COMMISSION IMPLEMENTING REGULATION (EU) 2023/824

of 14 April 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 of fresh meat from poultry and game birds.

(5) Canada has notified the Commission of an outbreak of highly pathogenic avian influenza in poultry in the province of Quebec, which was confirmed on 27 March 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).

(6) Additionally, the United States has notified the Commission of four outbreaks of highly pathogenic avian influenza in poultry in the states of Colorado (1) and New York (3), United States, which were confirmed between 22 March 2023 and 5 April 2023 by laboratory analysis (RT-PCR).

(7) Following those recent outbreaks of highly pathogenic avian influenza, the veterinary authorities of Canada and the United States established control zones of at least 10 km around the affected establishments and implemented a stamping-out policy in order to control the presence of highly pathogenic avian influenza and limit the spread of that disease.

(8) Canada and the United States have submitted information to the Commission on the epidemiological situation on their territory and the measures they have taken to prevent the further spread of highly pathogenic avian influenza. That information has been evaluated by the Commission. On the basis of that evaluation and in order to protect the animal health status of the Union, the entry into the Union of consignments of poultry and germinal products of poultry, and fresh meat of poultry and game birds from the areas under restrictions established by the veterinary authorities of Canada and the United States due to the recent outbreaks of highly pathogenic avian influenza should no longer be authorised.

(9) Furthermore, the United Kingdom has submitted updated information on the epidemiological situation on its territory in relation to nine outbreaks of highly pathogenic avian influenza in poultry establishments in the counties of Essex (6), Lincolnshire (1), Norfolk (1) and West Midlands (1) in England, United Kingdom, which were confirmed between 6 September 2022 and 11 November 2022.

(10) The Commission has evaluated the information submitted by the United Kingdom and concluded that the outbreaks of highly pathogenic avian influenza in poultry establishments have been cleared and that there is no longer a risk associated with the entry into the Union of poultry commodities from the zones in the United Kingdom, from which the entry into the Union of poultry commodities was suspended following those outbreaks.

(11) Annexes V and XIV to Implementing Regulation (EU) 2021/404 should be therefore amended to take account of the current epidemiological situation as regards highly pathogenic avian influenza in Canada, the United Kingdom and in the United States.

(12) Taking into account the current epidemiological situation in Canada, the United Kingdom and the United States as regards highly pathogenic avian influenza and the serious risk of its introduction into the Union, 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.

(13) 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

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, 14 April 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) Section B of Part 1 is amended as follows:

(i) in the entry for Canada, the following row for the zone CAN-2.178 is added after the row for the zone CAN-2.177:

'**CA** Canada	CA-2.178	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		27.3.2023'	

(ii) in the entry for the United Kingdom, the row for the zone GB-2.141 is replaced by the following:

'**GB** United Kingdom	GB-2.141	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		6.9.2022	29.3.2023'

(iii) in the entry for the United Kingdom, the row for the zone GB-2.166 is replaced by the following:

'**GB** United Kingdom	GB-2.166	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		7.10.2022	29.3.2023'

(iv) in the entry for the United Kingdom, the rows for the zones GB-2.169 and GB-2.170 are replaced by the following:

'GB United Kingdom	GB-2.169	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		8.10.2022	29.3.2023
	GB-2.170		N, P1		7.10.2022	29.3.2023'

(v) in the entry for the United Kingdom, the rows for the zones GB-2.182 and GB-2.183 are replaced by the following:

'GB United Kingdom	GB-2.182	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		9.10.2022	29.3.2023
	GB-2.183		N, P1		13.10.2022	29.3.2023'

(vi) in the entry for the United Kingdom, the row for the zone GB-2.220 is replaced by the following:

‘**GB** United Kingdom	GB-2.220	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		26.10.2022	28.3.2023’

(vii) in the entry for the United Kingdom, the row for the zone GB-2.236 is replaced by the following:

‘**GB** United Kingdom	GB-2.236	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		2.11.2022	30.3.2023’

(viii) in the entry for the United Kingdom, the row for the zone GB-2.253 is replaced by the following:

‘**GB** United Kingdom	GB-2.253	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		11.11.2022	29.3.2023’

(ix) in the entry for the United States, the following rows for the zones US-2.447 to US-2.450 are added after the row for the zone US-2.446:

‘**US** United States	US-2.447	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		28.3.2023	
	US-2.448		N, P1		22.3.2023	
	US-2.449		N, P1		22.3.2023	
	US-2.450		N, P1		5.4.2023’	

(b) Part 2 is amended as follows:

(i) in the entry for Canada, the following description of the zone CA-2.178 is added after the description of the zone CA-2.177:

‘Canada	CA-2.178	Southern Quebec- Latitude 45.36, Longitude -72.93 The municipalities involved are: 3km PZ: Ange-Gardien and Saint-Césaire. 10km SZ: Ange-Gardien, Brigham, Farnham, Saint-Alphonse, Saint-Alphonse-deGranby, Saint-Césaire, Sainte-Brigide-d’Iberville, and Saint-Paul-d’Abbotsford’

(ii) in the entry for the United States, the following descriptions of the zones US-2.447 to US-2.450 are added after the description of the zone US-2.446:

‘United States	US-2.447	State of Colorado Yuma 01 Yuma County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 102.6021809°W 40.0556963°N)

	US-2.448	State of New York Tompkins 01 Tompkins County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 76.4228309°W 42.5338498°N)
	US-2.449	State of New York Queens 02 Queens County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 73.8110491°W 40.7686723°N)
	US-2.450	State of New York Queens 03 Queens County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 73.7654921°W 40.7913911°N)'

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

(i) in the entry for Canada, the following rows for the zone CA-2.178 are added after the rows for the zone CA-2.177:

'**CA** Canada	CA-2.178	POU, RAT	N, P1		27.3.2023	
		GBM	P1		27.3.2023'	

(ii) in the entry for the United Kingdom, the rows for the zone GB-2.141 are replaced by the following:

'**GB** United Kingdom	GB-2.141	POU, RAT	N, P1		6.9.2022	29.3.2023
		GBM	P1		6.9.2022	29.3.2023'

(iii) in the entry for the United Kingdom, the rows for the zone GB-2.166 are replaced by the following:

'**GB** United Kingdom	GB-2.166	POU, RAT	N, P1		7.10.2022	29.3.2023
		GBM	P1		7.10.2022	29.3.2023'

(iv) in the entry for the United Kingdom, the rows for the zones GB-2.169 and GB-2.170 are replaced by the following:

'**GB** United Kingdom	GB-2.169	POU, RAT	N, P1		8.10.2022	29.3.2023
		GBM	P1		8.10.2022	29.3.2023
	GB-2.170	POU, RAT	N, P1		7.10.2022	29.3.2023
		GBM	P1		7.10.2022	29.3.2023'

(v) in the entry for the United Kingdom, the rows for the zones GB-2.182 and GB-2.183 are replaced by the following:

'**GB** United Kingdom	GB-2.182	POU, RAT	N, P1		9.10.2022	29.3.2023
		GBM	P1		9.10.2022	29.3.2023
	GB-2.183	POU, RAT	N, P1		13.10.2022	29.3.2023
		GBM	P1		13.10.2022	29.3.2023'

(vi) in the entry for the United Kingdom, the rows for the zone GB-2.220 are replaced by the following:

'**GB** United Kingdom	GB-2.220	POU, RAT	N, P1		26.10.2022	28.3.2023
		GBM	P1		26.10.2022	28.3.2023'

(vii) in the entry for the United Kingdom, the rows for the zone GB-2.236 are replaced by the following:

'**GB** United Kingdom	GB-2.236	POU, RAT	N, P1		2.11.2022	30.3.2023
		GBM	P1		2.11.2022	30.3.2023'

(viii) in the entry for the United Kingdom, the rows for the zone GB-2.253 are replaced by the following:

'**GB** United Kingdom	GB-2.253	POU, RAT	N, P1		11.11.2022	29.3.2023
		GBM	P1		11.11.2022	29.3.2023'

(ix) in the entry for the United States, the following rows for the zones US-2.447 to US-2.450 are added after the row for the zone US-2.446:

'**US** United States	US-2.447	POU, RAT	N, P1		28.3.2023	
		GBM	P1		28.3.2023	
	US-2.448	POU, RAT	N, P1		22.3.2023	
		GBM	P1		22.3.2023	
	US-2.449	POU, RAT	N, P1		22.3.2023	
		GBM	P1		22.3.2023	
	US-2.450	POU, RAT	N, P1		5.4.2023	
		GBM	P1		5.4.2023'	