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COMMISSION IMPLEMENTING REGULATION (EU) 2024/1845

of 27 June 2024

amending Annexes V and XIV to Implementing Regulation (EU) 2021/404 as regards the entries for Canada 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) The United States has notified the Commission of four outbreaks of highly pathogenic avian influenza (HPAI) in poultry in the state of Minnesota, which were confirmed between 12 June 2024 and 18 June 2024 by laboratory analysis (RT-PCR).

(6) 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.

([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) 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 state of Minnesota.

(8) 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 state of Minnesota should be suspended, in order to protect the animal health status of the Union.

(9) In addition, Canada 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 into the Union of certain products, as set out in Annexes V and XIV to Implementing Regulation (EU) 2021/404.

(10) Canada has submitted updated information on the epidemiological situation in relation to an outbreak of HPAI in poultry in the province of Alberta, which was confirmed on 27 November 2023 by laboratory analysis (RT-PCR).

(11) The United States has submitted updated information on the epidemiological situation in relation to 14 outbreaks of HPAI in poultry in the states of California (1), Michigan (1), Missouri (4) and South Dakota (8), which were confirmed between 15 November 2023 and 9 May 2024 by laboratory analysis (RT-PCR).

(12) Canada and the United States have also submitted information on the measures they have taken to prevent the further spread of HPAI. In particular, following the outbreaks of HPAI, Canada and the United States have implemented a stamping out policy in order to control and limit the spread of that disease, and also completed the requisite cleaning and disinfection following the implementation of the stamping out policy on the infected poultry establishments on their territories.

(13) The Commission has evaluated the information submitted by Canada and the United States, and considers that they have provided appropriate guarantees that the animal health situation that gave rise to the suspension of the entry of consignments of certain products into the Union from the concerned zones in those third countries, as set out in Annexes V and XIV to Implementing Regulation (EU) 2021/404, no longer represents a threat to animal or public health within the Union, and that, consequently, the entry into the Union of those consignments from the concerned zones of Canada and the United States, from which entry into the Union had been suspended, should be reauthorised.

(14) 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 the United States and Canada.

(15) Commission Implementing Regulation (EU) 2024/1694 ([4]) amended Annexes V and XIV to Implementing Regulation (EU) 2021/404 by introducing opening dates for the previously closed zones US–2.603 and US–2.604, in the entries for the United States. Errors have been detected in the Annex to Implementing Regulation (EU) 2024/1694, as regards the closing dates for those zones in Part 1, Section B of Annex V and Part 1, Section B of Annex XIV to Implementing Regulation (EU) 2021/404. It is therefore appropriate to correct those dates accordingly.

(16) Taking into account the current epidemiological situation in the United States as regards HPAI, and in order to avoid unnecessary disruption of trade with Canada 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. The correction of the errors in the closing dates for zones US–2.603 and US–2.604, in the entries for the United States in Annexes V and XIV to Implementing Regulation (EU) 2021/404, should apply from the date of entry into force of Implementing Regulation (EU) 2024/1694.

([4]) Commission Implementing Regulation (EU) 2024/1694 of 12 June 2024 amending Annexes V and XIV to Implementing Regulation (EU) 2021/404 as regards the entries for Canada 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 (OJ L, 2024/1694, 13.6.2024).

(17) 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 Part I of the Annex to this Regulation.

Article 2

Correction to Implementing Regulation (EU) 2021/404

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

Article 3

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*.

However, Article 2 shall apply from 14 June 2024.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 27 June 2024.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

PART I

AMENDMENTS TO IMPLEMENTING REGULATION (EU) 2021/404

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 row for zone CA-2.223 is replaced by the following:

'**CA** Canada	CA-2.223	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		27.11.2023	18.6.2024'

(ii) in the entry for the United States, the row for the zone US-2.512 is replaced by the following:

'**US** United States	US-2.512	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		15.11.2023	7.6.2024'

(iii) in the entry for the United States, the row for the zone US-2.519 is replaced by the following:

'**US** United States	US-2.519	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		20.11.2023	7.6.2024'

(iv) in the entry for the United States, the row for the zone US-2.524 is replaced by the following:

'**US** United States	US-2.524	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		20.11.2023	5.6.2024'

(v) in the entry for the United States, the row for the zone US-2.588 is replaced by the following:

'**US** United States	US-2.588	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		18.12.2023	7.6.2024'

(vi) in the entry for the United States, the row for the zone US-2.598 is replaced by the following:

'**US** United States	US-2.598	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		12.12.2023	7.6.2024'

(vii) in the entry for the United States, the row for the zone US-2.606 is replaced by the following:

‘**US** United States	US-2.606	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		30.12.2023	7.6.2024’

(viii) in the entry for the United States, the row for the zone US-2.618 is replaced by the following:

‘**US** United States	US-2.618	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		16.1.2024	12.6.2024’

(ix) in the entry for the United States, the row for the zone US-2.621 is replaced by the following:

‘**US** United States	US-2.621	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		23.1.2024	7.6.2024’

(x) in the entry for the United States, the rows for the zones US-2.626, US-2.627 and US-2.628 are replaced by the following:

‘**US** United States	US-2.626	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		21.2.2024	6.6.2024
	US-2.627		N, P1		21.2.2024	6.6.2024
	US-2.628		N, P1		23.2.2024	6.6.2024’

(xi) in the entry for the United States, the row for the zone US-2.630 is replaced by the following:

‘**US** United States	US-2.630	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		23.2.2024	6.6.2024’

(xii) in the entry for the United States, the row for the zone US-2.637 is replaced by the following:

‘**US** United States	US-2.637	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		9.4.2024	15.6.2024’

(xiii) in the entry for the United States, the row for the zone US-2.648 is replaced by the following:

'**US** United States	US-2.648	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		9.5.2024	7.6.2024'

(xiv) in the entry for the United States, the following rows for the zones US-2.660 to US-2.663 are added after the row for the zone US-2.659:

'**US** United States	US-2.660	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		12.6.2024	
	US-2.661		N, P1		13.6.2024	
	US-2.662		N, P1		18.6.2024	
	US-2.663		N, P1		18.6.2024'	

(b) in Part 2. in the entry for the United States, the following descriptions of zones US-2.660 to US-2.663 are added after the description of the zone US-2.659:

'United States	US-2.660	State of Minnesota Lyon 02 Lyon County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 95.7760908°W 44.6294996°N)
	US-2.661	State of Minnesota Stearns 22 Stearns County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.5848922°W 45.4211965°N
	US-2.662	State of Minnesota Swift 08 Swift County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 95.7879735°W 45.4457667°N)
	US-2.663	State of Minnesota Pipestone 01 Pipestone County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 96.2484511°W 44.2585254°N)'

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

(a) in the entry for Canada, the rows for zone CA-2.223 are replaced by the following:

'**CA** Canada	CA-2.223	POU, RAT	N, P1		27.11.2023	18.6.2024
		GBM	P1		27.11.2023	18.6.2024'

(b) in the entry for the United States, the rows for the zone US-2.512 are replaced by the following:

‘**US** United States	US-2.512	POU, RAT	N, P1		15.11.2023	7.6.2024
		GBM	P1		15.11.2023	7.6.2024’

(c) in the entry for the United States, the rows for the zone US-2.519 are replaced by the following:

‘**US** United States	US-2.519	POU, RAT	N, P1		20.11.2023	7.6.2024
		GBM	P1		20.11.2023	7.6.2024’

(d) in the entry for the United States, the rows for the zone US-2.524 are replaced by the following:

‘**US** United States	US-2.524	POU, RAT	N, P1		20.11.2023	5.6.2024
		GBM	P1		20.11.2023	5.6.2024’

(e) in the entry for the United States, the rows for the zone US-2.588 are replaced by the following:

‘**US** United States	US-2.588	POU, RAT	N, P1		18.12.2023	7.6.2024
		GBM	P1		18.12.2023	7.6.2024’

(f) in the entry for the United States, the rows for the zone US-2.598 are replaced by the following:

‘**US** United States	US-2.598	POU, RAT	N, P1		12.12.2023	7.6.2024
		GBM	P1		12.12.2023	7.6.2024’

(g) in the entry for the United States, the rows for the zone US-2.606 are replaced by the following:

‘**US** United States	US-2.606	POU, RAT	N, P1		30.12.2023	7.6.2024
		GBM	P1		30.12.2023	7.6.2024’

(h) in the entry for the United States, the rows for the zone US-2.618 are replaced by the following:

‘**US** United States	US-2.618	POU, RAT	N, P1		16.1.2024	12.6.2024
		GBM	P1		16.1.2024	12.6.2024’

(i) in the entry for the United States, the rows for the zone US-2.621 are replaced by the following:

'**US** United States	US-2.621	POU, RAT	N, P1		23.1.2024	7.6.2024
		GBM	P1		23.1.2024	7.6.2024'

(j) in the entry for the United States, the rows for the zones US-2.626, US-2.627 and US-2.628 are replaced by the following:

'**US** United States	US-2.626	POU, RAT	N, P1		21.2.2024	6.6.2024
		GBM	P1		21.2.2024	6.6.2024
	US-2.627	POU, RAT	N, P1		21.2.2024	6.6.2024
		GBM	P1		21.2.2024	6.6.2024
	US-2.628	POU, RAT	N, P1		23.2.2024	6.6.2024
		GBM	P1		23.2.2024	6.6.2024'

(k) in the entry for the United States, the rows for the zone US-2.630 are replaced by the following:

'**US** United States	US-2.630	POU, RAT	N, P1		23.2.2024	6.6.2024
		GBM	P1		23.2.2024	6.6.2024'

(l) in the entry for the United States, the rows for the zone US-2.637 are replaced by the following:

'**US** United States	US-2.637	POU, RAT	N, P1		9.4.2024	15.6.2024
		GBM	P1		9.4.2024	15.6.2024'

(m) in the entry for the United States, the rows for the zone US-2.648 are replaced by the following:

'**US** United States	US-2.648	POU, RAT	N, P1		9.5.2024	7.6.2024
		GBM	P1		9.5.2024	7.6.2024'

(n) in the entry for the United States, the following rows for zones US-2.660 to US-2.663 are added after the rows for the zone US-2.659:

'**US** United States	US-2.660	POU, RAT	N, P1		12.6.2024	
		GBM	P1		12.6.2024	
	US-2.661	POU, RAT	N, P1		13.6.2024	
		GBM	P1		13.6.2024	
	US-2.662	POU, RAT	N, P1		18.6.2024	
		GBM	P1		18.6.2024	
	US-2.663	POU, RAT	N, P1		18.6.2024	
		GBM	P1		18.6.2024'	

PART II

CORRECTION TO IMPLEMENTING REGULATION (EU) 2021/404

(1) In Annex V, Part 1, Section B, in the entry for the United States, the rows for the zones US-2.603 and US-2.604 are replaced by the following:

'**US** United States	US-2.603	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		28.12.2023	1.6.2024
	US-2.604		N, P1		28.12.2023	1.6.2024'

(2) In Annex XIV, Part 1, Section B, in the entry for the United States, the rows for the zones US-2.603 and US-2.604 are replaced by the following:

'**US** United States	US-2.603	POU, RAT	N, P1		28.12.2023	1.6.2024
		GBM	P1		28.12.2023	1.6.2024
	US-2.604	POU, RAT	N, P1		28.12.2023	1.6.2024
		GBM	P1		28.12.2023	1.6.2024'