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COMMISSION IMPLEMENTING REGULATION (EU) 2024/1086

of 11 April 2024

amending Annexes V and XIV to Implementing Regulation (EU) 2021/404 as regards the entries for Canada and the United States in the lists of third countries, territories or zones thereof authorised for the entry into the Union of consignments of poultry and germinal products of poultry, and of 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]) lays down the lists of third countries, or territories, or zones 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. Those lists and certain general rules concerning those lists are set out in Annexes I to XXII to that Implementing Regulation.

(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 and germinal products of poultry, and of fresh meat of poultry and game birds.

(5) The United States has notified the Commission of two outbreaks of highly pathogenic avian influenza (HPAI) in poultry in the states of Michigan and Texas, which were confirmed on 3 April 2024 and 2 April 2024, respectively, by laboratory analysis (RT-PCR).

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

([1]) OJ L 84, 31.3.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/429/oj.

([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, ELI: http://data.europa.eu/eli/reg_del/2020/692/oj).

([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, ELI: http://data.europa.eu/eli/reg_impl/2021/404/oj).

(7) The United States has submitted information to the Commission on the epidemiological situation on its territory and the measures taken to prevent the further spread of HPAI following these recent outbreaks in the states of Michigan and Texas.

(8) That information has been evaluated by the Commission. The Commission considers that, in view of the animal health situation in the areas under restrictions established by the veterinary authority of the United States, the entry into the Union of consignments of poultry and germinal products of poultry, and of fresh meat of poultry and game birds from those areas concerned by the recent outbreaks in the states of Michigan and Texas should be suspended, in order to protect the animal health status of the Union.

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

(10) Canada has submitted updated information on the epidemiological situation in relation to three outbreaks of HPAI in poultry in the provinces of British Columbia (2) and Quebec (1), which were confirmed between 4 November 2023 and 9 February 2024 by laboratory analysis (RT-PCR).

(11) The United States has submitted updated information on the epidemiological situation in relation to 14 outbreaks of HPAI in poultry in the states of Arkansas (2), California (3), Florida (1), Michigan (2), Minnesota (2), Missouri (1), South Dakota (1), Washington (1) and Wisconsin (1), which were confirmed between 27 October 2023 and 8 February 2024 by laboratory analysis (RT-PCR).

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

(13) The Commission has evaluated the information submitted by Canada and the United States, and considers that they have provided appropriate guarantees that the animal health situation that gave rise to the suspension of the entry of consignments of certain products into the Union from the concerned zones in those third countries, as set out in Annexes V and XIV to Implementing Regulation (EU) 2021/404, no longer represents a threat to animal or public health within the Union, and that, consequently, the entry into the Union of those consignments from the concerned zones of Canada and the United States, from which entry into the Union had been suspended, should be reauthorised.

(14) 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 the United States and Canada.

(15) Taking into account the current epidemiological situation in the United States as regards HPAI, and in order to avoid unnecessary disruption in trade with Canada and the United States, 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.

(16) 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

Amendments to Implementing Regulation (EU) 2021/404

Annexes V and XIV to Implementing Regulation (EU) 2021/404 are amended in accordance with Part I of 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, 11 April 2024.

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 zone CA-2.206 is replaced by the following:

‘**CA** Canada	CA-2.206	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		4.11.2023	28.3.2024’

(ii) in the entry for Canada, the row for zone CA-2-211 is replaced by the following:

‘**CA** Canada	CA-2.211	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		7.11.2023	28.3.2024’

(iii) in the entry for Canada, the row for zone CA-2.233 is replaced by the following:

‘**CA** Canada	CA-2.233	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		9.2.2024	28.3.2024’

(iv) in the entry for the United States, the row for the zone US-2.484 is replaced by the following:

‘**US** United States	US-2.484	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		27.10.2023	24.3.2024’

(v) in the entry for the United States, the row for the zone US-2.508 is replaced by the following:

‘**US** United States	US-2.508	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		14.11.2023	13.3.2024’

(vi) in the entry for the United States, the row for the zone US-2.518 is replaced by the following:

‘**US** United States	US-2.518	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		20.11.2023	18.3.2024’

(vii) in the entry for the United States, the row for the zone US-2.555 is replaced by the following:

‘**US** United States	US-2.555	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		29.11.2023	23.3.2024’

(viii) in the entry for the United States, the rows for the zones US-2.558 and US-2.559 are replaced by the following:

‘**US** United States	US-2.558	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		5.12.2023	16.3.2024
	US-2.559		N, P1		5.12.2023	16.3.2024’

(ix) in the entry for the United States, the row for the zone US-2.562 is replaced by the following:

‘**US** United States	US-2.562	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		7.12.2023	16.3.2024’

(x) in the entry for the United States, the row for the zone US-2.577 is replaced by the following:

‘**US** United States	US-2.577	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		11.12.2023	15.3.2024’

(xi) in the entry for the United States, the row for the zone US-2.583 is replaced by the following:

‘**US** United States	US-2.583	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		7.12.2023	23.3.2024’

(xii) in the entry for the United States, the row for the zone US-2.592 is replaced by the following:

‘**US** United States	US-2.592	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		19.12.2023	23.3.2024’

(xiii) in the entry for the United States, the rows for the zones US-2.601 and US-2.602 are replaced by the following:

‘**US** United States	US-2.601	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		27.12.2023	23.3.2024
	US-2.602		N, P1		27.12.2023	30.3.2024’

(xiv) in the entry for the United States, the row for the zone US-2.611 is replaced by the following:

‘**US** United States	US-2.611	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		5.1.2024	24.3.2024’

(xv) in the entry for the United States, the row for the zone US-2.624 is replaced by the following:

‘**US** United States	US-2.624	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		8.2.2024	16.3.2024’

(xvi) in the entry for the United States, the following rows for the zones US-2.633 and US-2.634 are added after the row for the zone US-2.632:

‘**US** United States	US-2.633	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		3.4.2024	
	US-2.634		N, P1		2.4.2024’	

(b) in Part 2, in the entry for the United States, the following descriptions of zones US-2.633 and US-2.634 are added after the description of the zone US-2.632:

‘United States	US-2.633	State of Michigan Ionia 01 Ionia County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 85.1367063°W 42.9755191°N)
	US-2.634	State of Texas Parmer 01 Parmer County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 102.9827494°W 34.5187924°N)’

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

(a) in the entry for Canada, the rows for zone CA-2.206 are replaced by the following:

‘**CA** Canada	CA-2.206	POU, RAT	N, P1		4.11.2023	28.3.2024
		GBM	P1		4.11.2023	28.3.2024’

(b) in the entry for Canada, the rows for zone CA-2.211 are replaced by the following:

‘**CA** Canada	CA-2.211	POU, RAT	N, P1		7.11.2023	28.3.2024
		GBM	P1		7.11.2023	28.3.2024’

(c) in the entry for Canada, the rows for zone CA-2.233 are replaced by the following:

‘**CA** Canada	CA-2.233	POU, RAT	N, P1		9.2.2024	28.3.2024
		GBM	P1		9.2.2024	28.3.2024’

(d) in the entry for the United States, the rows for the zone US-2.484 are replaced by the following:

‘**US** United States	US-2.484	POU, RAT	N, P1		27.10.2023	24.3.2024
		GBM	P1		27.10.2023	24.3.2024’

(e) in the entry for the United States, the rows for the zone US-2.508 are replaced by the following:

‘**US** United States	US-2.508	POU, RAT	N, P1		14.11.2023	13.3.2024
		GBM	P1		14.11.2023	13.3.2024’

(f) in the entry for the United States, the rows for the zone US-2.518 are replaced by the following:

‘**US** United States	US-2.518	POU, RAT	N, P1		20.11.2023	18.3.2024
		GBM	P1		20.11.2023	18.3.2024’

(g) in the entry for the United States, the rows for the zone US-2.555 are replaced by the following:

‘**US** United States	US-2.555	POU, RAT	N, P1		29.11.2023	23.3.2024
		GBM	P1		29.11.2023	23.3.2024’

(h) in the entry for the United States, the rows for the zones US-2.558 and US-2.559 are replaced by the following:

‘**US** United States	US-2.558	POU, RAT	N, P1		5.12.2023	16.3.2024
		GBM	P1		5.12.2023	16.3.2024
	US-2.559	POU, RAT	N, P1		5.12.2023	16.3.2024
		GBM	P1		5.12.2023	16.3.2024’

(i) in the entry for the United States, the rows for the zone US-2.562 are replaced by the following:

‘**US** United States	US-2.562	POU, RAT	N, P1		7.12.2023	16.3.2024
		GBM	P1		7.12.2023	16.3.2024’

(j) in the entry for the United States, the rows for the zone US-2.577 are replaced by the following:

‘**US** United States	US-2.577	POU, RAT	N, P1		11.12.2023	15.3.2024
		GBM	P1		11.12.2023	15.3.2024’

(k) in the entry for the United States, the rows for the zone US-2.583 are replaced by the following:

‘**US** United States	US-2.583	POU, RAT	N, P1		7.12.2023	23.3.2024
		GBM	P1		7.12.2023	23.3.2024’

(l) in the entry for the United States, the rows for the zone US-2.592 are replaced by the following:

‘**US** United States	US-2.592	POU, RAT	N, P1		19.12.2023	23.3.2024
		GBM	P1		19.12.2023	23.3.2024’

(m) in the entry for the United States, the rows for the zones US-2.601 and US-2.602 are replaced by the following:

‘**US** United States	US-2.601	POU, RAT	N, P1		27.12.2023	23.3.2024
		GBM	P1		27.12.2023	23.3.2024
	US-2.602	POU, RAT	N, P1		27.12.2023	30.3.2024
		GBM	P1		27.12.2023	30.3.2024’

(n) in the entry for the United States, the rows for the zone US-2.611 are replaced by the following:

‘**US** United States	US-2.611	POU, RAT	N, P1		5.1.2024	24.3.2024
		GBM	P1		5.1.2024	24.3.2024’

(o) in the entry for the United States, the rows for the zone US-2.624 are replaced by the following:

‘**US** United States	US-2.624	POU, RAT	N, P1		8.2.2024	16.3.2024
		GBM	P1		8.2.2024	16.3.2024’

(p) in the entry for the United States, the following rows for zones US-2.633 and US-2.634 are added after the rows for the zone US-2.632:

‘**US** United States	US-2.633	POU, RAT	N, P1		3.4.2024	
		GBM	P1		3.4.2024	
	US-2.634	POU, RAT	N, P1		2.4.2024	
		GBM	P1		2.4.2024’	