

## COMMISSION IMPLEMENTING REGULATION (EU) 2023/150

of 20 January 2023

amending certain Annexes to Implementing Regulation (EU) 2021/620 as regards the approval or withdrawal of the disease-free status of certain Member States or zones or compartments thereof as regards certain listed diseases

(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 31(3), 36(4) and 42(4) thereof,

Whereas:

- (1) Regulation (EU) 2016/429 lays down disease-specific rules for the diseases listed in accordance with Article 5(1) thereof and lays down how those rules are to be applied to different categories of listed diseases. Regulation (EU) 2016/429 provides for the Member States to establish compulsory eradication programmes for the listed diseases referred to in Article 9(1), point (b), thereof, and for optional eradication programmes for listed diseases referred to in Article 9(1), point (c), thereof, and for the approval of such programmes by the Commission. That Regulation also provides for the approval or withdrawal by the Commission of the disease-free status of Member States or zones or compartments thereof with regard to certain listed diseases referred to in Article 9(1), points (b) and (c), thereof.
- (2) Commission Delegated Regulation (EU) 2020/689 (2) supplements Regulation (EU) 2016/429 and lays down the criteria for granting, maintaining, suspending and withdrawing disease-free status for Member States or zones or compartments thereof, and the requirements for the approval of compulsory or optional eradication programmes for Member States or zones or compartments thereof.
- (3) Commission Implementing Regulation (EU) 2021/620 (3) lays down implementing rules for the listed diseases referred to in Article 9(1), points (a), (b) and (c), of Regulation (EU) 2016/429 of animals, as regards the disease-free and non-vaccination status of certain Member States or zones or compartments thereof, and the approval of eradication programmes for those listed diseases. More particularly, it lists in the Annexes thereto, the Member States or zones or compartments thereof with disease-free status. The changing epidemiological situation of certain diseases makes it necessary to now amend certain Annexes to Implementing Regulation (EU) 2021/620 in order to list new disease-free Member States or zones thereof and to delete from the lists zones or compartments where disease outbreaks have been confirmed or where the conditions for maintaining the disease-free status are no longer met.
- (4) For infection with *Mycobacterium tuberculosis* complex (*Mycobacterium bovis*, *M. caprae* and *M. tuberculosis*) (MTBC), infection with Aujeszky's disease virus (ADV), infection with bovine viral diarrhoea (BVD), infection with bluetongue virus (serotypes 1-24) (BTV), and infection with viral haemorrhagic septicaemia (VHS), several Member States have recently applied to the Commission to have disease-free status granted for part of their territory. Several Member States have also notified outbreaks of infection with rabies virus (RABV), BTV, and infection with haematopoietic necrosis (IHN) that also need to be reflected in certain Annexes to Implementing Regulation (EU) 2021/620.

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

(2) Commission Delegated Regulation (EU) 2020/689 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for surveillance, eradication programmes, and disease-free status for certain listed and emerging diseases (OJ L 174, 3.6.2020, p. 211).

(3) Commission Implementing Regulation (EU) 2021/620 of 15 April 2021 laying down rules for the application of Regulation (EU) 2016/429 of the European Parliament and of the Council as regards the approval of the disease-free and non-vaccination status of certain Member States or zones or compartments thereof as regards certain listed diseases and the approval of eradication programmes for those listed diseases (OJ L 131, 16.4.2021, p. 78).

(5) For infection with MTBC, Spain has submitted to the Commission information demonstrating that the conditions for recognition of disease-free status from infection with MTBC laid down in Delegated Regulation (EU) 2020/689 are fulfilled in the Autonomous Communities of the Balearic Islands, Catalonia and Murcia. Following the assessment by the Commission, those applications have been shown to comply with the criteria laid down in Part II, Chapter 4, of Delegated Regulation (EU) 2020/689 for the granting of disease-free status for MTBC. Therefore, those zones should be listed in Part I of Annex II to Implementing Regulation (EU) 2021/620, as having disease-free status for infection with MTBC.

(6) For infection with ADV, Italy has submitted to the Commission information demonstrating that the conditions for recognition of the disease-free status from ADV laid down in Delegated Regulation (EU) 2020/689 are fulfilled for the regions of Trento and Veneto. Following the assessment by the Commission, those applications have been shown to comply with the criteria of Part II, Chapter 4, of Delegated Regulation (EU) 2020/689 for the granting of disease-free status for ADV. Therefore, those zones should be listed in Part I of Annex VI to Implementing Regulation (EU) 2021/620, as having disease-free status for infection with ADV.

(7) For infection with BVD, Germany has submitted to the Commission information demonstrating that the conditions for recognition of disease-free status from BVD laid down in Delegated Regulation (EU) 2020/689 are fulfilled for Dachau, Straubing-Bogen und Günzburg in Bavaria. Following the assessment by the Commission, those applications have been shown to comply with the criteria laid down in Part II, Chapter 4, of Delegated Regulation (EU) 2020/689 for the granting of disease-free status for BVD. Therefore, those zones should be listed in Annex VII to Implementing Regulation (EU) 2021/620, as having disease-free status for infection with BVD.

(8) Hungary has notified to the Commission several outbreaks of infection with RABV in Szabolcs-Szatmár-Bereg county. As the whole territory of Hungary has disease-free status from infection with RABV and is listed in Part I of Annex III to Implementing Regulation (EU) 2021/620, the disease-free status for Szabolcs-Szatmár-Bereg county should be withdrawn, and the entry for Hungary in that list should be amended accordingly.

(9) For infection with RABV, Hungary also has submitted to the Commission an application to have an eradication programme approved for Szabolcs-Szatmár-Bereg county. Following the assessment by the Commission, that application has been shown to comply with the criteria laid down in Part II, Chapter 2, of Delegated Regulation (EU) 2020/689 for approval of eradication programmes for infection with RABV. Therefore, Szabolcs-Szatmár-Bereg county should be listed in Part II of Annex III to Implementing Regulation (EU) 2021/620, as a zone with an approved eradication programme for infection with RABV.

(10) Portugal has notified to the Commission outbreaks of infection with BTV serotype 4 in Aveiro, Bragança, Coimbra, Guarda and Viseu districts, affecting also the surrounding districts. As those districts have disease-free status and are listed in Part I of Annex VIII to Implementing Regulation (EU) 2021/620, their disease-free status for infection with BTV should be withdrawn, and the entry for Portugal in that list should be amended accordingly.

(11) Spain has notified to the Commission outbreaks of infection with BTV serotype 4 in the Toledo province in the Autonomous Community of Castilla-La Mancha, and in the Salamanca province in the Autonomous Community of Castilla y Leon affecting also areas in the Avila and Zamora province. As those areas have disease-free status and are listed in Part I of Annex VIII to Implementing Regulation (EU) 2021/620, their disease-free status for infection with BTV should be withdrawn, and the entry for Spain in that list should be amended accordingly.

(12) As regards infection with BTV, Spain has also submitted to the Commission information demonstrating that the conditions for recognition of disease-free status from BTV are fulfilled for certain regions of the Autonomous Communities of Aragón and of Navarra and in certain regions in the Basque Autonomous Community. Following the assessment by the Commission, that application has been shown to comply with the criteria laid down in Part II, Chapter 4, of Delegated Regulation (EU) 2020/689 for the granting of disease-free status for BTV. As infection with BTV has been successfully eradicated from those Autonomous Communities, the whole territory of those Autonomous Communities, should, therefore, be listed in Part I of Annex VIII to Implementing Regulation (EU) 2021/620, as having disease-free status for infection with BTV.

(13) As regards infection with BTV, Germany has submitted to the Commission information demonstrating that the conditions for recognition of disease-free status from BTV are fulfilled for Bundesland Saarland and for certain parts of Bundesland Rhineland-Palatinate. Following the assessment by the Commission, that application has been shown to comply with the criteria laid down in Part II, Chapter 4, of Delegated Regulation (EU) 2020/689 for the granting of disease-free status for BTV. Therefore, that zone should be listed in Part I of Annex VIII to Implementing Regulation (EU) 2021/620, as having disease-free status for infection with BTV.

(14) As regards VHS, Finland has provided information which demonstrates that the conditions for the recognition of disease-free status from VHS are fulfilled for the province of Åland. That information complies with the criteria laid down in Part II, Chapter 4, of Delegated Regulation (EU) 2020/689 for the granting of disease-free status for VHS. As VHS has been successfully eradicated from the province of Åland, the whole territory of Finland should, therefore, be listed in Part I of Annex XII to Implementing Regulation (EU) 2021/620, as having disease-free status for VHS.

(15) In addition, Finland has notified to the Commission an outbreak of IHN in the province of Åland, in an area which is listed as having disease-free status in Annex XIII to Implementing Regulation (EU) 2021/620. The disease-free status of the infected area should therefore be withdrawn and that compartment should be deleted from Part I of that Annex, and the entry for that Member State in that list should be amended accordingly.

(16) Annexes II, III, VI, VII, VIII, XII and XIII to Implementing Regulation (EU) 2021/620 should therefore be amended accordingly.

(17) 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 II, III, VI, VII, VIII, XII and XIII to Implementing Regulation (EU) 2021/620 are amended in accordance with the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the third 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, 20 January 2023.

*For the Commission*

*The President*

Ursula VON DER LEYEN

## ANNEX

Annexes II, III, VI, VII, VIII, XII and XIII to Implementing Regulation (EU) 2021/620 are amended as follows:

(1) Annex II is amended as follows:

(a) In Part I, the entry for Spain is replaced by the following:

Member State	Territory
'Spain'	Comunidad Autónoma de Canarias Comunidad Autónoma de Cataluña Comunidad Autónoma de Galicia Comunidad Autónoma de Islas Baleares Comunidad Autónoma de Murcia Comunidad Autónoma del País Vasco Comunidad Autónoma del Principado de Asturias'

(b) In Part II, the entry for Spain is replaced by the following:

Member State	Territory
'Spain'	Comunidad Autónoma de Andalucía Comunidad Autónoma de Aragón Comunidad Autónoma de Cantabria Comunidad Autónoma de Castilla-La Mancha Comunidad Autónoma de Castilla y León Comunidad Autónoma de Extremadura Comunidad Autónoma de La Rioja Comunidad Autónoma de Madrid Comunidad Autónoma de Navarra Comunidad Autónoma de Valencia'

(2) Annex III is amended as follows:

(a) In Part I, the entry for Hungary is replaced by the following:

Member State	Territory
'Hungary'	Whole territory except Szabolcs-Szatmár-Bereg megye'

(b) In Part II, the following entry for Hungary is inserted before the entry for Poland:

Member State	Territory
'Hungary'	Szabolcs-Szatmár-Bereg megye'

(3) Annex VI is amended as follows

(a) in Part I, the entry for Italy is replaced by the following:

Member State	Territory
'Italy'	Regione Friuli Venezia Giulia Regione Trentino – Alto Adige Regione Veneto'

(b) in Part II, the entry for Italy is replaced by the following:

Member State	Territory	Date of initial approval as referred to in Article 15, point 2, of Delegated Regulation (EU) 2020/689
Italy	Regione Abruzzo Regione Apulia Regione Basilicata Regione Calabria Regione Campania Regione Emilia-Romagna Regione Lazio Regione Liguria Regione Lombardia Regione Marche Regione Molise Regione Piemonte Regione Sicilia Regione Toscana Regione Valle d'Aosta Regione Umbria	21 April 2021'

(4) Annex VII is amended as follows:

(a) in Part I, the entry for Germany is replaced by the following:

Member State	Territory
Germany	Bundesland Baden-Württemberg Bundesland Bayern: Regierungsbezirk Oberbayern The following cities and Landkreis in Regierungsbezirk Niederbayern: Stadt Landshut, Stadt Passau, Stadt Straubing, Freyung-Grafenau, Kelheim, Lkr. Landshut, Lkr. Passau, Regen, Rottal-Inn, Lkr. Straubing-Bogen, The following cities and Landkreis in Regierungsbezirk Oberpfalz: Stadt Amberg, Stadt Regensburg, Weiden in der Oberpfalz, Lkr. Amberg-Sulzbach, Cham, Neumarkt in der Oberpfalz, Neustadt an der Waldnaab, Lkr. Regensburg, Schwandorf, Tirschenreuth The following cities and Landkreis in Regierungsbezirk Oberfranken: Stadt Bamberg, Stadt Bayreuth, Stadt Coburg, Stadt Hof, Lkr. Bamberg, Lkr. Bayreuth, Lkr. Coburg, Forchheim, Lkr. Hof, Kronach, Kulmbach, Lichtenfels, Wunsiedel im Fichtelgebirge The following cities and Landkreis in Regierungsbezirk Mittelfranken: Stadt Ansbach, Stadt Erlangen, Stadt Fürth, Nürnberg, Schwabach, Lkr. Ansbach, Lkr. Erlangen-Höchstadt, Lkr. Fürth, Nürnberger Land, Neustadt an der Aisch-Bad Windsheim, Roth, Weißenburg-Gunzenhausen The following cities and Landkreis in Regierungsbezirk Unterfranken: Stadt Aschaffenburg, Stadt Schweinfurt, Stadt Würzburg, Lkr. Aschaffenburg, Bad Kissingen, Röhn-Grabfeld, Haßberge, Kitzingen, Miltenberg, Main-Spessart, Lkr. Schweinfurt, Lkr. Würzburg

	<p>The following cities and Landkreis in Regierungsbezirk Schwaben:          Stadt Augsburg, Kaufbeuren, Kempten im Allgäu, Memmingen,          Aichach-Friedberg, Dillingen an der Donau, Günzburg, Neu-Ulm,          Lindau, Oberallgäu, Unterallgäu, Donau-Ries          Bundesland Brandenburg          Bundesland Bremen          Bundesland Hamburg          Bundesland Hessen          Bundesland Mecklenburg-Vorpommern          Bundesland Rheinland-Pfalz          Bundesland Saarland          Bundesland Sachsen          Bundesland Sachsen-Anhalt          Bundesland Thüringen'</p>
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(b) in Part II, the entry for Germany is replaced by the following:

Member State	Territory	Date of initial approval as referred to in Article 15, point 2, of Delegated Regulation (EU) 2020/689
'Germany	<p>Bundesland Bayern:          The following cities and Landkreis in Regierungsbezirk Niederbayern:          Deggendorf, Dingolfing-Landau          The following cities and Landkreis in Regierungsbezirk Schwaben: Lkr.          Augsburg, Ostallgäu          Bundesland Berlin          Bundesland Niedersachsen          Bundesland Nordrhein-Westfalen          Bundesland Schleswig-Holstein</p>	21 February 2022'

(5) In Annex VIII, Part I is amended as follows:

(a) the entry for Germany is replaced by the following:

Member State	Territory
'Germany	<p>Bundesland Baden-Württemberg          Bundesland Bayern          Bundesland Berlin          Bundesland Brandenburg          Bundesland Bremen          Bundesland Hamburg          Bundesland Hessen          Bundesland Mecklenburg-Vorpommern          Bundesland Niedersachsen          Bundesland Nordrhein-Westfalen          Bundesland Rheinland-Pfalz:          The following Landkreis: Ahrweiler, Altenkirchen, Alzey-Worms,          Bad Dürkheim, Bad Kreuznach, Birkenfeld, Cochem-Zell,          Donnersbergkreis, Germersheim, Kaiserslautern, Kusel, Mainz-          Bingen, Mayen-Koblenz, Neuwied, Rhein-Hunsrück-Kreis, Rhein-          Lahn-Kreis, Rhein-Pfalz-Kreis, Südliche Weinstraße, Südwestpfalz,          Westerwaldkreis</p>

	The following cities: Frankenthal (Pfalz), Kaiserslautern, Koblenz, Landau in der Pfalz, Ludwigshafen am Rhein, Mainz, Neustadt an der Weinstraße, Pirmasens, Speyer, Worms, Zweibrücken Bundesland Saarland Bundesland Sachsen Bundesland Sachsen-Anhalt Bundesland Schleswig-Holstein Bundesland Thüringen'
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(b) the entry for Spain is replaced by the following:

Member State	Territory
'Spain	Comunidad Autónoma de Andalucía: Province of Almería Province of Granada, the following regions: Alhama de Granada (Alhama/Temple), Baza (Altiplanicie Sur), Guadix (Hoya-Altiplanicie de Guadix), Huescar (Altiplanicie Norte), Iznalloz (Montes Orientales), Loja (Vega/Montes Occ.), Orgiva (Alpujarra/Valle de Lecrin), Santa Fe (Vega de Granada) Comunidad Autónoma de Aragón Comunidad Autónoma de Asturias Comunidad Autónoma de Canarias Comunidad Autónoma de Cantabria Comunidad Autónoma de Castilla-La Mancha, except the following regions: Almadén, Almodóvar del Campo, Piedrabuena in the Province of Ciudad Real Belvis de la Jara, Gálvez, Los Navalmorales, Oropesa, Talavera de la Reina, Toledo, Torrijos in the Province of Toledo Comunidad Autónoma de Castilla y León, except the following regions: the Province of Salamanca Ávila, Arenas de San Pedro, Candeleda, Cebrero, El Barco de Ávila, El Barraco, Navalengua, Navarredonda de Gredos, Piedrahíta, San Pedro del Arroyo, Sotillo de la Adrada in the Province of Ávila Bermillo de Sayago in the Province of Zamora Comunidad Autónoma de Cataluña Comunidad Autónoma de Galicia Comunidad Autónoma de La Rioja Comunidad Autónoma de Madrid, except the following regions: Navalcarnero, San Martín de Valdeiglesias Comunidad Autónoma de Murcia Comunidad Autónoma de Navarra Comunidad Autónoma de País Vasco Comunidad Autónoma de Valencia'

(c) the entry for Portugal is replaced by the following:

Member State	Territory
'Portugal	Região Autónoma dos Açores Região Autónoma da Madeira'

(6) In Annex VIII, Part II is replaced by the following:

**PART II**

**Member States or zones thereof with an approved eradication programme for infection with BTV**

Member State	Territory	Date of initial approval as referred to in Article 15, point 2, of Delegated Regulation (EU) 2020/689
Spain	Comunidad Autónoma de Andalucía: Province of Cádiz, Córdoba, Huelva, Jáén, Málaga, Sevilla Province of Granada: Motril (Costa de Granada) Comunidad Autónoma de Castilla-La Mancha: Province of Ciudad Real, the following regions: Almadén, Almodóvar del Campo and Piedrabuena Comunidad Autónoma de Extremadura: Comunidad Autónoma de Islas Baleares	21 February 2022'

(7) In Annex XII, Part I, the entry for Finland is replaced by the following:

Member State	Territory
Finland	Whole territory'

(8) In Annex XIII, Part I, the entry for Finland is replaced by the following:

Member State	Territory
Finland	Whole territory, except for the following: 1) the coastal compartment comprised of the parts of Föglö, Lumparland, Lemland, Vårdö municipalities that are contained within a circle of radius 19,331 km, centered on WGS84 coordinates Lat 59.975253701°, Lon 20.454027317° 2) the coastal compartment comprised of the parts of Eckerö and Hammarland municipalities that are contained within a circle of radius 10 km, centered on WGS84 coordinates Lat 60.207175390°, Lon 19.507907780°