Official Journal
of the European Union

EN
L series

2024/1219

25.4.2024

COMMISSION IMPLEMENTING REGULATION (EU) 2024/1219

of 23 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 nine outbreaks of highly pathogenic avian influenza (HPAI) in poultry in the states of Florida (1), Kansas (1), Michigan (3), Minnesota (1) and New Mexico (3), which were confirmed between 9 April 2024 and 17 April 2024 by laboratory analysis (RT-PCR).

([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).

(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.

(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 Florida, Kansas, Michigan, Minnesota and New Mexico.

(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 Florida, Kansas, Michigan, Minnesota and New Mexico should be suspended, in order to protect the animal health status of the Union.

(9) In addition, Canada has provided updated information to the Commission in relation to the epidemiological situation on its territory 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 an outbreak of HPAI in poultry in the province of Ontario, which was confirmed on 30 January 2024 by laboratory analysis (RT-PCR).

(11) Canada has also submitted information on the measures they have taken to prevent the further spread of HPAI. In particular, following this outbreak of HPAI, Canada has 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 establishment.

(12) The Commission has evaluated the information submitted by Canada, and considers that it has 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 zone, 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 zone of Canada, from which entry into the Union had been suspended, should be reauthorised.

(13) 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.

(14) 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, 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.

(15) 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 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, 23 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-2.231 is replaced by the following:

'**CA** Canada	C-A-2.231	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		30.1.2024	11.4.2024'

(ii) in the entry for the United States, the following rows for the zones US-2.635 to US-2.643 are added after the row for the zone US-2.634:

'**US** United States	US-2.635	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		10.4.2024	
	US-2.636		N, P1		11.4.2024	
	US-2.637		N, P1		9.4.2024	
	US-2.638		N, P1		15.4.2024	
	US-2.639		N, P1		16.4.2024	
	US-2.640		N, P1		17.4.2024	
	US-2.641		N, P1		12.4.2024	
	US-2.642		N, P1		15.4.2024	
	US-2.643		N, P1		17.4.2024'	

(b) in Part 2, in the entry for the United States, the following descriptions of zones US-2.635 to US-2.643 are added after the description of the zone US-2.634:

'United States	US-2.635	State of Kansas Grant 01 Grant County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 101.1879178°W 37.7689217°N)
	US-2.636	State of Minnesota Meeker 13 Meeker County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.3821034°W 45.2901552°N)
	US-2.637	State of Michigan Ionia 02 Ionia County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 85.1987301°W 42.9714064°N)'

	US-2.638	State of Florida Miami-Dade 03 Miami-Dade County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 80.2102564°W 25.8848166°N)
	US-2.639	State of Michigan Ionia 03 Ionia County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 85.0682879°W 42.9613813°N)
	US-2.640	State of Michigan Newaygo 01 Newaygo County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 86.0230039°W 43.5098903°N)
	US-2.641	State of New Mexico Roosevelt 01 Roosevelt County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 103.3347225°W 34.2907985°N)
	US-2.642	State of New Mexico Roosevelt 02 Roosevelt County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 103.4226085°W 34.3052413°N)
	US-2.643	State of New Mexico Roosevelt 03 Roosevelt County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 103.3375608°W 34.2473789°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-2.231 are replaced by the following:

'**CA** Canada	CA-2.231	POU, RAT	N, P1		30.1.20-24	11.4.2024
		GBM	P1		30.1.20-24	11.4.2024'

(b) in the entry for the United States, the following rows for zones US-2.635 to US-2.643 are added after the rows for the zone US-2.634:

'**US** United States	US-2.635	POU, RAT	N, P1		10.4.2024	
		GBM	P1		10.4.2024	
	US-2.636	POU, RAT	N, P1		11.4.2024	
		GBM	P1		11.4.2024	
	US-2.637	POU, RAT	N, P1		9.4.2024	
		GBM	P1		9.4.2024	
	US-2.638	POU, RAT	N, P1		15.4.2024	
		GBM	P1		15.4.2024	
	US-2.639	POU, RAT	N, P1		16.4.2024	
		GBM	P1		16.4.2024	

	US-2.640	POU, RAT	N, P1		17.4.2024	
		GBM	P1		17.4.2024	
	US-2.641	POU, RAT	N, P1		12.4.2024	
		GBM	P1		12.4.2024	
	US-2.642	POU, RAT	N, P1		15.4.2024	
		GBM	P1		15.4.2024	
	US-2.643	POU, RAT	N, P1		17.4.2024	
		GBM	P1		17.4.2024’	