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COMMISSION IMPLEMENTING REGULATION (EU) 2024/1453

of 17 May 2024

amending Annexes V and XIV to Implementing Regulation (EU) 2021/404 as regards the entries for 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 six outbreaks of highly pathogenic avian influenza (HPAI) in poultry in the states of California (1), Idaho (1), Michigan (3) and Minnesota (1), which were confirmed between 24 April 2024 and 10 May 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 California, Idaho, Michigan and Minnesota.

(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 California, Idaho, Michigan and Minnesota should be suspended, in order to protect the animal health status of the Union.

(9) In addition, the United States 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) The United States has submitted updated information on the epidemiological situation in relation to 11 outbreaks of HPAI in poultry in the states of California (3), Colorado (1), Indiana (1), Nebraska (1), North Carolina (1), North Dakota (1), Ohio (1), and Oregon (2), which were confirmed between 20 October 2023 and 20 February 2024 by laboratory analysis (RT-PCR).

(11) The United States has also submitted information on the measures they have taken to prevent the further spread of HPAI. In particular, following these outbreaks of HPAI, the United States 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 establishments.

(12) The Commission has evaluated the information submitted by the United States, 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 zones, 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 the United States, 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.

(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 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.

(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, 17 May 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, the entry for the United States is amended as follows:

(i) the row for the zone US-2.475 is replaced by the following:

‘**US** United States	US-2.475	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		20.10.2023	1.4.2024’;

(ii) the row for the zone US-2.514 is replaced by the following:

‘**US** United States	US-2.514	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		16.11.2023	18.4.2024’;

(iii) the row for the zone US-2.525 is replaced by the following:

‘**US** United States	US-2.525	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		15.11.2023	18.4.2024’;

(iv) the row for the zone US-2.561 is replaced by the following:

‘**US** United States	US-2.561	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		7.12.2023	21.4.2024’;

(v) the row for the zone US-2.573 is replaced by the following:

‘**US** United States	US-2.573	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		7.12.2023	31.3.2024’;

(vi) the row for the zone US-2.582 is replaced by the following:

‘**US** United States	US-2.582	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		13.12.2023	30.3.2024’;

(vii) the row for the zone US-2.605 is replaced by the following:

‘**US** United States	US-2.605	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		28.12.2023	21.4.2024’;

(viii) the row for the zone US-2.620 is replaced by the following:

‘**US** United States	US-2.620	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		25.1.2024	6.4.2024’;

(ix) the rows for the zones US-2.622 and US-2.623 are replaced by the following:

‘**US** United States	US-2.622	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		6.2.2024	3.4.2024
	US-2.623		N, P1		8.2.2024	27.3.2024’;

(x) the row for the zone US-2.629 is replaced by the following:

‘**US** United States	US-2.629	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		20.2.2024	25.4.2024’;

(xi) the following rows for the zones US-2.644 to US-2.649 are added after the row for the zone US-2.643:

‘**US** United States	US-2.644	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		24.4.2024	
	US-2.645		N, P1		26.4.2024	
	US-2.646		N, P1		2.5.2024	
	US-2.647		N, P1		2.5.2024	
	US-2.648		N, P1		9.5.2024	
	US-2.649		N, P1		10.5.2024’;	

(b) in Part 2, in the entry for the United States, the following descriptions zones US-2.644 to US-2.649 are added after the description of the zone US-2.643:

‘United States	US-2.644	State of Michigan Ottawa 01 Ottawa County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 85.9632179°W 43.1437496°N)
	US-2.645	State of Michigan Gratiot 01 Gratiot County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 84.7826846°W 43.2777822°N)
	US-2.646	State of Minnesota Dodge 03 Dodge County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 92.9605249°W 44.1465876°N)
	US-2.647	State of Michigan Gratiot 02 Gratiot County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 84.7869481°W 43.2875626°N)

	US-2.648	State of California San Francisco 01 San Francisco County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 122.4222415°W 37.8133168°N)
	US-2.649	State of Idaho Jerome 01 Jerome County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 114.5768431°W 42.8408598°N)’;

(2) in Annex XIV, in Part 1, Section B, the entry for the United States is amended as follows:

(a) the rows for the zone US-2.475 are replaced by the following:

‘**US** United States	US-2.475	POU, RAT	N, P1		20.10.2023	1.4.2024
		GBM	P1		20.10.2023	1.4.2024’;

(b) the rows for the zone US-2.514 are replaced by the following:

‘**US** United States	US-2.514	POU, RAT	N, P1		16.11.2023	18.4.2024
		GBM	P1		16.11.2023	18.4.2024’;

(c) the rows for the zone US-2.525 are replaced by the following:

‘**US** United States	US-2.525	POU, RAT	N, P1		15.11.2023	18.4.2024
		GBM	P1		15.11.2023	18.4.2024’;

(d) the rows for the zone US-2.561 are replaced by the following:

‘**US** United States	US-2.561	POU, RAT	N, P1		7.12.2023	21.4.2024
		GBM	P1		7.12.2023	21.4.2024’;

(e) the rows for the zone US-2.573 are replaced by the following:

‘**US** United States	US-2.573	POU, RAT	N, P1		7.12.2023	31.3.2024
		GBM	P1		7.12.2023	31.3.2024’;

(f) the rows for the zone US-2.582 are replaced by the following:

‘**US** United States	US-2.582	POU, RAT	N, P1		13.12.2023	30.3.2024
		GBM	P1		13.12.2023	30.3.2024’;

(g) the rows for the zone US-2.605 are replaced by the following:

‘**US** United States	US-2.605	POU, RAT	N, P1		28.12.2023	21.4.2024
		GBM	P1		28.12.2023	21.4.2024’;

(h) the rows for the zone US-2.620 are replaced by the following:

'**US** United States	US-2.620	POU, RAT	N, P1		25.1.2024	6.4.2024
		GBM	P1		25.1.2024	6.4.2024';

(i) the rows for the zones US-2.622 and US-2.623 are replaced by the following:

'**US** United States	US-2.622	POU, RAT	N, P1		6.2.2024	3.4.2024
		GBM	P1		6.2.2024	3.4.2024
	US-2.623	POU, RAT	N, P1		8.2.2024	27.3.2024
		GBM	P1		8.2.2024	27.3.2024';

(j) the rows for the zone US-2.629 are replaced by the following:

'**US** United States	US-2.629	POU, RAT	N, P1		20.2.2024	25.4.2024
		GBM	P1		20.2.2024	25.4.2024';

(k) the following rows for zones US-2.644 to US-2.649 are added after the rows for the zone US-2.643:

'**US** United States	US-2.644	POU, RAT	N, P1		24.4.2024	
		GBM	P1		24.4.2024	
	US-2.645	POU, RAT	N, P1		26.4.2024	
		GBM	P1		26.4.2024	
	US-2.646	POU, RAT	N, P1		2.5.2024	
		GBM	P1		2.5.2024	
	US-2.647	POU, RAT	N, P1		2.5.2024	
		GBM	P1		2.5.2024	
	US-2.648	POU, RAT	N, P1		9.5.2024	
		GBM	P1		9.5.2024	
	US-2.649	POU, RAT	N, P1		10.5.2024	
		GBM	P1		10.5.2024'.	