

COMMISSION IMPLEMENTING REGULATION (EU) 2022/305**of 24 February 2022****amending Annexes V and XIV to Implementing Regulation (EU) 2021/404 as regards the entries for 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) thereof.

Whereas:

- (1) Regulation (EU) 2016/429 requires 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 with which 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 from poultry and game birds.
- (5) The United Kingdom notified the Commission of an outbreak of highly pathogenic avian influenza in poultry. The outbreak is located near Holy Island, Berwick Upon Tweed, Northumberland, England, and was confirmed on 9 February 2022 by laboratory analysis (RT-PCR).
- (6) Moreover, the United States notified the Commission of an outbreak of highly pathogenic avian influenza in poultry. The outbreak is located in Fulton county, state of Kentucky, United States, and was confirmed on 12 February 2022 by laboratory analysis (RT-PCR).

⁽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).

- (7) Furthermore, the United States notified the Commission of an outbreak of highly pathogenic avian influenza in poultry. The outbreak is located in Webster county, state of Kentucky, United States, and was confirmed on 15 February 2022 by laboratory analysis (RT-PCR).
- (8) Additionally, the United States notified the Commission of an outbreak of highly pathogenic avian influenza in poultry. The outbreak is located in a second establishment in the already affected Dubois county, state of Indiana, United States and was confirmed on 16 February 2022 by laboratory analysis (RT-PCR).
- (9) The veterinary authorities of the United Kingdom and the United States established a 10 km control zone around the affected establishments and implemented a stamping-out policy in order to control the presence of highly pathogenic avian influenza and limit the spread of that disease.
- (10) The United Kingdom and the United States have submitted information to the Commission on the epidemiological situation on their territory and the measures they have taken to prevent the further spread of highly pathogenic avian influenza. That information has been evaluated by the Commission. On the basis of that evaluation, the entry into the Union of consignments of poultry, germinal products of poultry, and fresh meat from poultry and game birds from the areas under restrictions established by the veterinary authorities of the United Kingdom and the United States due to the recent outbreaks of highly pathogenic avian influenza should no longer be authorised.
- (11) The animal health situation in several areas of the United Kingdom and of the United States as regards highly pathogenic avian influenza is such that their suspension from the lists set out in Annexes V and XIV to Implementing Regulation (EU) 2021/404 is necessary in order to protect the animal health status of the Union.
- (12) Moreover, the United Kingdom has submitted updated information on the epidemiological situation on its territory in relation to the outbreak of HPAI confirmed in a poultry establishment on 4 November 2021 near Arbroath, Angus, Scotland and the measures it has taken to prevent the further spread of that disease. In particular, following this outbreak of HPAI, the United Kingdom has implemented a stamping out policy in order to control and limit the spread of that disease. In addition, the United Kingdom completed the requisite cleaning and disinfection measures following the implementation of the stamping out policy on the infected poultry establishment on its territory.
- (13) The Commission has evaluated the information submitted by the United Kingdom and concluded that the HPAI outbreak in a poultry establishment near Arbroath, Angus, Scotland has been cleared and that there is no longer any risk associated with the entry into the Union of poultry commodities from the area of the United Kingdom from where entry into the Union of poultry commodities has been suspended due to that outbreak.
- (14) Annexes V and XIV to Implementing Regulation (EU) 2021/404 should be therefore amended accordingly.
- (15) Taking into account the current epidemiological situation in the United Kingdom and in the United States as regards highly pathogenic avian influenza and the serious risk of its introduction into the Union, the amendments to be made 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

Annexes V and XIV to Implementing Regulation (EU) 2021/404 are amended in accordance with the Annex to this Regulation.

Article 2

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, 24 February 2022.

For the Commission
The President
Ursula VON DER LEYEN

Annexes V and XIV to Implementing Regulation (EU) 2021/404 are amended as follows:

(1) Annex V is amended as follows:

(a) Part 1 is amended as follows:

(i) in the entry for the United Kingdom, the row for the zone GB-2.18 is replaced by the following:

| | | | | | | | |
|-----------------------|---------|---|----------|-------|--|-----------|-----------|
| ‘GB United Kingdom | GB-2.18 | Breeding poultry other than ratites and productive poultry other than ratites | BPP | N, P1 | | 4.11.2021 | 8.2.2022 |
| | | Breeding ratites and productive ratites | BPR | N, P1 | | 4.11.2021 | 8.2.2022 |
| | | Poultry intended for slaughter other than ratites | SP | N, P1 | | 4.11.2021 | 8.2.2022 |
| | | Ratites intended for slaughter | SR | N, P1 | | 4.11.2021 | 8.2.2022 |
| | | Day-old chicks other than ratites | DOC | N, P1 | | 4.11.2021 | 8.2.2022 |
| | | Day-old chicks of ratites | DOR | N, P1 | | 4.11.2021 | 8.2.2022 |
| | | Less than 20 heads of poultry other than ratites | POU-LT20 | N, P1 | | 4.11.2021 | 8.2.2022 |
| | | Hatching eggs of poultry other than ratites | HEP | N, P1 | | 4.11.2021 | 8.2.2022 |
| | | Hatching eggs of ratites | HER | N, P1 | | 4.11.2021 | 8.2.2022 |
| | | Less than 20 hatching eggs of poultry other than ratites | HE-LT20 | N, P1 | | 4.11.2021 | 8.2.2022’ |

(ii) in the entry for the United Kingdom, the following row for the zone GB-2.97 is added after the row for zone GB-2.96:

| | | | | | | | |
|-----------------------|---------|---|-----|-------|--|----------|--|
| ‘GB United Kingdom | GB-2.97 | Breeding poultry other than ratites and productive poultry other than ratites | BPP | N, P1 | | 9.2.2022 | |
| | | Breeding ratites and productive ratites | BPR | N, P1 | | 9.2.2022 | |
| | | Poultry intended for slaughter other than ratites | SP | N, P1 | | 9.2.2022 | |
| | | Ratites intended for slaughter | SR | N, P1 | | 9.2.2022 | |

| | | | | | | | |
|--|--|--|----------|-------|--|-----------|--|
| | | Day-old chicks other than ratites | DOC | N, P1 | | 9.2.2022 | |
| | | Day-old chicks of ratites | DOR | N, P1 | | 9.2.2022 | |
| | | Less than 20 heads of poultry other than ratites | POU-LT20 | N, P1 | | 9.2.2022 | |
| | | Hatching eggs of poultry other than ratites | HEP | N, P1 | | 9.2.2022 | |
| | | Hatching eggs of ratites | HER | N, P1 | | 9.2.2022 | |
| | | Less than 20 hatching eggs of poultry other than ratites | HE-LT20 | N, P1 | | 9.2.2022' | |

(iii) in the entry for the United States, the following rows for zones US-2.5, U.S-2.6 and US-2.7 are inserted after the row for zone US-2.4:

| | | | | | | | |
|---------------------|--------|---|----------|-------|--|-----------|--|
| US United States | US.2.5 | Breeding poultry other than ratites and productive poultry other than ratites | BPP | N, P1 | | 12.2.2022 | |
| | | Breeding ratites and productive ratites | BPR | N, P1 | | 12.2.2022 | |
| | | Poultry intended for slaughter other than ratites | SP | N, P1 | | 12.2.2022 | |
| | | Ratites intended for slaughter | SR | N, P1 | | 12.2.2022 | |
| | | Day-old chicks other than ratites | DOC | N, P1 | | 12.2.2022 | |
| | | Day-old chicks of ratites | DOR | N, P1 | | 12.2.2022 | |
| | | Less than 20 heads of poultry other than ratites | POU-LT20 | N, P1 | | 12.2.2022 | |
| | | Hatching eggs of poultry other than ratites | HEP | N, P1 | | 12.2.2022 | |
| | | Hatching eggs of ratites | HER | N, P1 | | 12.2.2022 | |
| | | Less than 20 hatching eggs of poultry other than ratites | HE-LT20 | N, P1 | | 12.2.2022 | |
| | US.2.6 | Breeding poultry other than ratites and productive poultry other than ratites | BPP | N, P1 | | 15.2.2022 | |

| | | | | | | | |
|--|--------|---|----------|-------|--|------------|--|
| | | Breeding ratites and productive ratites | BPR | N, P1 | | 15.2.2022 | |
| | | Poultry intended for slaughter other than ratites | SP | N, P1 | | 15.2.2022 | |
| | | Ratites intended for slaughter | SR | N, P1 | | 15.2.2022 | |
| | | Day-old chicks other than ratites | DOC | N, P1 | | 15.2.2022 | |
| | | Day-old chicks of ratites | DOR | N, P1 | | 15.2.2022 | |
| | | Less than 20 heads of poultry other than ratites | POU-LT20 | N, P1 | | 15.2.2022 | |
| | | Hatching eggs of poultry other than ratites | HEP | N, P1 | | 15.2.2022 | |
| | | Hatching eggs of ratites | HER | N, P1 | | 15.2.2022 | |
| | | Less than 20 hatching eggs of poultry other than ratites | HE-LT20 | N, P1 | | 15.2.2022 | |
| | US.2.7 | Breeding poultry other than ratites and productive poultry other than ratites | BPP | N, P1 | | 16.2.2022 | |
| | | Breeding ratites and productive ratites | BPR | N, P1 | | 16.2.2022 | |
| | | Poultry intended for slaughter other than ratites | SP | N, P1 | | 16.2.2022 | |
| | | Ratites intended for slaughter | SR | N, P1 | | 16.2.2022 | |
| | | Day-old chicks other than ratites | DOC | N, P1 | | 16.2.2022 | |
| | | Day-old chicks of ratites | DOR | N, P1 | | 16.2.2022 | |
| | | Less than 20 heads of poultry other than ratites | POU-LT20 | N, P1 | | 16.2.2022 | |
| | | Hatching eggs of poultry other than ratites | HEP | N, P1 | | 16.2.2022 | |
| | | Hatching eggs of ratites | HER | N, P1 | | 16.2.2022 | |
| | | Less than 20 hatching eggs of poultry other than ratites | HE-LT20 | N, P1 | | 16.2.2022' | |

(b) Part 2 is amended as follows:

(i) in the entry for the United Kingdom, the following description of the zone GB-2.97 is added after the row GB-2.96:

| | | |
|-----------------|---------|--|
| 'United Kingdom | GB-2.97 | Near Holy Island, Berwick Upon Tweed, Northumberland, England: The area contained within a circle of a radius of 10 km, centred on WGS84 dec, coordinates N55.67 and W1.80' |
|-----------------|---------|--|

(ii) in the entry for the United States, the following descriptions of the zones US-2.5, US-2.6 and US-2.7 are added after the description of the zone US-2.4:

| | | |
|----------------|--------|---|
| 'United States | US-2.5 | State of Kentucky, with zone partially extending into State of Tennessee: Fulton County (Fulton01): a zone of a 10 km radius starting with North point on the circular Fulton 01 premise Control Zone border and extending in a clockwise fashion: (a) North: 1.0 km north-northwest from intersection of US Highway 51S and Sawmill Road. (b) Northeast: 0.9 km south-southeast from the intersection of State Route 307S and State Route 924. (c) East: 0.4 km east intersection of State Route 2150 and State Route 129. (d) Southeast: 0.7 km southeast from intersection of Billy Owens Road and Chapel Hill Road. (e) South: 2.3 km east-southeast from intersection of Hollie Hutchinson Road and Knox Daniel Road. (f) Southwest: 0.4 km northwest from intersection of Hubert Harris Road and Barham Road. (g) West: 1.1 km southeast from intersection of State Route 1127 and State Route 166 W. (h) Northwest: 2.6 km north-northeast of intersection of State Route 239 N and State Route 94 W. |
| | US-2.6 | State of Kentucky: Webster County (Webster01): a zone of a 10 km radius starting with North point on the circular Webster01 premise Control Zone border and extending in a clockwise fashion: (a) North: 2.1 km north-northwest from intersection of Edward T Breathitt Pennyrile Parkway and State Road 56W. (b) Northeast: 1.8 km north from the intersection of Roland Landing and Gravel Pit Road. |

| | | |
|--|--------|--|
| | | <ul style="list-style-type: none"> (c) East: 1.1 km west from intersection of Weldon Road and Onton Road (d) Southeast: 3.6 km southeast from intersection of Edward T Breathitt Pennyrile Parkway and Jewel City Road. (e) South: 0.4 km east from intersection of Jones Road and Stagecoach Road. (f) Southwest: 1.1 km northwest from intersection of Gooch Jones Road and State Route 120 E. (g) West: 0.7 km south-southeast from intersection of State Route 283 and State Route 132 E. (h) Northwest: 1.8 km southwest of intersection of State Route 56 E and Cottingham Pratt Road. |
| | US-2.7 | <p>State of Indiana: Dubois County (Dubois02): a zone of a 10 km radius starting with North point on the circular Dubois 02 premise Control Zone border and extending in a clockwise fashion:</p> <ul style="list-style-type: none"> (a) North: 1.2 km north-northeast from intersection of E. Schnellville Road and S Rustic Lane. (b) Northeast: 2.1 km north-northwest from the intersection of S 600E and E 400S highways. (c) East: 1.0 km northwest intersection of S Schnell Road and S Kyana Road. (d) Southeast: 0.7 km north from intersection of Highway 64 and E Ferdinand Road E. (e) South: 0.4 km northeast from intersection of County Road 875 E and E County Road 2100N. (f) Southwest: 0.9 km northeast from intersection of S US Highway 231 and W 1100 S. (g) West: 0.8 km northeast from intersection of S 500W and W 630S. (h) Northwest: 1.0 km north of intersection of S US Highway 231 and S Witz Road.' |

(2) Annex XIV is amended as follows:

(a) Part 1 is amended as follows:

(i) in the entry for the United Kingdom, the row for the zone GB-2.18 is replaced by the following:

| | | | | | | | |
|------------------------------|---------|--|-----|-------|--|-----------|-----------|
| 'GB United Kingdom | GB-2.18 | Fresh meat of poultry other than ratites | POU | N, P1 | | 4.11.2021 | 8.2.2022 |
| | | Fresh meat of ratites | RAT | N, P1 | | 4.11.2021 | 8.2.2022 |
| | | Fresh meat of game birds | GBM | P1 | | 4.11.2021 | 8.2.2022' |

(ii) in the entry for the United Kingdom, the following row for the zone GB-2.97 is added after the row for the zone GB-2.96:

| | | | | | | | |
|------------------------------|---------|--|-----|-------|--|-----------|--|
| 'GB United Kingdom | GB-2.97 | Fresh meat of poultry other than ratites | POU | N, P1 | | 9.2.2022 | |
| | | Fresh meat of ratites | RAT | N, P1 | | 9.2.2022 | |
| | | Fresh meat of game birds | GBM | P1 | | 9.2.2022' | |

(iii) in the entry for the United States, the following rows for the zones US-2.5, U.S-2.6 and US-2.7 are added after the row for the zone US-2.4:

| | | | | | | | |
|-----------------------------|--------|--|-----|-------|--|------------|--|
| 'US United States | US-2.5 | Fresh meat of poultry other than ratites | POU | N, P1 | | 12.2.2022 | |
| | | Fresh meat of ratites | RAT | N, P1 | | 12.2.2022 | |
| | | Fresh meat of game birds | GBM | P1 | | 12.2.2022 | |
| | US-2.6 | Fresh meat of poultry other than ratites | POU | N, P1 | | 15.2.2022 | |
| | | Fresh meat of ratites | RAT | N, P1 | | 15.2.2022 | |
| | | Fresh meat of game birds | GBM | P1 | | 15.2.2022 | |
| | US-2.7 | Fresh meat of poultry other than ratites | POU | N, P1 | | 16.2.2022 | |
| | | Fresh meat of ratites | RAT | N, P1 | | 16.2.2022 | |
| | | Fresh meat of game birds | GBM | P1 | | 16.2.2022' | |

(b) in Part 2, in the entry for the United States, the following description of the zones US-2.5, U.S-2.6 and US-2.7 are added after the description of the zone US-2.4:

| | | |
|---------------|--------|---|
| United States | US-2.5 | <p>State of Kentucky, with zone partially extending into State of Tennessee: Fulton County (Fulton01): a zone of a 10 km radius starting with North point on the circular Fulton 01 premise Control Zone border and extending in a clockwise fashion:</p> <ul style="list-style-type: none"> (a) North: 1.0 km north-northwest from intersection of US Highway 51S and Sawmill Road. (b) Northeast: 0.9 km south-southeast from the intersection of State Route 307S and State Route 924. (c) East: 0.4 km east intersection of State Route 2150 and State Route 129. (d) Southeast: 0.7 km southeast from intersection of Billy Owens Road and Chapel Hill Road. (e) South: 2.3 km east-southeast from intersection of Hollie Hutchinson Road and Knox Daniel Road. (f) Southwest: 0.4 km northwest from intersection of Hubert Harris Road and Barham Road. (g) West: 1.1 km southeast from intersection of State Route 1127 and State Route 166 W. (h) Northwest: 2.6 km north-northeast of intersection of State Route 239 N and State Route 94 W. |
| | US-2.6 | <p>State of Kentucky: Webster County (Webster01): a zone of a 10 km radius starting with North point on the circular Webster01 premise Control Zone border and extending in a clockwise fashion:</p> <ul style="list-style-type: none"> (a) North: 2.1 km north-northwest from intersection of Edward T Breathitt Pennyrile Parkway and State Road 56W. (b) Northeast: 1.8 km north from the intersection of Roland Landing and Gravel Pit Road. (c) East: 1.1 km west from intersection of Weldon Road and Onton Road (d) Southeast: 3.6 km southeast from intersection of Edward T Breathitt Pennyrile Parkway and Jewel City Road. (e) South: 0.4 km east from intersection of Jones Road and Stagecoach Road. (f) Southwest: 1.1 km northwest from intersection of Gooch Jones Road and State Route 120 E. (g) West: 0.7 km south-southeast from intersection of State Route 283 and State Route 132 E. (h) Northwest: 1.8 km southwest of intersection of State Route 56 E and Cottingham Pratt Road. |

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|--|--------|--|
| | US-2.7 | <p>State of Indiana: Dubois County (Dubois02): a zone of a 10 km radius starting with North point on the circular Dubois 02 premise Control Zone border and extending in a clockwise fashion:</p> <ul style="list-style-type: none"> (a) North: 1.2 km north-northeast from intersection of E. Schnellville Road and S Rustic Lane. (b) Northeast: 2.1 km north-northwest from the intersection of S 600E and E 400S highways. (c) East: 1.0 km northwest intersection of S Schnell Road and S Kyana Road. (d) Southeast: 0.7 km north from intersection of Highway 64 and E Ferdinand Road E. (e) South: 0.4 km northeast from intersection of County Road 875 E and E County Road 2100N. (f) Southwest: 0.9 km northeast from intersection of S US Highway 231 and W 1100 S. (g) West: 0.8 km northeast from intersection of S 500W and W 630S. (h) Northwest: 1.0 km north of intersection of S US Highway 231 and S Witz Road.' |
|--|--------|--|