2024/1621

3.6.2024

COMMISSION IMPLEMENTING REGULATION (EU) 2024/1621

of 31 May 2024

amending Annexes V and XIV to Implementing Regulation (EU) 2021/404 as regards the entries for Australia and 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) Australia has notified the Commission of two outbreaks of highly pathogenic avian influenza (HPAI) in poultry in the state of Victoria, which were confirmed on 22 May 2024 and 24 May 2024, respectively, by laboratory analysis (RT-PCR).

(6) Australia is currently listed in the lists of third countries or territories, or zones thereof set out in Parts 1 of Annexes V and XIV to Implementing Regulation (EU) 2021/404, for the entry into the Union of consignments of poultry and hatching eggs of poultry and of fresh meat of poultry.

([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).

(7) Due to the risk of the introduction of HPAI into the Union linked with the entry of consignments of poultry and germinal products of poultry and of fresh meat of poultry from Australia, and in the absence of guarantees allowing for regionalisation of that third country, the entry into the Union of such consignments should no longer be authorised.

(8) In addition, the United States has notified the Commission of six outbreaks of HPAI in poultry in the states of Idaho (1) and Minnesota (5), which were confirmed on 20 May 2024 and 21 May 2024, respectively, by laboratory analysis (RT-PCR).

(9) 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.

(10) 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 Idaho and Minnesota.

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

(12) 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 Australia and the United States.

(13) Taking into account the current epidemiological situation as regards HPAI in Australia 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.

(14) 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, 31 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 is amended as follows:

(i) the entry for Australia is replaced by the following:

‘**AU** Australia	AU-0	SPF				
		BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	P1		22.5.2024	
		BPR, DOR, HER	P1	C	22.5.2024’	

(ii) in the entry for the United States, the following rows for the zones US-2.650 to US-2.655 are added after the row for the zone US-2.649:

‘**US** United States	US-2.650	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		20.5.2024	
	US-2.651		N, P1		21.5.2024	
	US-2.652		N, P1		21.5.2024	
	US-2.653		N, P1		21.5.2024	
	US-2.654		N, P1		21.5.2024	
	US-2.655		N, P1		21.5.2024’	

(b) in Part 2, in the entry for the United States, the following descriptions of zones US-2.650 to US-2.655 are added after the description of the zone US-2.649:

‘United States	US-2.650	State of Idaho Jerome 03 Jerome County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 114.4867262°W 42.8454377°N)
	US-2.651	State of Minnesota Meeker 15 Meeker County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.5406544°W 45.2939678°N)
	US-2.652	State of Minnesota Stearns 17 Stearns County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.8949675°W 45.7556254°N)
	US-2.653	State of Minnesota Morrison 14 Morrison County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.1100046°W 45.9994689°N)
	US-2.654	State of Minnesota Stearns 18 Stearns County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.8938457°W 45.7624353°N)
	US-2.655	State of Minnesota Stearns 19 Stearns County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.9463141°W 45.5602391°N)’

(2) in Annex XIV, in Part 1, Section B is amended as follows:

(a) the entry for Australia is replaced by the following:

‘**AU** Australia	AU-0	POU	P1	B	22.5.2024	
		RAT	P1	C	22.5.2024’	

(b) in the entry for the United States, the following rows for zones US-2.650 to US-2.655 are added after the rows for the zone US-2.649:

‘**US** United States	US-2.650	POU, RAT	N, P1		20.5.2024	
		GBM	P1		20.5.2024	
	US-2.651	POU, RAT	N, P1		21.5.2024	
		GBM	P1		21.5.2024	
	US-2.652	POU, RAT	N, P1		21.5.2024	
		GBM	P1		21.5.2024	
	US-2.653	POU, RAT	N, P1		21.5.2024	
		GBM	P1		21.5.2024	
	US-2.654	POU, RAT	N, P1		21.5.2024	
		GBM	P1		21.5.2024	
	US-2.655	POU, RAT	N, P1		21.5.2024	
		GBM	P1		21.5.2024’	