II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2023/1603

of 4 August 2023

amending Annexes V and XIV to Implementing Regulation (EU) 2021/404 as regards the entries for Canada, Chile, 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) and (3) thereof.

Whereas:

(1) Regulation (EU) 2016/429 provides 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 that 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 of poultry and game birds.

([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).

(5) The United Kingdom has notified the Commission of an outbreak of highly pathogenic avian influenza (HPAI) in poultry in the county of Kent, England, which was confirmed on 20 July 2023 by laboratory analysis (RT-PCR).

(6) Furthermore, the United States has notified the Commission of an outbreak of highly pathogenic avian influenza (HPAI) in poultry in the state of New York, which was confirmed on 25 July 2023 by laboratory analysis (RT-PCR).

(7) Following those recent outbreaks of HPAI, the veterinary authorities of the United Kingdom and the United States established restricted zones of at least 10 km around the affected establishments and implemented a stamping-out policy in order to control the presence of HPAI and limit the spread of that disease.

(8) The United Kingdom and the United States have submitted information to the Commission on the epidemiological situation on their territories and the measures taken to prevent the further spread of HPAI.

(9) That information has been evaluated by the Commission. The Commision considers that, in view of the animal health situation in the areas under restrictions established by the veterinary authorities of the United Kingdom and the United States, the entry into the Union of consigments of poultry, germinal products of poultry, and fresh meat of poultry and game birds from those areas should be suspended, in order to protect the animal health status of the Union.

(10) Canada, Chile and the United States have provided updated information in relation to epidemiological situations on their territories as regards HPAI that gave rise to the suspension of the entry of certain products into the Union, as set out in Annexes V and XIV to Implementing Regulation (EU) 2021/404.

(11) In particular, Canada has submitted updated information on the epidemiological situation on its territory in relation to an outbreak of HPAI in a poultry establishment in the province of British Columbia which was confirmed on 28 April 2023.

(12) In addition, Chile has submitted updated information on the epidemiological situation on its territory in relation to an outbreak of HPAI in a poultry establishment in the region of Metropolitan which was confirmed on 4 June 2023.

(13) Moreover, the United States has submitted updated information on the epidemiological situation on its territory in relation to thirteen outbreaks of HPAI in poultry establishments in the states of Michigan (3), Nebraska (1), New York (1), North Dakota (3), Pennsylvania (3), South Dakota (1) and Wisconsin (1), which were confirmed between 8 April 2022 and 3 March 2023.

(14) Canada, Chile and the United States have also submitted information on the measures that were taken to prevent the further spread of HPAI. In particular, following those outbreaks of that disease, Canada, Chile and the United States have implemented a stamping out policy in order to control and limit the spread of that disease, and they have also completed the requisite cleaning and disinfection following the implementation of the stamping out policy on the infected poultry establishments on their territories.

(15) The Commission has evaluated the information submitted by Canada, Chile and the United States. The Commission considers that Canada, Chile and the United States have provided appropriate guarantees that the animal health situation that gave rise to the suspensions, no longer represents a threat to animal or public health within the Union, and that, consequently, the entry into the Union of poultry commodities from the concerned zones of Canada, Chile and the United States from which entry into the Union had been suspended, should be reauthorised.

(16) Annexes V and XIV to Implementing Regulation (EU) 2021/404 should therefore be amended to take account of the current epidemiological situation as regards HPAI in Canada, Chile, the United Kingdom and the United States.

(17) Taking into account the current epidemiological situation in Canada, Chile, the United Kingdom and the United States as regards HPAI, the amendments to be made to Annexes V and XIV to Implementing Regulation (EU) 2021/404 by this Regulation should take effect as a matter of urgency.

(18) 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

Entry into force and applicability

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, 4 August 2023.

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) in Part 1, Section B is amended as follows:

(i) in the entry for Canada, the row for the zone CA-2.189 is replaced by the following:

'**CA** Canada	CA-2.189	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		28.4.2023	26.7.2023'

(ii) in the entry for Chile, the row for the zone CL-2.11 is replaced by the following:

'**CL** Chile	CL-2.11	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		4.6.2023	13.7.2023'

(iii) in the entry for the United Kingdom, the following row for the zone GB-2.308 is added after the row for the zone GB-2.307:

'**GB** United Kingdom	GB-2.308	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		20.7.2023'	

(iv) in the entry for the United States, the row for the zone US-2.117 is replaced by the following:

'**US** United States	US-2.117	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		8.4.2022	22.6.2023'

(v) in the entry for the United States, the row for the zone US-2.140 is replaced by the following:

'**US** United States	US-2.140	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		13.4.2022	22.6.2023'

(vi) in the entry for the United States, the row for the zone US-2.160 is replaced by the following:

'**US** United States	US-2.160	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		19.4.2022	22.6.2023'

(vii) in the entry for the United States, the row for the zone US-2.296 is replaced by the following:

'**US** United States	US-2.296	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		7.10.2022	8.7.2023'

(viii) in the entry for the United States, the row for the zone US-2.302 is replaced by the following:

'**US** United States	US-2.302	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		11.10.2022	8.7.2023'

(ix) in the entry for the United States, the row for the zone US-2.342 is replaced by the following:

'**US** United States	US-2.342	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		10.11.2022	8.7.2023'

(x) in the entry for the United States, the row for the zone US-2.363 is replaced by the following:

'**US** United States	US-2.363	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		29.11.2022	22.6.2023'

(xi) in the entry for the United States, the row for the zone US-2.413 is replaced by the following:

'**US** United States	US-2.413	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		15.2.2023	17.7.2023'

(xii) in the entry for the United States, the row for the zone US-2.417 is replaced by the following:

'**US** United States	US-2.417	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		21.2.2023	23.7.2023'

(xiii) in the entry for the United States, the row for the zone US-2.421 is replaced by the following:

'**US** United States	US-2.421	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		24.2.2023	29.7.2023'

(xiv) in the entry for the United States, the rows for the zones US-2.425 and US-2.426 are replaced by the following:

‘**US** United States	US-2.425	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		3.3.2023	29.7.2023
	US-2.426	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		3.3.2023	29.7.2023’

(xv) in the entry for the United States, the following row for the zone US-2.456 is added after the row for the zone US-2.455:

‘**US** United States	US-2.456	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		25.7.2023’	

(b) Part 2 is amended as follows:

(i) in the entry for the United Kingdom, the following description of the zone GB-2.308 is added after the description of the zone GB-2.307:

‘United Kingdom	GB-2.308	near Elham, Folkestone & Hythe, Kent, England, GB The area contained with a circle of a radius of 10 km, centred on WGS84 dec, coordinates Lat: N51.16 and Long: E1.10’

(ii) in the entry for the United States, the following description of the zone US-2.456 is added after the description of the zone US-2.455:

‘United States	US-2.456	State of New York Kings 03 Kings County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 73.9702542°W 40.7356205°N)’

(2) in Annex XIV, in Part 1, Section B is amended as follows:

(i) in the entry for Canada, the rows for the zone CA-2.189 are replaced by the following:

‘**CA** Canada	CA-2.189	POU, RAT	N, P1		28.4.2023	26.7.2023
		GBM	P1		28.4.2023	26.7.2023’

(ii) in the entry for Chile, the rows for the zone CL-2.11 are replaced by the following:

‘**CL** Chile	CL-2.11	POU, RAT	N, P1		4.6.2023	13.7.2023
		GBM	P1		4.6.2023	13.7.2023’

(iii) in the entry for the United Kingdom, the following rows for the zone GB-2.308 are added after the rows for the zone GB-2.307:

'**GB** United Kingdom	GB-2.308	POU, RAT	N, P1		20.7.2023	
		GBM	P1		20.7.2023'	

(iv) in the entry for the United States, the rows for the zone US-2.117 are replaced by the following:

'**US** United States	US-2.117	POU, RAT	N, P1		8.4.2022	22.6.2023
		GBM	P1		8.4.2022	22.6.2023'

(v) in the entry for the United States, the rows for the zone US-2.140 are replaced by the following:

'**US** United States	US-2.140	POU, RAT	N, P1		13.4.2022	22.6.2023
		GBM	P1		13.4.2022	22.6.2023'

(vi) in the entry for the United States, the rows for the zone US-2.160 are replaced by the following:

'**US** United States	US-2.160	POU, RAT	N, P1		19.4.2022	22.6.2023
		GBM	P1		19.4.2022	22.6.2023'

(vii) in the entry for the United States, the rows for the zone US-2.296 are replaced by the following:

'**US** United States	US-2.296	POU, RAT	N, P1		7.10.2022	8.7.2023
		GBM	P1		7.10.2022	8.7.2023'

(viii) in the entry for the United States, the rows for the zone US-2.302 are replaced by the following:

'**US** United States	US-2.302	POU, RAT	N, P1		11.10.2022	8.7.2023
		GBM	P1		11.10.2022	8.7.2023'

(ix) in the entry for the United States, the rows for the zone US-2.342 are replaced by the following:

'**US** United States	US-2.342	POU, RAT	N, P1		10.11.2022	8.7.2023
		GBM	P1		10.11.2022	8.7.2023'

(x) in the entry for the United States, the rows for the zone US-2.363 are replaced by the following:

'**US** United States	US-2.363	POU, RAT	N, P1		20.12.2022	22.6.2023
		GBM	P1		20.12.2022	22.6.2023'

(xi) in the entry for the United States, the rows for the zone US-2.413 are replaced by the following:

'**US** United States	US-2.413	POU, RAT	N, P1		15.2.2023	17.7.2023
		GBM	P1		15.2.2023	17.7.2023'

(xii) in the entry for the United States, the rows for the zone US-2.417 are replaced by the following:

'**US** United States	US-2.417	POU, RAT	N, P1		21.2.2023	23.7.2023
		GBM	P1		21.2.2023	23.7.2023'

(xiii) in the entry for the United States, the rows for the zone US-2.421 are replaced by the following:

'**US** United States	US-2.421	POU, RAT	N, P1		24.2.2023	29.7.2023
		GBM	P1		24.2.2023	29.7.2023'

(xiv) in the entry for the United States, the rows for the zones US-2.425 and US-2.426 are replaced by the following:

'**US** United States	US-2.425	POU, RAT	N, P1		3.3.2023	29.7.2023
		GBM	P1		3.3.2023	29.7.2023
	US-2.426	POU, RAT	N, P1		3.3.2023	29.7.2023
		GBM	P1		3.3.2023	29.7.2023'

(xv) in the entry for the United States, the following rows for the zone US-2.456 are added after the rows for the zone US-2.455:

'**US** United States	US-2.456	POU, RAT	N, P1		25.7.2023	
		GBM	P1		25.7.2023'	