

COMMISSION IMPLEMENTING DECISION**of 6 November 2014****concerning certain interim protective measures in relation to highly pathogenic avian influenza of subtype H5N8 in Germany***(notified under document C(2014) 8390)***(Only the German text is authentic)****(Text with EEA relevance)**

(2014/778/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽¹⁾, and in particular Article 9(3) thereof,Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽²⁾, and in particular Article 10(3) thereof,

Whereas:

- (1) Avian influenza is an infectious viral disease in birds, including poultry. Infections with avian influenza viruses in domestic poultry cause two main forms of that disease that are distinguished by their virulence. The low pathogenic form generally only causes mild symptoms, while the highly pathogenic form results in very high mortality rates in most poultry species. That disease may have a severe impact on the profitability of poultry farming.
- (2) Avian influenza is mainly found in birds, but under certain circumstances infections can also occur in humans even though the risk is generally very low.
- (3) In the event of an outbreak of avian influenza, there is a risk that the disease agent might spread to other holdings where poultry or other captive birds are kept. As a result it may spread from one Member State to other Member States or to third countries through trade in live birds or their products.
- (4) Council Directive 2005/94/EC ⁽³⁾ sets out certain preventive measures relating to the surveillance and the early detection of avian influenza and the minimum control measures to be applied in the event of an outbreak of that disease in poultry or other captive birds. That Directive provides for the establishment of protection and surveillance zones in the event of an outbreak of highly pathogenic avian influenza.
- (5) Germany notified the Commission of an outbreak of highly pathogenic avian influenza of subtype H5N8 in a holding on its territory where poultry or other captive birds are kept and it immediately took the measures required pursuant to Directive 2005/94/EC, including the establishment of protection and surveillance zones.
- (6) The Commission has examined those measures in collaboration with Germany, and it is satisfied that the borders of the protection and surveillance zones, established by the competent authority in that Member State, are at a sufficient distance to the actual holding where the outbreak was confirmed.
- (7) In order to prevent any unnecessary disturbance to trade within the Union and to avoid unjustified barriers to trade being imposed by third countries, it is necessary to rapidly define the protection and surveillance zones established in Germany at Union level in collaboration with that Member State.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.⁽²⁾ OJ L 224, 18.8.1990, p. 29.⁽³⁾ Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC (OJ L 10, 14.1.2006, p. 16).

- (8) Accordingly, pending the next meeting of the Standing Committee on Plants, Animals, Food and Feed, the protection and surveillance zones in Germany, where the animal health control measures as laid down in Directive 2005/94/EC are applied, should be defined in the Annex to this Decision and the duration of that regionalisation fixed.
- (9) This Decision is to be reviewed at the next meeting of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

Germany shall ensure that the protection and surveillance zones established in accordance with Article 16(1) of Directive 2005/94/EC comprise at least the areas listed as protection and surveillance zones in Parts A and B of the Annex to this Decision.

Article 2

This Decision shall apply until 22 December 2014.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 6 November 2014.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

ANNEX

Part A

Protection zone as referred to in Article 1:

ISO Country Code	Member State	Code (if available)	Name
DE	Germany	Postal code	Area comprising:
		17379	Heinrichswalde, Heinrichswalde
		17379	Rothemühl, Rothemühl
		17379	Wilhelmsburg, Mühlenhof

Part B

Surveillance zone as referred to in Article 1:

ISO Country Code	Member State	Code (if available)	Name
DE	Germany	Postal	Area comprising:
		17098	Friedland
		17099	Galenbeck, Friedrichshof
		17099	Galenbeck, Galenbeck
		17099	Galenbeck, Klockow
		17099	Galenbeck, Kotelow
		17099	Galenbeck, Rohrkrug
		17099	Galenbeck, Schwichtenberg
		17099	Galenbeck, Schwichtenberg
		17099	Galenbeck, Wittenborn
		17309	Jatznick, Klein Luckow
		17309	Jatznick, Waldeshöhe
		17337	Groß Luckow, Groß Luckow
		17337	Groß Spiegelberg, Groß Spiegelberg
		17337	Schönhausen, Schönhausen
		17337	Schönhausen
		17349	Schönbeck, Schönbeck
		17349	Voigtsdorf, Voigtsdorf
		17379	Altwigshagen, Altwigshagen

ISO Country Code	Member State	Code (if available)	Name
		17379	Altwigshagen, Demnitz
		17379	Ferdinandshof, Ferdinandshof
		17379	Heinrichsruh, Heinrichsruh
		17379	Rothemühl, Rothemühl
		17379	Wilhelmsburg, Eichhof
		17379	Wilhelmsburg, Fleethof
		17379	Wilhelmsburg, Friedrichshagen
		17379	Wilhelmsburg, Mariawerth
		Brandenburg	
		17337	Municipality of Uckerland including the parts Hansfelde and Wismar. This area is delimited to the East, North and West by the border of the Land of Brandenburg with the Land of Mecklenburg-Western Pomerania and to the South by the motorway A 20.