# COMMISSION IMPLEMENTING REGULATION (EU) 2023/2437

## of 25 October 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, 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, fresh meat of poultry and game birds.

(5) Canada has notified the Commission of three outbreaks of highly pathogenic avian influenza (HPAI) in poultry in the provinces of Alberta (2) and Saskatchewan (1) which were confirmed between 27 September 2023 and 3 October 2023 by laboratory analysis (RT-PCR).

(6) In addition, the United States has notified the Commission of nine outbreaks of HPAI in poultry in the states of Minnesota (3), Montana (1), South Dakota (3), and Utah (2), which were confirmed between 4 October 2023 and 17 October 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).

(7) Following these recent outbreaks of HPAI, the veterinary authorities of Canada 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.

(8) Canada 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.

(9) That information has been evaluated by the Commission. The Commision considers that, in view of the animal health situation in the areas under restrictions established by the veterinary authorities of Canada and the United States, the entry into the Union of consigments 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.

(10) The United Kingdom has provided updated information to the Commission in relation to the epidemiological situation on its territory 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.

(11) In particular, the United Kingdom has submitted updated information on the epidemiological situation in relation to one outbreak of HPAI in England, in the county of Staffordshire, and six outbreaks of HPAI in poultry establishments in Scotland, in the counties of Angus, Aberdeenshire, Dumfries and Galloway, and Highland, which were confirmed between 9 August 2023 and 7 September 2023.

(12) The United Kingdom has 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 has implemented a stamping out policy in order to control and limit the spread of that disease, and has also completed the requisite cleaning and disinfection following the implementation of the stamping out policy on the infected poultry establishments on its territory.

(13) The Commission has evaluated the information submitted by the United Kingdom and considers that it has 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 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 Canada, the United Kingdom and the United States.

(15) Taking into account the current epidemiological situation in Canada and the United States as regards HPAI, and in order to avoid unnecessary disruption of trade with the United Kingdom, 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.

(16) 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, 25 October 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 rows for the zones CA-2.192, CA-2.193 and CA-2.194 are added after the row for the zone CA-2.191:

| | | | | | | |
|---|---|---|---|---|---|---|
| '**CA** Canada | CA-2.192 | BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20 | N, P1 | | 20.9.2023 | |
| | CA-2.193 | | N, P1 | | 27.9.2023 | |
| | CA-2.194 | | N, P1 | | 3.10.2023' | |

(ii) in the entry for the United Kingdom, the rows for the zones GB-2.311 to GB-2.316 are replaced by the following:

| | | | | | | |
|---|---|---|---|---|---|---|
| '**GB** United Kingdom | GB-2.311 | BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20 | N, P1 | | 9.8.2023 | 5.10.2023 |
| | GB-2.312 | | N, P1 | | 14.8.2023 | 2.10.2023 |
| | GB-2.313 | | N, P1 | | 14.8.2023 | 2.10.2023 |
| | GB-2.314 | | N, P1 | | 14.8.2023 | 20.9.2023 |
| | GB-2.315 | | N, P1 | | 17.8.2023 | 20.9.2023 |
| | GB-2.316 | | N, P1 | | 18.8.2023 | 2.10.2023' |

(iii) in the entry for the United Kingdom, the row for the zone GB-2.318 is replaced by the following:

| | | | | | | |
|---|---|---|---|---|---|---|
| '**GB** United Kingdom | GB-2.318 | BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20 | N, P1 | | 7.9.2023 | 12.10.2023' |

(iv) in the entry for the United States, the rows for the zones US-2.460 to US-2.468 are added after the row for the zone US-2.459:

| | | | | | | |
|---|---|---|---|---|---|---|
| '**US** United States | US-2.460 | BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20 | N, P1 | | 4.10.2023 | |
| | US-2.461 | | N, P1 | | 6.10.2023 | |
| | US-2.462 | | N, P1 | | 6.10.2023 | |
| | US-2.463 | | N, P1 | | 10.10.2023 | |
| | US-2.464 | | N, P1 | | 11.10.2023 | |
| | US-2.465 | | N, P1 | | 13.10.2023 | |
| | US-2.466 | | N, P1 | | 17.10.2023 | |
| | US-2.467 | | N, P1 | | 17.10.2023 | |
| | US-2.468 | | N, P1 | | 17.10.2023' | |

(b) Part 2 is amended as follows:

(i) in the entry for Canada, the following descriptions of the zones CA-2.192, CA-2.193 and CA-2.194 are added after the description of the zone CA-2.191:

| | | |
|---|---|---|
| 'Canada | CA-2.192 | Saskatchewan- Latitude 49.82, Longitude -109.49<br>The municipalities involved are:<br>3km PZ: Maple Creek<br>10km SZ: Maple Creek |
| | CA-2.193 | Alberta- Latitude 53.62, Longitude -112.97<br>The municipalities involved are:<br>3km PZ: Fort Saskatchewan<br>10km SZ: Ardrossan, Josephburg, and Fort Saskatchewan |
| | CA-2.194 | Alberta- Latitude 49.27, Longitude -112.82<br>The municipalities involved are:<br>3km PZ: Magrath<br>10km SZ: Del Bonita, Magrath, and Spring Coulee' |

(ii) in the entry for the United States, the following descriptions of the zones US-2.460 to US-2.468 are added after the description of the zone US-2.459:

| | | |
|---|---|---|
| 'United States | US-2.460 | State of South Dakota<br>Jerauld 02<br>Jerauld County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 98.8859439°W 44.1323127°N) |
| | US-2.461 | State of Utah<br>Sanpete 19<br>Sanpete County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 111.6798383°W 39.3439868°N) |
| | US-2.462 | State of Utah<br>Sanpete 20<br>Sanpete County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 111.7010448°W 39.3435832°N) |
| | US-2.463 | State of Montana<br>Glacier 03<br>Glacier County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 112.5693091°W 48.9258744°N) |
| | US-2.464 | State of Minnesota<br>Meeker 09<br>Meeker County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.3821034°W 45.2901552°N) |
| | US-2.465 | State of Minnesota<br>Meeker 10<br>Meeker County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.3899442°W 45.2920254°N) |
| | US-2.466 | State of Minnesota<br>Becker 04<br>Becker County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 95.5090780°W 46.8697231°N) |

| | | |
|---|---|---|
| | US-2.467 | State of South Dakota<br>Faulk 03<br>Faulk County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 99.0490372°W 45.2130104°N) |
| | US-2.468 | State of South Dakota<br>McPherson 06<br>McPherson County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 99.5106187°W 45.7228060°N)' |

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

(a) in the entry for Canada, the following rows for the zones CA-2.192, CA-2.193 and CA-2.194 are added after the rows for the zone CA-2.191:

| | | | | | | |
|---|---|---|---|---|---|---|
| '**CA** Canada | CA-2.192 | POU, RAT | N, P1 | | 20.9.2023 | |
| | | GBM | P1 | | 20.9.2023. | |
| | CA-2.193 | POU, RAT | N, P1 | | 27.9.2023 | |
| | | GBM | P1 | | 27.9.2023 | |
| | CA-2.194 | POU, RAT | N, P1 | | 3.10.2023 | |
| | | GBM | P1 | | 3.10.2023' | |

(b) in the entry for the United Kingdom, the rows for the zones GB-2.311 to GB-2.316 are replaced by the following:

| | | | | | | |
|---|---|---|---|---|---|---|
| '**GB** United Kingdom | GB-2.311 | POU, RAT | N, P1 | | 9.8.2023 | 5.10.2023 |
| | | GBM | P1 | | 9.8.2023 | 5.10.2023 |
| | GB-2.312 | POU, RAT | N, P1 | | 14.8.2023 | 2.10.2023 |
| | | GBM | P1 | | 14.8.2023 | 2.10.2023 |
| | GB-2.313 | POU, RAT | N, P1 | | 14.8.2023 | 2.10.2023 |
| | | GBM | P1 | | 14.8.2023 | 2.10.2023 |
| | GB-2.314 | POU, RAT | N, P1 | | 14.8.2023 | 20.9.2023 |
| | | GBM | P1 | | 14.8.2023 | 20.9.2023 |
| | GB-2.315 | POU, RAT | N, P1 | | 17.8.2023 | 20.9.2023 |
| | | GBM | P1 | | 17.8.2023 | 20.9.2023 |
| | GB-2.316 | POU, RAT | N, P1 | | 18.8.2023 | 2.10.2023 |
| | | GBM | P1 | | 18.8.2023 | 2.10.2023' |

(c) in the entry for the United Kingdom, the rows for the zone GB-2.318 are replaced by the following:

| | | | | | | |
|---|---|---|---|---|---|---|
| '**GB** United Kingdom | GB-2.318 | POU, RAT | N, P1 | | 7.9.2023 | 12.10.2023 |
| | | GBM | P1 | | 7.9.2023 | 12.10.2023' |

(d) in the entry for the United States, the rows for the zones US-2.460 to US-2.468 are added after the row for the zone US-2.459:

| | | | | | | |
|---|---|---|---|---|---|---|
| '**US** United States | US-2.460 | POU, RAT | N, P1 | | 4.10.2023 | |
| | | GBM | P1 | | 4.10.2023 | |
| | US-2.461 | POU, RAT | N, P1 | | 6.10.2023 | |
| | | GBM | P1 | | 6.10.2023 | |
| | US-2.462 | POU, RAT | N, P1 | | 6.10.2023 | |
| | | GBM | P1 | | 6.10.2023 | |
| | US-2.463 | POU, RAT | N, P1 | | 10.10.2023 | |
| | | GBM | P1 | | 10.10.2023 | |
| | US-2.464 | POU, RAT | N, P1 | | 11.10.2023 | |
| | | GBM | P1 | | 11.10.2023 | |
| | US-2.465 | POU, RAT | N, P1 | | 13.10.2023 | |
| | | GBM | P1 | | 13.10.2023 | |
| | US-2.466 | POU, RAT | N, P1 | | 17.10.2023 | |
| | | GBM | P1 | | 17.10.2023 | |
| | US-2.467 | POU, RAT | N, P1 | | 17.10.2023 | |
| | | GBM | P1 | | 17.10.2023 | |
| | US-2.468 | POU, RAT | N, P1 | | 17.10.2023 | |
| | | GBM | P1 | | 17.10.2023' | |