# COMMISSION IMPLEMENTING REGULATION (EU) 2023/1153

## of 12 June 2023

## amending Annex IV to Implementing Regulation (EU) 2021/404 as regards the entry for China in the list of third countries, territories or zones thereof authorised for the entry into the Union of consignments of certain equine animals

**(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 230(1) thereof,

Whereas:

(1) Regulation (EU) 2016/429 lays down, inter alia, the animal health requirements for the entry into the Union of consignments of animals, germinal products and products of animal origin, and it applies from 21 April 2021. One of those animal health requirements is that those consignments must come from a third country or territory, or zone or compartment thereof, listed in accordance with Article 230(1) of that Regulation.

(2) Commission Delegated Regulation (EU) 2020/692 ([2]) supplements Regulation (EU) 2016/429 as regards the animal health requirements for the entry into the Union of consignments of certain species and categories of animals, germinal products and products of animal origin from third countries or territories, or zones or compartments thereof. Delegated Regulation (EU) 2020/692 provides that consignments of animals, germinal products and products of animal origin falling within its scope may only be permitted to enter into the Union if they come from a third country or territory, or zone or compartment thereof, listed for the particular species and categories of animals, germinal products and products of animal origin, in accordance with the animal health requirements laid down in that Delegated Regulation.

(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 those species and categories of animals, germinal products and products of animal origin, that fall within the scope of Delegated Regulation (EU) 2020/692, is permitted. The lists and certain general rules concerning the lists are set out in Annexes I to XXII to that Delegated Regulation.

(4) Annex IV to Implementing Regulation (EU) 2021/404 sets out the list of third countries, territories or zones thereof authorised for the entry into the Union of consignments of equine animals.

(5) In order to host the equestrian events of the 19th Asian Games, China has requested the recognition of an equine disease-free zone established at the Tonglu Equestrian Center in the part of Yaolin town in the north-western part of Tonglu County, Fuyang District, Hangzhou Municipality, Zhejiang Province in China, connected with the Hangzhou Xiaoshan International Airport. A number of registered horses originating from the Union will take part in the 19th Asian Games.

([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 the Council (OJ L 114, 31.3.2021, p. 1).

(6) In view of the temporary nature of those equestrian events, it is appropriate to foresee only a temporary approval of that equine disease-free zone from 15 September 2023 to 13 November 2023 to provide enough time for the registered horses originating from the Union to enter and leave that zone.

(7) China has provided guarantees, in particular as regards the notifiability in their country of the listed diseases referred to in point 1 of Annex I to Delegated Regulation (EU) 2020/692 relevant for equine animals, and guarantees regarding compliance or equivalence with the relevant animal health requirements applicable in the Union. In addition, China has informed the Commission that the entire group of registered horses originating from the Union and competing in those events, will be kept separated from any equidae not of the same origin and health status.

(8) At the same time, the self-declaration by China for the establishment of the equine disease-free zone for the 19th Asian Games has been published at the World Organisation for Animal Health webpage ([4]).

(9) In the light of those guarantees and information provided by China, the re-entry of registered horses from a designated equine disease-free zone in that third country after the temporary export in accordance with the requirements of Delegated Regulation (EU) 2020/692 and accompanied by an animal health certificate issued in accordance with a model set out in Chapters 16 and 17 of Annex II to Commission Implementing Regulation (EU) 2021/403 ([5]) should be permitted for a limited period. This period should be limited to maximum of 60 days in line with point II.3.2, second option, of the model animal health certificate set out in Chapter 17 of Annex II to Impelementing Regulation (EU) 2021/403.

(10) Annex IV to Implementing Regulation (EU) 2021/404 should therefore be amended accordingly.

(11) As Implementing Regulation (EU) 2021/404 applies from 21 April 2021, in the interest of legal certainty and to facilitate trade, the amendments to be made to Implementing Regulation (EU) 2021/404 by this Regulation should take effect as a matter of urgency.

(12) 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*

Annex IV to Implementing Regulation (EU) 2021/404 is 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*.

([4]) https://www.woah.org/en/what-we-offer/self-declared-disease-status/

([5]) Commission Implementing Regulation (EU) 2021/403 of 24 March 2021 laying down rules for the application of Regulations (EU) 2016/429 and (EU) 2017/625 of the European Parliament and of the Council as regards model animal health certificates and model animal health/official certificates, for the entry into the Union and movements between Member States of consignments of certain categories of terrestrial animals and germinal products thereof, official certification regarding such certificates and repealing Decision 2010/470/EU (OJ L 113, 31.3.2021, p. 1).

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

Done at Brussels, 12 June 2023.

*For the Commission*
*The President*
Ursula VON DER LEYEN

*ANNEX*

Annex IV to Implementing Regulation (EU) 2021/404 is amended as follows:

(1) in Part 1, in the entry for China, the following zone CN-3 is added after the zone CN-2:

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| ‘**CN** China | CN-3 | G | Registered horses | EQUI-RE-ENTRY-30, EQUI-RE-ENTRY-90-COMP | | | 13.11.2023 | 15.9.2023’ |

(2) in Part 2, in the entry for China, the following description of the zone CN-3 is added after the zone CN-2:

| | | | |
|---|---|---|---|
| ‘China | CN-3 | The 19th Asian Games equine disease-free zone established in the part of Yaolin town north of the Fenshui River in the north-western part of Tonglu County, Fuyang District, Hangzhou Municipality, Zhejiang Province, and including the Biosecurity Highway Passage (see details below): | |
| | | Core zone: | The area of 1 300 km² in the north-western part of Tonglu County comprising the Tonglu Equestrian Center (29°54′40.66″N, 119°32′15.33″E) in the part of Yaolin town north of Fenshui River (a contributor to the Fuchun River) with the following delimitation:<br>— Western boundary: Chun’an County,<br>— Northern boundary: Lin’an District,<br>— Eastern boundary: Fuyang District,<br>— South-eastern boundary: Fuchun River in Fuchunjiang Town, Tonglu County South Street, Fengchuan Street,<br>— South-western boundary: Jiande City. |
| | | Protection zone: | The area of 12 300 km² surrounding the core zone with the following delimitation:<br>— the districts of Fuyang and Lin’an to the north and the Chun’an County and the City of Jiande to the south;<br>— the part of Tonglu County east of Fuchun River, including the Chengnan and Fengchuan Subdistricts, Jiangnan Town, Xinhe Township and the part of Fuchunjiang Town east of the Fuchun River. |
| | | Biosecurity Highway Passage: | Highway network connecting the equine disease-free zone with the Hangzhou Xiaoshan International Airport (including Airport Expressway, Hangzhou Bay Ring Expressway, Shanghai-Kunming Expressway, Caihong Expressway, G25 Hangzhou Xinjing Expressway) and areas within 1 km on both sides of those highways.’ |