2024/2475

16.9.2024

COMMISSION IMPLEMENTING DECISION (EU) 2024/2475

of 12 September 2024

amending the Annex to Implementing Decision (EU) 2023/2447 concerning emergency measures in relation to outbreaks of highly pathogenic avian influenza in certain Member States

(notified under document C(2024) 6551)

(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 259(1), point (c), thereof,

Whereas:

(1) Highly pathogenic avian influenza (HPAI) is an infectious viral disease in birds and can have a severe impact on the profitability of poultry farming causing disturbance to trade within the Union and exports to third countries. HPAI viruses can infect migratory birds, which can then spread these viruses over long distances during their autumn and spring migrations. Therefore, the presence of HPAI viruses in wild birds poses a continuous threat for the direct and indirect introduction of these viruses into holdings where poultry or captive birds are kept. In the event of an outbreak of HPAI, there is a risk that the disease agent may spread to other holdings where poultry or captive birds are kept.

(2) Regulation (EU) 2016/429 establishes the legislative framework for the prevention and control of diseases that are transmissible to animals or humans. HPAI falls within the definition of a listed disease in that Regulation, and it is subject to the disease prevention and control rules laid down therein. In addition, Commission Delegated Regulation (EU) 2020/687 ([2]) supplements Regulation (EU) 2016/429 as regards the rules for the prevention and control of certain listed diseases, including disease control measures for HPAI.

(3) Commission Implementing Decision (EU) 2023/2447 ([3]) was adopted within the framework of Regulation (EU) 2016/429 and it lays down emergency measures at Union level in relation to outbreaks of HPAI.

(4) More particularly, Implementing Decision (EU) 2023/2447 provides that the protection, surveillance and further restricted zones, established by the Member States concerned following outbreaks of HPAI, in accordance with Delegated Regulation (EU) 2020/687, are to comprise at least the areas listed as protection, surveillance and further restricted zones in the Annex to that Implementing Decision.

(5) The Annex to Implementing Decision (EU) 2023/2447 was recently amended by Commission Implementing Decision (EU) 2024/2214 ([4]) following an outbreak of HPAI in poultry in Poland, which needed to be reflected in that Annex.

([1]) OJ L 84, 31.3.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/429/oj.

([2]) Commission Delegated Regulation (EU) 2020/687 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and the Council, as regards rules for the prevention and control of certain listed diseases (OJ L 174, 3.6.2020, p. 64, ELI: http://data.europa.eu/eli/reg_del/2020/687/oj).

([3]) Commission Implementing Decision (EU) 2023/2447 of 24 October 2023 concerning emergency measures in relation to outbreaks of highly pathogenic avian influenza in certain Member States (OJ L, 2023/2447, 30.10.2023, ELI: http://data.europa.eu/eli/dec_impl/2023/2447/oj).

([4]) Commission Implementing Decision (EU) 2024/2214 of 30 August 2024 amending the Annex to Implementing Decision (EU) 2023/2447 concerning emergency measures in relation to outbreaks of highly pathogenic avian influenza in certain Member States (OJ L 2024/2214, 2.9.2024, ELI: http://data.europa.eu/eli/dec_impl/2024/2214/oj).

(6) Since the date of adoption of Implementing Decision (EU) 2024/2214, France has notified the Commission of an outbreak of HPAI, in an establishment where poultry were kept, located in the Finistère department.

(7) France has taken the necessary disease control measures required in accordance with Delegated Regulation (EU) 2020/687, including the establishment of protection and surveillance zones around the outbreak.

(8) The Commission has examined the disease control measures taken by France, and it is satisfied that the boundaries of the protection and surveillances zones established by France are at a sufficient distance from the establishment where the outbreak of HPAI has been confirmed.

(9) 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 describe at Union level, in collaboration with France, the protection and surveillance zones duly established by that Member State in accordance with Delegated Regulation (EU) 2020/687.

(10) Therefore, the areas listed as protection and surveillance zones for France in the Annex to Implementing Decision (EU) 2023/2447 should be amended.

(11) Accordingly, the Annex to Implementing Decision (EU) 2023/2447 should be amended to update regionalisation at Union level to take account of the protection and surveillance zones duly established by France in accordance with Delegated Regulation (EU) 2020/687, and the duration of the measures applicable therein.

(12) In addition, Implementing Decision (EU) 2023/2447 applies until 30 September 2024. However, the duration of the restrictions applicable in the surveillance zone established by France in accordance with Delegated Regulation (EU) 2020/687 extends beyond 30 September 2024.

(13) Moreover, due to the ongoing findings of HPAI viruses in wild birds in the Union, and particularly the risks of the spread of that disease by migratory wild birds during the upcoming migration seasons, there is an increasing risk of further outbreaks in poultry and captive birds.

(14) It is therefore appropriate to prolong the period of application of Implementing Decision (EU) 2023/2447 until 30 September 2025, to cover the upcoming annual migration seasons of migratory wild birds. This prolongation also takes into account current developments in the epidemiological situation in the Union as regards HPAI and the corresponding risks to animal health resulting from possible further outbreaks of that disease.

(15) Implementing Decision (EU) 2023/2447 should therefore be amended accordingly.

(16) Given the urgency of the epidemiological situation in the Union as regards the spread of HPAI, it is important that the amendments to be made to Implementing Decision (EU) 2023/2447 by this Decision take effect as soon as possible.

(17) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

Implementing Decision (EU) 2023/2447 is amended as follows:

1. in Article 5, the date ‘30 September 2024’ is replaced by the date ‘30 September 2025’;

2. the Annex is replaced by the text set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 September 2024.

For the Commission
Stella KYRIAKIDES
Member of the Commission

ANNEX

Part A

Protection zones in the concerned Member States* as referred to in Article 1, point (a), and Article 2:

Member State: France

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
Départements Morbihan et Loire Atlantique:		
FR-HPAI(P)-2024-00006	*Département Loire Atlantique* — ASSERAC- N D33 D82 — HERBIGNAC- O ruisseau KEROUGAS *Département Morbihan* — CAMOEL	11.9.2024
Département Finistère:		
FR-HPAI(P)-2024-00007	— HANVEC- A l'Est de la D18 puis au Nord de la C1 puis à l'Est de la D42 jusqu'à la rivière Le Faou — SAINT ELOY- A l'Est de la D18 — SIZUN- Au Sud de la D18 jusqu'au croisement de la D30 et au Sud de la D30 jusqu'au chemin du comte — SAINT RIVOAL- A l'Est de la D30 jusqu'au croisement de la D42 et au Nord de la D42 — LOPREC- A l'Ouest de la D42	24.9.2024

Member State: Poland

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
PL-HPAI(P)-2024-00026	1. w powiecie świebodzińskim: a. w gminie Świebodzin, miejscowości: Chociule, Lubogóra, Rudgerzowice, Świebodzin obręb 3, Lubinicko (część miejscowości leżąca na zachód od drogi 303 i dalej od drogi 1230F do przecięcia z drogą ekspresową S3) b. w gminie Skąpe, miejscowości: Ołobok, Łąkie, Radoszyn, Darnawa	14.9.2024

Part B

Surveillance zones in the concerned Member States* as referred to in Article 1, point (a), and Article 3:

Member State: France

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
Département Ille-et-Vilaine:		
	— COMBOURG — LOURMAIS — MEILLAC - Au Nord de la départementale D974, du croisement de la Villée jusqu'au croisement de la départementale D81 et Secteur à l'Est de la départementale D81 jusqu'au Plessis Morgat puis secteur au Nord de la départementale D73 — BONNEMAIN - Secteur entre la route de la Maignerie, la départementale D9 et la route de la Buet	4.9.2024- 12.9.2024
FR-HPAI(P)-2024-00005	— BAGUER-MORVAN — BONNEMAIN - Sauf la partie de la commune en zone de protection — LA BOUSSAC — BROUALAN — LA CHAPELLE-AUX-FILTZMÉENS — CUGUEN — DINGÉ — DOL-DE-BRETAGNE — EPINIAC — LANRIGAN — MEILLAC - Sauf la partie de la commune en zone de protection — NOYAL-SOUS-BAZOUGES — PLERGUER — PLEUGUENEUC — QUÉBRIAC — SAINT-DOMINEUC — SAINT-LÉGER-DES-PRÉS — MESNIL-ROC'H — TRÉMEHEUC — LE TRONCHET	12.9.2024
Départements Morbihan et Loire Atlantique:		
	Département Loire Atlantique — ASSERAC- N D33 D82 — HERBIGNAC – O ruisseau KEROUGAS *Département Morbihan* — CAMOEL	12.9.2024- 20.9.2024
FR-HPAI(P)-2024-00006	*Département Loire Atlantique* — ASSERAC S D33 D82 — HARBIGNAC E ruisseau KEROUGAS — MESQUER- N D452 D52 — SAINT MOLF- N D48 jusqu'à ancienne cure puis N D52 et D33 *Département Morbihan* — ARZAL — BILLIERS	20.9.2024

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
	— FEREL — Marzan, sud de la N165 — Muzillac, sud de la N165 — Nivillac, sud-ouest de la N165 — Pénestin — La Roche Bernard	
Département Finistère:		
FR-HPAI(P)-2024-00007	— HANVEC- A l'Est de la D18 puis au Nord de la C1 puis à l'Est de la D42 jusqu'à la rivière Le Faou — SAINT ELOY- A l'Est de la D18 — SIZUN- Au Sud de la D18 jusqu'au croisement de la D30 et au Sud de la D30 jusqu'au chemin du comte — SAINT RIVOAL- A l'Est de la D30 jusqu'au croisement de la D42 et au Nord de la D42 — LOPREC- A l'Ouest de la D42	25.9.2024- 3.10.2024
	— HANVEC- Au Nord Est de la N165 — SAINT ELOY- Le reste de la commune non couverte par la ZP — SIZUN- Le reste de la commune non couverte par la ZP — SAINT RIVOAL- Le reste de la commune non couverte par la ZP — LOPEREC- Le reste de la commune non couverte par la ZP — LE TREHOU- Toute la commune — LE FAOU- Toute la commune — IRVILLAC- A l'Est de la D47 jusqu'à Irvillac puis à l'Est d'une ligne allant de Irvillac au lieu dit la croix de cleguer puis à l'Est de la route de Menez cleguer — TREFLEVENEZ- Au Sud Est d'une ligne allant du lieu dit Kerezellec au lieu dit Kerdidreux — LA MARTYRE- Au Sud Est de la ligne allant du lieu dit Moulin du Cann au lieu dit Rohel Coat — PLOUDIRY- Au Sud de la ligne allant du lieu dit Keramen Izella au lieu dit Saint Antoine jusqu'à la D30 — LOCMELAR- Au Sud de la ligne passant par les lieux dits Treonvel et Kernonnen — SAINT SAUVEUR- Au Sud de la rivière An Dour Kamm — COMMANA- A l'Ouest de la D11 — BRASPART- A l'Ouest de la ligne passant par les lieux dits Kerventurus, Pennallen, Oppidum, Pont Koad, Kerjean, Treofferd, Le Youdig — PONT DE BUIS LES QUIMERCH- Au Nord d'une ligne partant de l'antenne relais et passant par les lieux dits Chateau du Bot, Kerivin, Milin An Traon, Le Squiriou et Poulhy — ROSNOEN- Au Nord de la N165	3.10.2024

Member State: Germany

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
Mecklenburg-Vorpommern:		
DE-HPAI(P)-2024-00011 DE-HPAI(P)-2024-00012	**Landkreis Rostock** Amt Tessin: — Stadt Tessin mit den Ortsteilen Neu Gramsdorf und Wolfsberger Mühle, — Gemeinde Gnewitz mit den Ortsteilen Gnewitz und Barkvieren, — Gemeinde Zarnewanz mit dem Ortsteilen Zarnewanz, Kleinhof und Stormstorf.	6.9.2024- 14.9.2024
DE-HPAI(P)-2024-00011 DE-HPAI(P)-2024-00012	**Landkreis Rostock** Amt Tessin: — Gemeinde Cammin mit den Ortsteilen Prangendorf, Weitendorf und Wohrenstorf, — Gemeinde Gnewitz mit dem Ortsteil Neu Barkvieren, — Gemeinde Grammow mit den Ortseilen Alt Strassow, Neu Strassow, Grammow, Neuhof und Recknitzberg, — Gemeinde Nustrow mit dem Ortsteil Nustrow, — Gemeinde Selpin mit den Ortsteilen Vogelsang, Reddersdorf, Bärenberg, Woltow, Selpin und Drüsewitz, — Gemeinde Stubbendorf mit den Ortsteilen Stubbendorf und Ehmkendorf, — Stadt Tessin und den Ortsteilen Helmstorf, Vilz und Klein Tessin, — Gemeinde Thelkow mit den Ortsteilen Sophienhof, Thelkow, Kowalz, Liepen und Starkow, — Gemeinde Sanitz mit den Ortsteilen und OrtschaftenSanitz, Niekrenz, Groß Lüsewitz, Oberhof, Vietow, Wehnendorf, Ausbau Niekrenz, Neu Wendorf, Horst, Teutendorf, Klein Wehnendorf, Klein Freienholz, Wendorf, Reppelin, Wendfeld, Groß Freienholz, Gubkow und Hohen Gubkow. Amt Gnoien: — Gemeinde Behren Lübchin mit der Ortschaft Duckwitz, — Gemeinde Walkendorf mit den Ortschaften Repnitz und Basse. **Landkreis Vorpommern-Rügen** — Gemeinde Dettmannsdorf, — Gemeinde Lindholz mit dem Ortsteil Schabow, — Stadt Marlow mit den Ortsteilen Dänschenburg, Carlsruhe, Neu Steinhorst, Alt Steinhorst, Brunstorf, Fahrenhaupt, Schulenberg, Kneese.	14.9.2024

Member State: Poland

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
PL-HPAI(P)-2024-00026	23. w powiecie świebodzińskim: a. w gminie Świebodzin, miejscowości: Chociule, Lubogóra, Rudgerzowice, Świebodzin obręb 3, Lubinicko (część miejscowości leżąca na zachód od drogi 303 i dalej od drogi 1230F do przecięcia z drogą ekspresową S3) b. w gminie Skąpe, miejscowości: Ołobok, Łąkie, Radoszyn, Darnawa	15.9.2024- 23.9.2024
	23. w powiecie świebodzińskim: a. w gminie Skąpe, miejscowości: Niesulice, Rokitnica, Międzylesie, Skąpe, Pałck, Niekarzyn, Błonie b. w gminie Świebodzin, miejscowości: Borów, Wilkowo, Rozłogi, Świebodzin obręby 1, 2, 4, Ługów, Grodziszcze, Kupienino, Glińsk, Osogóra, Raków, Jeziory, Rosin, Podlesie, Kępsko, Rzeczyca (część miejscowości leżąca na południe od drogi 92 i dalej część miejscowości leżąca na południowy zachód od drogi 1218F do skrzyżowania drogi 92 z drogą 1202F), Rusinów (część miejscowości leżącą na południe od drogi 1219F), Lubinicko (część miejscowości na wschód od drogi 303 i dalej od drogi 1230F do przecięcia z drogą ekspresową S3) c. w gminie Szczaniec, miejscowości: Ojerzyce, Wolimirzyce, Kiełcze, Opalewo (zachodnia część miejscowości od granicy administracyjnej miejscowości Wolimirzyce do granicy administracyjnej z miejscowością Kiełcze), Smardzewo (część miejscowości na zachód od drogi 303 do skrzyżowania z drogą 1201F i dalej część miejscowości na zachód od drogi 1201F), d. w gminie Lubrza, miejscowości: Przełazy, Mostki, Lubrza (część miejscowości znajdująca się pomiędzy drogą 1242F i drogą prowadzącą do miejscowości Krzemionka) 2) w powiecie zielonogórskim, w gminie Sulechów miejscowości: Kalsk, Głogusz, Kije (część miejscowości na północ od drogi nr 277 do granic administracyjnych miejscowości i dalej drogą nr 277 na wschód do przecięcia z trasą S 3), Buków (miejscowości na zachód od drogi 1201F)	23.9.2024

Member State: Portugal

ADIS reference number of the outbreak	Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
Viana do Castelo:		
PT-HPAI(NON-P)-2024-00008	The parts from the county of Viana do Castelo, from the district of Viana do Castelo, that are contained within circle of 3 kilometers radius, centered on GPS coordinates 41.637500N, -8.819083W	7.9.2024- 15.9.2024
	The parts of from the county of Viana do Castelo, from the district of Viana do Castelo, and the parts of the counties of Barcelos and Esposende from the district of Braga, that are beyond the areas described in the protection zone, and are contained within circle of 10 kilometers radius, centered on GPS coordinates 41.637500N, -8.819083W	15.9.2024

Part C

Further restricted zones in the concerned Member States* as referred to in Article 1, point (b), and Article 4:

Member State: None

Area comprising:	Date until measures are to remain applicable in accordance with Article 3a

* In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, and in particular Article 5(4) of the Windsor Framework (see Joint Declaration No 1/2023 of the Union and the United Kingdom in the Joint Committee established by the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community of 24 March 2023, OJ L 102, 17.4.2023, p. 87) in conjunction with Annex 2 to that Framework, for the purposes of this Annex, references to Member State include the United Kingdom in respect of Northern Ireland.