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COMMISSION IMPLEMENTING REGULATION (EU) 2024/2043

of 29 July 2024

amending Annex II to Implementing Regulation (EU) 2020/690 as regards the listed diseases for which the disease-free status of compartments may be established

(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 Article 37(4), point (b), thereof,

Whereas:

(1) Regulation (EU) 2016/429 establishes, inter alia, a harmonised list of transmissible animal diseases (listed diseases), and disease-specific rules for the prevention and control of those listed diseases.

(2) Article 9(1) of Regulation (EU) 2016/429 lays down disease prevention and control rules to be applied to different categories of listed diseases, including rules for compartmentalisation.

(3) Article 37 of Regulation (EU) 2016/429 gives Member States the right to apply to the Commission for recognition of the disease-free status of compartments for certain listed diseases referred to in Article 9(1), points (a), (b), and (c), of that Regulation.

(4) The compartmentalisation approach provided for in Regulation (EU) 2016/429 is in line with the international standards of the World Organisation for Animal Health ('WOAH'), and in particular Chapters 4.4. and 4.5. of the Terrestrial Animal Health Code ([2]) respectively on zoning and compartmentalisation, and on the application of compartmentalisation, which are meant to be used as a basis by WOAH Members for their regulations on animal disease prevention and control.

(5) Commission Implementing Regulation (EU) 2020/690 ([3]) sets out in Annex II thereto, the listed diseases for which the disease-free status of compartments may be established in accordance with Article 37 of Regulation (EU) 2016/429.

(6) Commission Implementing Regulation (EU) 2018/1882 ([4]) defines 'category A disease' as a listed disease that does not normally occur in the Union and for which immediate eradication measures must be taken as soon as it is detected, as referred to in Article 9(1), point (a) of Regulation (EU) 2016/429, and lists highly pathogenic avian influenza (HPAI) and infection with Newcastle disease (NDV) as category A diseases in the Annex thereto.

([1]) OJ L 84, 31.3.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/429/oj.
([2]) https://www.woah.org/en/what-we-do/standards/codes-and-manuals/terrestrial-code-online-access/.
([3]) Commission Implementing Regulation (EU) 2020/690 of 17 December 2019 laying down rules for the application of Regulation (EU) 2016/429 of the European Parliament and of the Council as regards the listed diseases subject to Union surveillance programmes, the geographical scope of such programmes and the listed diseases for which the disease-free status of compartments may be established (OJ L 174, 3.6.2020, p. 341, ELI: http://data.europa.eu/eli/reg_impl/2020/690/oj).
([4]) Commission Implementing Regulation (EU) 2018/1882 of 3 December 2018 on the application of certain disease prevention and control rules to categories of listed diseases and establishing a list of species and groups of species posing a considerable risk for the spread of those listed diseases (OJ L 308, 4.12.2018, p. 21, ELI: http://data.europa.eu/eli/reg_impl/2018/1882/2024-02-01).

(7) Although Article 37(1) of Regulation (EU) 2016/429 provides for the possibility for a Member State to apply to the Commission for recognition of the disease-free status of compartments for listed diseases referred to in Article 9(1), point (a), thereof, Annex II to Implementing Regulation (EU) 2020/690 does not include category A diseases of terrestrial animals.

(8) Due to the globally evolving epidemiological situation of HPAI and NDV, rules for the prevention and control of these two listed diseases in the Union should include the possibility of compartmentalisation.

(9) Therefore, those two listed diseases should be added to Annex II to Implementing Regulation (EU) 2020/690.

(10) Annex II to Implementing Regulation (EU) 2020/690 should therefore be amended accordingly.

(11) 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

Annex II to Implementing Regulation (EU) 2020/690 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth 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, 29 July 2024.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In the table in Annex II to Implementing Regulation (EU) 2020/690, the following rows are added:

'Highly pathogenic avian influenza
Infection with Newcastle disease virus'