

COMMISSION IMPLEMENTING REGULATION (EU) 2023/2084**of 27 September 2023****amending Annexes V and XIV to Implementing Regulation (EU) 2021/404 as regards the entries for Canada, 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) 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⁾ 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 fresh meat of poultry and game birds.
- (5) Canada has notified the Commission of an outbreak of highly pathogenic avian influenza (HPAI) in poultry in the province of Alberta, which was confirmed on 11 September 2023 by laboratory analysis (RT-PCR).
- (6) The United Kingdom has notified the Commission of an outbreak of HPAI in poultry on the Isle of Lewis, Scotland, which was confirmed on 25 August 2023 by laboratory analysis (RT-PCR).
- (7) The United States has notified the Commission of an outbreak of HPAI in poultry in the state of New Jersey, which was confirmed on 15 September 2023 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).

- (8) Following these recent outbreaks of HPAI, the veterinary authorities of Canada, the United Kingdom and 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.
- (9) Canada, the United Kingdom and the United States have submitted information to the Commission on the epidemiological situation on their territories and the measures taken to prevent the further spread of HPAI.
- (10) 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 authorities of Canada, the United Kingdom and the United States, the entry into the Union of consignments of poultry, germinal products of poultry, and fresh meat of poultry and game birds from those areas should be suspended, in order to protect the animal health status of the Union.
- (11) The United Kingdom and the United States have provided updated information to the Commission in relation to the epidemiological situation on their territories as regards HPAI that gave rise to the suspension of the entry of certain products into the Union, as set out in Annexes V and XIV to Implementing Regulation (EU) 2021/404.
- (12) In particular, the United Kingdom has submitted updated information on the epidemiological situation in relation to three outbreaks of HPAI in poultry establishments in the county of Aberdeenshire and on the Isle of Lewis, Scotland, which were confirmed on 9 July 2023 and 8 August 2023.
- (13) Furthermore, the United States has submitted updated information on the epidemiological situation on its territory in relation to two outbreaks of HPAI in poultry establishments in the state of New York, which were confirmed on 12 April 2023 and 17 April 2023.
- (14) The United Kingdom and the United States have also submitted information on the measures that were taken to prevent the further spread of HPAI. In particular, following those outbreaks of that disease, the United Kingdom and the United States have implemented a stamping out policy in order to control and limit the spread of that disease, and they have also completed the requisite cleaning and disinfection following the implementation of the stamping out policy on the infected poultry establishments on their territories.
- (15) The Commission has evaluated the information submitted by the United Kingdom and the United States and considers that the United Kingdom and the United States have provided appropriate guarantees that the animal health situation that gave rise to the suspensions, no longer represents a threat to animal or public health within the Union, and that, consequently, the entry into the Union of poultry commodities from the concerned zones of the United Kingdom and the United States from which entry into the Union had been suspended, should be reauthorised.
- (16) 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 Canada, the United Kingdom and the United States.
- (17) Taking into account the current epidemiological situation in Canada, the United Kingdom and the United States as regards HPAI, and in order to avoid unnecessary disruption of trade with the United Kingdom and 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.
- (18) 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

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, 27 September 2023.

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 following row for the zone CA-2.191 is added after the row for the zone CA-2.190:

'CA Canada	CA-2.191	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		11.9.2023';	
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(ii) in the entry for the United Kingdom, the row for the zone GB-2.307 is replaced by the following:

'GB United Kingdom	GB-2.307	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		9.7.2023	11.9.2023';
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(iii) in the entry for the United Kingdom, the rows for zones GB-2.309 and GB-2.310 are replaced by the following:

'GB United Kingdom	GB-2.309	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		8.8.2023	15.9.2023
	GB-2.310		N, P1		8.8.2023	12.9.2023';

(iv) in the entry for the United Kingdom, the following row for the zone GB-2.321 is added after the row for the zone GB-2.320:

'GB United Kingdom	GB-2.321	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		25.8.2023';	
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(v) in the entry for the United States, the rows for the zones US-2.451 and US-2.452 are replaced by the following:

'US United States	US-2.451	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		12.4.2023	20.9.2023
	US-2.452		N, P1		17.4.2023	20.9.2023';

(vi) in the entry for the United States, the following row for the zone US-2.459 is added after the row for the zone US-2.458:

'US United States	US-2.459	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		15.9.2023';	
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(b) Part 2 is amended as follows:

- (i) in the entry for Canada, the following description of the zone CA-2.191 is added after the description of the zone CA-2.190:

'Canada	CA-2.191	Alberta: Latitude 49.47, Longitude -112.25 The municipalities involved are: 3km PZ: New Dayton 10km SZ: Judson and Wrentham';
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- (ii) in the entry for the United Kingdom, the following description of the zone GB-2.321 is added after the description of the zone GB-2.320:

'United Kingdom	GB-2.321	Ness, Isle of Lewis, Scotland, GB The area contained within a circle of a radius of 10km, centred on WGS84 dec, coordinates Lat: N58.47 and Long: W6.29';
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- (iii) in the entry for the United States, the following description of the zone US-2.459 is added after the description of the zone US-2.458:

'United States	US-2.459	State of New Jersey Union 01 Union County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 74.1690838°W 40.7406971°N)';
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(2) in Annex XIV, in Part 1, Section B is amended as follows:

- (a) in the entry for Canada, the following rows for the zone CA-2.191 are added after the rows for the zone CA-2.190:

'CA Canada	CA-2.191	POU, RAT	N, P1		11.9.2023	
		GBM	P1		11.9.2023';	

- (b) in the entry for the United Kingdom, the rows for the zone GB-2.307 are replaced by the following:

'GB United Kingdom	GB-2.307	POU, RAT	N, P1		9.7.2023	11.9.2023
		GBM	P1		9.7.2023	11.9.2023';

- (c) in the entry for the United Kingdom, the rows for the zones GB-2.309 and GB-2.310 are replaced by the following:

'GB United Kingdom	GB-2.309	POU, RAT	N, P1		8.8.2023	15.9.2023
		GBM	P1		8.8.2023	15.9.2023
	GB-2.310	POU, RAT	N, P1		8.8.2023	12.9.2023
		GBM	P1		8.8.2023	12.9.2023';

- (d) in the entry for the United Kingdom, the following rows for the zone GB-2.321 are added after the rows for the zone GB-2.320:

'GB United Kingdom	GB-2.321	POU, RAT	N, P1		25.8.2023	
		GBM	P1		25.8.2023';	

- (e) in the entry for the United States, the rows for the zones US-2.451 and US-2.452 are replaced by the following:

'US United States	US-2.451	POU, RAT	N, P1		12.4.2023	20.9.2023
		GBM	P1		12.4.2023	20.9.2023
	US-2.452	POU, RAT	N, P1		17.4.2023	20.9.2023
		GBM	P1		17.4.2023	20.9.2023';

- (f) in the entry for the United States, the following rows for the zone US-2.459 are added after the rows for the zone US-2.458:

'US United States	US-2.459	POU, RAT	N, P1		15.9.2023	
		GBM	P1		15.9.2023'.	