COMMISSION IMPLEMENTING REGULATION (EU) 2021/130

of 3 February 2021

amending Annex I to Regulation (EC) No 798/2008 as regards the entry for the United Kingdom in the list of third countries, territories, zones or compartments from which certain poultry commodities may be imported into and transit through the Union in relation to highly pathogenic avian influenza

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption ([1]), and in particular the introductory phrase of Article 8, the first subparagraph of paragraph 1 of Article 8, paragraph 4 of Article 8 and Article 9(4) thereof,

Having regard to Council Directive 2009/158/EC of 30 November 2009 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs ([2]), and in particular Articles 23(1), 24(2) and 25(2) thereof,

Whereas:

(1) Commission Regulation (EC) No 798/2008 ([3]) lays down veterinary certification requirements for imports into and transit, including storage during transit, through the Union of poultry and poultry products ('the commodities'). It provides that the commodities are only to be imported into and transit through the Union from the third countries, territories, zones or compartments listed in columns 1 and 3 of the table in Part 1 of Annex I thereto.

(2) Regulation (EC) No 798/2008 also lays down the conditions for a third country, territory, zone or compartment to be considered as free from highly pathogenic avian influenza (HPAI).

(3) 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 (Withdrawal Agreement), and in particular Article 5(4) of the Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, Directives 2002/99/EC and 2009/158/EC, as well as the Commission acts based on them, apply to and in the United Kingdom in respect of Northern Ireland after the end of the transition period provided for in the Withdrawal Agreement.

(4) Therefore, the United Kingdom, excluding Northern Ireland, is listed in the table in Part 1 of Annex I to Regulation (EC) No 798/2008 as a third country from which imports into and transit through the Union of certain poultry commodities are authorised from certain parts of its territory depending on the presence of HPAI. That regionalisation of the United Kingdom is set out in Part 1 of Annex I to Regulation (EC) No 798/2008, as amended by Implementing Regulation (EU) 2021/24 ([4]).

(5) On 27 January 2021, the United Kingdom confirmed the presence of HPAI of subtype H5N8 in a poultry holding on the Isle of Anglesey in Wales.

([1]) OJ L 18, 23.1.2003, p. 11.

([2]) OJ L 343, 22.12.2009, p. 74.

([3]) Commission Regulation (EC) No 798/2008 of 8 August 2008 laying down a list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Community and the veterinary certification requirements (OJ L 226, 23.8.2008, p. 1).

([4]) Commission Implementing Regulation (EU) 2021/24 of 13 January 2021 amending Annex I to Regulation (EC) No 798/2008 as regards the entry for the United Kingdom in the list of third countries, territories, zones or compartments from which certain poultry commodities may be imported into and transit through the Union in relation to highly pathogenic avian influenza (OJ L 11, 14.1.2021, p. 1).

(6) The veterinary authorities of the United Kingdom placed a 10 km control zone around the affected holding and implemented a stamping-out policy in order to control the presence of HPAI and limit the spread of that disease. Furthermore, the veterinary authorities of the United Kingdom confirmed that they immediately suspended issuing veterinary certificates for consignments of commodities intended for export to the Union from the whole of the territory of the United Kingdom, excluding Northern Ireland.

(7) The United Kingdom has submitted information to the Commission on the epidemiological situation on its territory and the measures it has taken to prevent the further spread of HPAI which has now been evaluated by the Commission. On the basis of that evaluation, it is appropriate to place restrictions on the introduction into the Union of commodities from the area in Wales affected by HPAI, which the veterinary authorities of the United Kingdom have placed under restrictions due to the current outbreak.

(8) The entry for the United Kingdom in the table in Part 1 of Annex I to Regulation (EC) No 798/2008 should, therefore, be amended to take account of the current epidemiological situation in that third country.

(9) Annex I to Regulation (EC) No 798/2008 should therefore be amended accordingly.

(10) 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

Part 1 of Annex I to Regulation (EC) No 798/2008 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the third 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, 3 February 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In Part 1 of Annex I to Regulation (EC) No 798/2008, the entry for the United Kingdom is replaced by the following:

'GB – United Kingdom (*)	GB-0	Whole country	SPF							
			EP, E							
	GB-1	The whole country of the United Kingdom, excluding area GB-2	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		N			A		
			WGM							
			POU, RAT		N					
	GB-2	The territory of the United Kingdom corresponding to:								
	GB-2.1	North Yorkshire County: The area contained within a circle of a radius of 10 km, centered on WGS84 dec. coordinates N54.30 and W1.47	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		N P2	1.1.2021	6.1.2021	A		
			WGM		P2	1.1.2021	6.1.2021			
			POU, RAT		N P2	1.1.2021	6.1.2021			
	GB-2.2	North Yorkshire County: The area contained within a circle of a radius of 10 km, centered on WGS84 dec. coordinates N54.29 and W1.45	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		N P2	1.1.2021	8.1.2021	A		
			WGM		P2	1.1.2021	8.1.2021			
			POU, RAT		N P2	1.1.2021	8.1.2021			
	GB-2.3	Norfolk County: The area contained within a circle of a radius of 10 km, centered on WGS84 dec. coordinates N52.49 and E0.95	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		N P2	1.1.2021	10.1.2021	A		
			WGM		P2	1.1.2021	10.1.2021			
			POU, RAT		N P2	1.1.2021	10.1.2021			
	GB-2.4	Norfolk County: The area contained within a circle of a radius of 10 km, centered on WGS84 dec. coordinates N52.72 and E0.15	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		N P2	1.1.2021	11.1.2021	A		
			WGM		P2	1.1.2021	11.1.2021			
			POU, RAT		N P2	1.1.2021	11.1.2021			
	GB-2.5	Derbyshire County:	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		N P2	1.1.2021	17.1.2021	A		

		The area contained within a circle of a radius of 10 km, centered on WGS84 dec. coordinates N52.93 and W1.57	WGM		P2	1.1.2021	17.1.2021			
			POU, RAT		N P2	1.1.2021	17.1.2021			
	GB-2.6	North Yorkshire County: The area contained within a circle of a radius of 10 km, centered on WGS84 dec. coordinates N54.37 and W2.16	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		N P2	1.1.2021	19.1.2021	A		
			WGM		P2	1.1.2021	19.1.2021			
			POU, RAT		N P2	1.1.2021	19.1.2021			
	GB-2.7	Orkney Islands: The area contained within a circle of a radius of 10 km, centered on WGS84 dec. coordinates N59.28 and W2.44	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		N P2	1.1.2021	20.1.2021	A		
			WGM		P2	1.1.2021	20.1.2021			
			POU, RAT		N P2	1.1.2021	20.1.2021			
	GB-2.8	Dorset County: The area contained within a circle of a radius of 10 km, centered on WGS84 dec. coordinates N51.06 and W2.27	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		N P2	1.1.2021	20.1.2021	A		
			WGM		P2	1.1.2021	20.1.2021			
			POU, RAT		N P2	1.1.2021	20.1.2021			
	GB-2.9	Norfolk County: The area contained within a circle of a radius of 10 km, centered on WGS84 dec. coordinates N52.52 and E0.96	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		N P2	1.1.2021	23.1.2021	A		
			WGM		P2	1.1.2021	23.1.2021			
			POU, RAT		N P2	1.1.2021	23.1.2021			
	GB-2.10	Norfolk County: The area contained within a circle of a radius of 10 km, centered on WGS84 dec. coordinates N52.52 and E0.95	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		N P2	1.1.2021	28.1.2021	A		
			WGM		P2	1.1.2021	28.1.2021			
			POU, RAT		N P2	1.1.2021	28.1.2021			
	GB-2.11	Norfolk County: The area contained within a circle of a radius of 10,4 km, centered on WGS84 dec. coordinates N52.53 and E0.66	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		N P2	1.1.2021	7.2.2021	A		
			WGM		P2	1.1.2021	7.2.2021			
			POU, RAT		N P2	1.1.2021	7.2.2021			
	GB-2.12	Devon County:			N	1.1.2021	31.1.2021	A		

		The area contained within a circle of a radius of 10 km, centred on WGS84 dec. coordinates N50.70 and W3.36	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		P2					
			WGM		P2	1.1.2021	31.1.2021			
			POU, RAT		N P2	1.1.2021	31.1.2021			
	GB-2.13	Near Amlwch, Isle of Anglesey, Wales: The area contained within a circle of a radius of 10 km, centred on WGS84 dec. coordinates N53.38 and W4.30	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		N P2	27.1.2021		A		
			WGM		P2	27.1.2021				
			POU, RAT		N P2	27.1.2021				

(*) 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 Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, for the purposes of this Annex references to the United Kingdom do not include Northern Ireland.'.