COMMISSION IMPLEMENTING REGULATION (EU) 2022/441

of 17 March 2022

amending Annexes V and XIV to Implementing Regulation (EU) 2021/404 as regards the entries for the United Kingdom and the United States 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) The United Kingdom notified the Commission of an outbreak of highly pathogenic avian influenza in poultry. The outbreak is located near Redgrave, Mid Suffolk, Suffolk, England and was confirmed on 1 March 2022 by laboratory analysis (RT-PCR).

(6) Additionally, the United States notified the Commission of outbreaks of highly pathogenic avian influenza in poultry. The outbreaks are located in a second establishment in the already affected Newcastle county, state of Delaware, United States, in Queen Anne's county, state of Maryland, United States and in Jasper county, state of Missouri, United States and were confirmed on 8 March 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) Furthermore, the United States notified the Commission of an outbreak of highly pathogenic avian influenza in poultry. The outbreak is located in Lawrence county, state of Missouri, United States and was confirmed on 9 March 2022 by laboratory analysis (RT-PCR).

(8) The veterinary authorities of the United Kingdom and the United States 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.

(9) The United Kingdom and the United States have submitted information to the Commission on the epidemiological situation on their territory 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 and in order to protect the animal health status of the Union, 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 the United Kingdom and the United States due to the recent outbreaks of highly pathogenic avian influenza should no longer be authorised.

(10) Moreover, the United Kingdom has submitted updated information on the epidemiological situation on its territory in relation to the outbreaks of HPAI confirmed in poultry establishments on 8 November 2021 near Alcester, Bidford, Warwickshire, England and on 21 November 2021 near North Fambridge, Maldon, Essex, England. The United Kingdom has also submitted the measures it has taken to prevent the further spread of that disease. In particular, following these outbreaks of HPAI, the United Kingdom has implemented a stamping out policy in order to control and limit the spread of that disease. In addition, the United Kingdom completed the requisite cleaning and disinfection measures following the implementation of the stamping out policy on the infected poultry establishments on its territory.

(11) The Commission has evaluated the information submitted by the United Kingdom and concluded that the HPAI outbreaks near Alcester, Bidford, Warwickshire, England and near North Fambridge, Maldon, Essex, England in the poultry establishments have been cleared and that there is no longer any risk associated with the entry into the Union of poultry commodities from the zones of the United Kingdom from which the entry into the Union of poultry commodities has been suspended due to those outbreaks.

(12) Annexes V and XIV to Implementing Regulation (EU) 2021/404 should be therefore amended accordingly.

(13) Taking into account the current epidemiological situation in the United Kingdom and the United States as regards highly pathogenic avian influenza and the serious risk of its 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.

(14) 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 March 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 the United Kingdom, the row for the zone GB-2.19 is replaced by the following:

'**GB** United Kingdom	GB-2.19	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		8.11.2021	4.3.2022
		Breeding ratites and productive ratites	BPR	N, P1		8.11.2021	4.3.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		8.11.2021	4.3.2022
		Ratites intended for slaughter	SR	N, P1		8.11.2021	4.3.2022
		Day-old chicks other than ratites	DOC	N, P1		8.11.2021	4.3.2022
		Day-old chicks of ratites	DOR	N, P1		8.11.2021	4.3.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		8.11.2021	4.3.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		8.11.2021	4.3.2022
		Hatching eggs of ratites	HER	N, P1		8.11.2021	4.3.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		8.11.2021	4.3.2022'

(ii) in the entry for the United Kingdom, the row for the zone GB-2.28 is replaced by the following:

'**GB** United Kingdom	GB-2.28	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		21.11.2021	8.3.2022
		Breeding ratites and productive ratites	BPR	N, P1		21.11.2021	8.3.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		21.11.2021	8.3.2022
		Ratites intended for slaughter	SR	N, P1		21.11.2021	8.3.2022
		Day-old chicks other than ratites	DOC	N, P1		21.11.2021	8.3.2022
		Day-old chicks of ratites	DOR	N, P1		21.11.2021	8.3.2022

		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		21.11.2021	8.3.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		21.11.2021	8.3.2022
		Hatching eggs of ratites	HER	N, P1		21.11.2021	8.3.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		21.11.2021	8.3.2022’

(iii) in the entry for the United Kingdom, the following row for the zone GB-2.104 is added after the row for the zone GB-2.103:

‘**GB** United Kingdom	GB-2.104	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		1.3.2022	
		Breeding ratites and productive ratites	BPR	N, P1		1.3.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		1.3.2022	
		Ratites intended for slaughter	SR	N, P1		1.3.2022	
		Day-old chicks other than ratites	DOC	N, P1		1.3.2022	
		Day-old chicks of ratites	DOR	N, P1		1.3.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		1.3.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		1.3.2022	
		Hatching eggs of ratites	HER	N, P1		1.3.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		1.3.2022’	

(iv) in the entry for the United States, the following rows for the zones US-2.17 to US-2.20 are added after the row for the zone US-2.16:

‘**US** United States	US-2.17	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		8.3.2022	
		Breeding ratites and productive ratites	BPR	N, P1		8.3.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		8.3.2022	

		Ratites intended for slaughter	SR	N, P1		8.3.2022	
		Day-old chicks other than ratites	DOC	N, P1		8.3.2022	
		Day-old chicks of ratites	DOR	N, P1		8.3.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		8.3.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		8.3.2022	
		Hatching eggs of ratites	HER	N, P1		8.3.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		8.3.2022	
	US-2.18	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		8.3.2022	
		Breeding ratites and productive ratites	BPR	N, P1		8.3.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		8.3.2022	
		Ratites intended for slaughter	SR	N, P1		8.3.2022	
		Day-old chicks other than ratites	DOC	N, P1		8.3.2022	
		Day-old chicks of ratites	DOR	N, P1		8.3.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		8.3.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		8.3.2022	
		Hatching eggs of ratites	HER	N, P1		8.3.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		8.3.2022	
	US-2.19	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		8.3.2022	
		Breeding ratites and productive ratites	BPR	N, P1		8.3.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		8.3.2022	
		Ratites intended for slaughter	SR	N, P1		8.3.2022	

		Day-old chicks other than ratites	DOC	N, P1		8.3.2022	
		Day-old chicks of ratites	DOR	N, P1		8.3.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		8.3.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		8.3.2022	
		Hatching eggs of ratites	HER	N, P1		8.3.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		8.3.2022	
	US-2.20	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		9.3.2022	
		Breeding ratites and productive ratites	BPR	N, P1		9.3.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		9.3.2022	
		Ratites intended for slaughter	SR	N, P1		9.3.2022	
		Day-old chicks other than ratites	DOC	N, P1		9.3.2022	
		Day-old chicks of ratites	DOR	N, P1		9.3.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		9.3.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		9.3.2022	
		Hatching eggs of ratites	HER	N, P1		9.3.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		9.3.2022’	

(b) Part 2 is amended as follows:

(i) in the entry for the United Kingdom, the following description of the zone GB-2.104 is added after the description for the zone GB-2.103:

'United Kingdom	GB-2.104	Near Redgrave, Mid Suffolk, Suffolk, England: The area contained within a circle of a radius of 10km, centred on WGS84 dec, coordinates N52.37 and E0.99.'

(ii) in the entry for the United States, the following descriptions of the zones US-2.17 to US-2.20 are added after the description of the zone US-2.16:

'United States	US-2.17	State of Delaware New Castle 02 New Castle County: A zone of a 10 km radius starting with North point (GPS coordinates: 75.7430486°W 39.5199819°N) and extending in a circular clockwise fashion: (a) North: 1.1km Northwest from intersection of W Creek Ln and Dickerson Ln. (b) Northeast: 0.3km Northeast from the intersection of Cuter Way and Nantucket Dr. (c) East: 0.23km Northeast from the intersection of Denny Lynn Dr and Kelsey Lynn Ct. (d) Southeast: 0.8km Southeast from the intersection of Blackbird Station Rn and Lloyd Guessford Rd. (e) South: 2.2km Southeast from the intersection of Massey Rd and Bradford Johnson Rd. (f) Southwest: 1.9km West-southwest from the intersection of Megan Rd and Scott Rd. (g) West: 2.7km Northwest from intersection of Bohemia Church Rd and Augustine Herman Hwy. (h) Northwest: 0.7km North-northwest from intersection of Court House Point Rd and Augustine Herman Hwy.
	US-2.18	State of Maryland Queen Anne's County: A zone of a 10 km radius starting with North point (GPS coordinates: 75.8786226°W 39.2489713°N) and extending in a circular clockwise fashion: (a) North: 0.6km North-Northwest from intersection of Herbies Way and Chester River Heights Rd. (b) Northeast: 0.8km Northwest from the intersection of Stullltown Rd and Peters Corner Rd. (c) East: 1.4km Southeast from the intersection of Busic Church Rd and Duhamel Corner Rd.

		(d) Southeast: 0.36km Southwest from the intersection of Trunk Line Rd and Bee Tree Rd. (e) South: 0.63km Southeast from the intersection of Murphy Rd and Price Station Rd 405 (f) Southwest: 0.1km Southeast from the intersection of Flat Iron Square Rd and Lieby Rd. (g) West: 2.2km East-Southeast from intersection of Rolphs Wharf Rd and Church Hill Rd. (h) Northwest: 0.5km Northwest from intersection of Deep Landing Rd and Bright Meadow Ln.
	US-2.19	State of Missouri Jasper County: A zone of a 10 km radius starting with North point (GPS coordinates: 94.5953717° W 37.4321134°N) and extending in a circular clockwise fashion: (a) North: 0.7km Southwest from intersection of SW 50th Rd and SW 160th Ln. (b) Northeast: 0.7km West from the intersection of W Highway 126 and SW 115th Ln. (c) East: 0.5km Southeast from the intersection of State Highway 43 and Thistle Rd. (d) Southeast: 0.5km Southwest from the intersection of Park Ln and 25B. (f) Southwest: 0.3km South-Southeast from the intersection of NE Scammon Rd and NE 85th St. (g) West: 0.6 km Northwest from intersection of E 400 Highway and Highway 69. (h) Northwest: 0.7km Southwest from intersection of Highway 126 and N Free King's Highway.
	US-2.20	State of Missouri Lawrence County: A zone of a 10 km radius starting with North point (GPS coordinates: 93.7354261°W 37.1689086°N) and extending in a circular clockwise fashion: (a) North: 1.2km North-Northeast from intersection of Farm Rd 2077 and Farm Rd 1170. (b) Northeast: 1.1km West from the intersection of County Rd 2090 and County Rd 1230. (c) East: 1.0km South-West from the intersection of Farm Rd 2130 and Farm Rd 1245. (d) Southeast: 0.4km Northeast from the intersection of Farm Rd 1220 and Farm Rd 2180. (f) Southwest: 0.5km East-Northeast from the intersection of County Rd 1131 and Farm Rd 2181. (g) West: 0.7 km South-Southwest from intersection of I-44 and Highway H. (h) Northwest: 1.5km North-Northeast from intersection of Farm Rd 2100 and Farm Rd 1132 LC.'

(2) Annex XIV is amended as follows:

(a) Part 1 is amended as follows:

(i) in the entry for the United Kingdom, the row for the zone GB-2.19 is replaced by the following:

‘**GB** United Kingdom	GB-2.19	Fresh meat of poultry other than ratites	POU	N, P1		8.11.2021	4.3.2022
		Fresh meat of ratites	RAT	N, P1		8.11.2021	4.3.2022
		Fresh meat of game birds	GBM	P1		8.11.2021	4.3.2022’

(ii) in the entry for the United Kingdom, the row for the zone GB-2.28 is replaced by the following:

‘**GB** United Kingdom	GB-2.28	Fresh meat of poultry other than ratites	POU	N, P1		21.11.2021	8.3.2022
		Fresh meat of ratites	RAT	N, P1		21.11.2021	8.3.2022
		Fresh meat of game birds	GBM	P1		21.11.2021	8.3.2022’

(iii) in the entry for the United Kingdom, the following row for the zone GB-2.104 is added after the row for the zone GB-2.103:

‘**GB** United Kingdom	GB-2.104	Fresh meat of poultry other than ratites	POU	N, P1		1.3.2022	
		Fresh meat of ratites	RAT	N, P1		1.3.2022	
		Fresh meat of game birds	GBM	P1		1.3.2022’	

(iv) in the entry for the United States, the following rows for the zones US-2.17 to US-2.20 are added after the row for the zone US-2.16:

‘**US** United States	US-2.17	Fresh meat of poultry other than ratites	POU	N, P1		8.3.2022	
		Fresh meat of ratites	RAT	N, P1		8.3.2022	
		Fresh meat of game birds	GBM	P1		8.3.2022	
	US-2.18	Fresh meat of poultry other than ratites	POU	N, P1		8.3.2022	
		Fresh meat of ratites	RAT	N, P1		8.3.2022	
		Fresh meat of game birds	GBM	P1		8.3.2022	
	US-2.19	Fresh meat of poultry other than ratites	POU	N, P1		8.3.2022	
		Fresh meat of ratites	RAT	N, P1		8.3.2022	
		Fresh meat of game birds	GBM	P1		8.3.2022	

US-2.20	Fresh meat of poultry other than ratites	POU	N, P1		9.3.2022		
	Fresh meat of ratites	RAT	N, P1		9.3.2022		
	Fresh meat of game birds	GBM	P1		9.3.2022’		

(b) in Part 2, in the entry for the United States, the rows US-2 to US-2.16 are replaced by the following:

‘United States	US-2	The zones of the United States described under US-2 in Part 2 of Annex V’