

Fylgiskjal 1.**COMMISSION IMPLEMENTING REGULATION (EU) 2023/2580****of 13 November 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 five outbreaks of highly pathogenic avian influenza (HPAI) in poultry in the provinces of Alberta (1), British Columbia (3), and Quebec (1), which were confirmed between 20 October 2023 and 25 October 2023 by laboratory analysis (RT-PCR).
- (6) The United States has notified the Commission of 20 outbreaks of HPAI in poultry in the states of Alabama (2), Arkansas (1), California (1), Iowa (3), Minnesota (5), Missouri (1), Oregon (1), South Dakota (5), and Washington (1), which were confirmed between 20 October 2023 and 6 November 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 Commission 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 consignments 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) Moreover, 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 three outbreaks of HPAI in poultry establishments in Scotland, in the county of Aberdeenshire (1) and on the Isle of Lewis (2), which were confirmed between 22 August 2023 and 10 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 the outbreak of that disease, it has implemented a stamping out policy in order to control and limit the spread of that disease, and it 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) Commission Implementing Regulation (EU) 2023/2457⁽⁴⁾ amended Annexes V and XIV to Implementing Regulation (EU) 2021/404 by suspending the entry into the Union of consignments of poultry, germinal products of poultry, and fresh meat of poultry and game birds from two new areas in the United Kingdom. An error has been detected as regards the numbering of the codes for these two new zones. It is therefore appropriate to correct Annexes V and XIV accordingly.
- (16) 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.
- (17) The correction of the entries for the United Kingdom in the rows for the zones GB-2.321 and GB-2.322 in Section B of Part 1 and in Part 2 of Annex V and in Part 2 of Annex XIV to Implementing Regulation (EU) 2021/404 should apply from the date of entry into force of Implementing Regulation (EU) 2023/2457.

⁽⁴⁾ Commission Implementing Regulation (EU) 2023/2457 of 30 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 (OJ L, 2023/2457, 31.10.2023, ELI: http://data.europa.eu/eli/reg_impl/2023/2457/oj).

- (18) 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, Part II of the Annex shall apply from 1 November 2023.

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

Done at Brussels, 13 November 2023.

For the Commission
The President
Ursula VON DER LEYEN

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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 following rows for the zones CA–2.197 to CA–2.201 are added after the row for the zone CA–2.196:

‘CA Canada	CA–2.197	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		20.10.2023	
	CA–2.198		N, P1		25.10.2023	
	CA–2.199		N, P1		24.10.2023	
	CA–2.200		N, P1		25.10.2023	
	CA–2.201		N, P1		25.10.2023’;	

(ii) in the entry for the United Kingdom, the row for the zone GB–2.317 is replaced by the following:

‘GB United Kingdom	GB–2.317	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		22.8.2023	23.10.2023’;
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(iii) in the entry for the United Kingdom, the rows for the zones GB–2.320 and GB–2.321 are replaced by the following:

‘GB United Kingdom	GB–2.320	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		10.9.2023	19.10.2023
	GB–2.321		N, P1		25.8.2023	23.10.2023’;

(iv) in the entry for the United States, the rows for the zones US–2.473 to US–2.492 are added after the row for the zone US–2.472:

‘US United States	US–2.473	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		24.10.2023	
	US–2.474		N, P1		24.10.2023	
	US–2.475		N, P1		20.10.2023	
	US–2.476		N, P1		25.10.2023	
	US–2.477		N, P1		25.10.2023	
	US–2.478		N, P1		25.10.2023	
	US–2.479		N, P1		23.10.2023	
	US–2.480		N, P1		24.10.2023	
	US–2.481		N, P1		26.10.2023	
	US–2.482		N, P1		25.10.2023	
	US–2.483		N, P1		31.10.2023	

	US-2.484		N, P1		27.10.2023	
	US-2.485		N, P1		27.10.2023	
	US-2.486		N, P1		2.11.2023	
	US-2.487		N, P1		31.10.2023	
	US-2.488		N, P1		1.11.2023	
	US-2.489		N, P1		31.10.2023	
	US-2.490		N, P1		3.11.2023	
	US-2.491		N, P1		3.11.2023	
	US-2.492		N, P1		6.11.2023';	

(b) Part 2 is amended as follows:

(i) in the entry for Canada, the following descriptions of the zones CA-2.197 to CA-2.201 are added after the description of the zone CA-2.196:

‘Canada	CA-2.197	British Columbia- Latitude 49.17, Longitude -121.79 The municipalities involved are: 3 km PZ: Chilliwack and Rosedale. 10 km SZ: Agassiz, Chilliwack, Harrison Mills, and Rosedale.
	CA-2.198	Alberta- Latitude 54.51, Longitude -113.55 The municipalities involved are: 3 km PZ: Rochester 10 km SZ: Abee, Perryvale, Rochester, and Thorhild
	CA-2.199	British Columbia- Latitude 49.2, Longitude -121.85 The municipalities involved are: 3 km PZ: Chilliwack and Rosedale. 10 km SZ: Agassiz, Chilliwack, Harrison Mills, and Rosedale’;
	CA-2.200	British Columbia- Latitude 49.13, Longitude -122.26 The municipalities involved are: 3 km PZ: Abbotsford 10 km SZ: Abbotsford, Dewdney, and Mission
	CA-2.201	Quebec- Latitude 46.05, Longitude -71.89 The municipalities involved are: 3 km PZ: Saint-Christophe d’Arthabaska and Chesterville 10 km SZ: Chesterville, Norbertville, Princeville, Saint-Christophe d’Arthabaska, Sainte-Hélène-de-Chester, Saint-Norbert-D’Arthabaska, Tingwick, Victoriaville, and Warwick’;

(ii) in the entry for the United States, the following descriptions of the zones US-2.473 to US-2.492 are added after the description of the zone US-2.472:

‘United States	US-2.473	State of Minnesota Blue Earth 04 Blue Earth County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 93.8617646°W 44.0360845°N)
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US-2.474	State of Minnesota Kandiyohi 10 Kandiyohi County: A circular zone of a 10 km radius starting with North point (GPS coordinates 95.0076146°W 45.3427232°N)
US-2.475	State of Oregon Union 01 Union County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 117.8027519°W 45.7310875°N)
US-2.476	State of South Dakota Beadle 10 Beadle County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 98.1435771°W 44.5768659°N)
US-2.477	State of South Dakota Clark 08 Clark County: A circular zone of a 10 km radius starting with North point (GPS coordinates 97.9110878°W 44.8586565°N)
US-2.478	State of South Dakota Hanson 06 Hanson County: A circular zone of a 10 km radius starting with North point (GPS coordinates 97.7485466°W 43.6001696°N)
US-2.479	State of Iowa Buena Vista 08 Buena Vista County: a circular zone of a 10 km radius starting with North point (GPS coordinates: 94.9621975°W 42.7371839°N)
US-2.480	State of Iowa Pocahontas 01 Pocahontas County: a circular zone of a 10 km radius starting with North point (GPS coordinates: 94.7754558°W 42.7860909°N)
US-2.481	State of California Merced 02 Merced County: a circular zone of a 10 km radius starting with North point (GPS coordinates: 120.4857347°W 37.6237459°N)
US-2.482	State of Minnesota Meeker 11 Meeker County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.7354262°W 45.2869308°N)
US-2.483	State of Minnesota Meeker 12 Meeker County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.7311700°W 45.2983706°N)
US-2.484	State of Washington Kittitas 01 Kittitas County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 120.5882301°W 47.1295959°N)

	US-2.485	State of Alabama Chilton 01 Chilton County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 86.5625713°W 32.9241177°N)
	US-2.486	State of Alabama Marshall 01 Marshall County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 86.0980567°W 34.4495771°N)
	US-2.487	State of South Dakota Beadle 11 Beadle County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 98.2049754°W 44.6550632°N)
	US-2.488	State of Iowa Buena Vista 09 Buena Vista County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.9723427°W 42.6603752°N)
	US-2.489	State of Arkansas Madison 02 Madison County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 93.8567479°W 36.2493154°N)
	US-2.490	State of South Dakota McPherson 07 McPherson County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 99.0991193°W 45.6946911°N)
	US-2.491	State of Minnesota Wright 01 Wright County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.1470912°W 45.1510730°N)
	US-2.492	State of Missouri Benton 01 Benton County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 93.2865108°W 38.6051245°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-2.197 to CA-2.201 are added after the row for the zone CA-2.196:

CA Canada	CA-2.197	POU, RAT	N, P1		20.10.2023	
		GBM	P1		20.10.2023	
	CA-2.198	POU, RAT	N, P1		25.10.2023	
		GBM	P1		25.10.2023	
	CA-2.199	POU, RAT	N, P1		24.10.2023	
		GBM	P1		24.10.2023	

	CA-2.200	POU, RAT	N, P1		25.10.2023	
		GBM	P1		25.10.2023	
	CA-2.201	POU, RAT	N, P1		25.10.2023	
		GBM	P1		25.10.2023';	

(b) in the entry for the United Kingdom, the rows for the zone GB-2.317 are replaced by the following:

'GB United Kingdom	GB-2.317	POU, RAT	N, P1		22.8.2023	23.10.2023
		GBM	P1		22.8.2023	23.10.2023';

(c) in the entry for the United Kingdom, the rows for the zones GB-2.320 and GB-2.321 are replaced by the following:

'GB United Kingdom	GB-2.320	POU, RAT	N, P1		10.9.2023	19.10.2023
		GBM	P1		10.9.2023	19.10.2023
	GB-2.321	POU, RAT	N, P1		25.8.2023	23.10.2023
		GBM	P1		25.8.2023	23.10.2023';

(d) in the entry for the United States, the rows for the zones US-2.473 to US-2.492 are added after the rows for the zone US-2.472:

'US United States	US-2.473	POU, RAT	N, P1		24.10.2023	
		GBM	P1		24.10.2023	
	US-2.474	POU, RAT	N, P1		24.10.2023	
		GBM	P1		24.10.2023	
	US-2.475	POU, RAT	N, P1		20.10.2023	
		GBM	P1		20.10.2023	
	US-2.476	POU, RAT	N, P1		25.10.2023	
		GBM	P1		25.10.2023	
	US-2.477	POU, RAT	N, P1		25.10.2023	
		GBM	P1		25.10.2023	
	US-2.478	POU, RAT	N, P1		25.10.2023	
		GBM	P1		25.10.2023	
	US-2.479	POU, RAT	N, P1		23.10.2023	
		GBM	P1		23.10.2023	
	US-2.480	POU, RAT	N, P1		24.10.2023	
		GBM	P1		24.10.2023	
	US-2.481	POU, RAT	N, P1		26.10.2023	
		GBM	P1		26.10.2023	
	US-2.482	POU, RAT	N, P1		25.10.2023	
		GBM	P1		25.10.2023	
US-2.483	POU, RAT	N, P1		31.10.2023		

		GBM	P1		31.10.2023	
US-2.484		POU, RAT	N, P1		27.10.2023	
		GBM	P1		27.10.2023	
US-2.485		POU, RAT	N, P1		27.10.2023	
		GBM	P1		27.10.2023	
US-2.486		POU, RAT	N, P1		2.11.2023	
		GBM	P1		2.11.2023	
US-2.487		POU, RAT	N, P1		31.10.2023	
		GBM	P1		31.10.2023	
US-2.488		POU, RAT	N, P1		1.11.2023	
		GBM	P1		1.11.2023	
US-2.489		POU, RAT	N, P1		31.10.2023	
		GBM	P1		31.10.2023	
US-2.490		POU, RAT	N, P1		3.11.2023	
		GBM	P1		3.11.2023	
US-2.491		POU, RAT	N, P1		3.11.2023	
		GBM	P1		3.11.2023	
US-2.492		POU, RAT	N, P1		6.11.2023	
		GBM	P1		6.11.2023 ¹	

PART II

Correction to Implementing Regulation (EU) 2021/404

- (1) In Annex V, Part 1, Section B, in the entry for the United Kingdom, the rows for the zones GB-2.321 and GB-2.322 are replaced by the following:

'GB United King- dom	GB-2.321	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		25.8.2023	
	GB-2.322		N, P1		27.9.2023	
	GB-2.323		N, P1		23.9.2023 ¹	

- (2) In Annex V, Part 2, in the entry for the United Kingdom, the rows for the zones GB-2.321 and GB-2.322 are replaced by the following:

'United Kingdom	GB-2.321	Ness, Isle of Lewis, Scotland, GB The area contained within a circle of a radius of 10km, centred on WGS84 dec, coordinates Lat: N58.47 and Long: W6.29
	GB-2.322	in Sheshader, Isle of Lewis, Scotland, GB The area contained within a circle of a radius of 10km, centred on WGS84 dec, coordinates Lat: N58.23 and Long: W6.17 ¹ ;

	GB-2.323	near Strichen, Aberdeenshire, Scotland, GB The area contained within a circle of a radius of 10 km, centred on WGS84 dec, coordinates Lat: N57.61 and Long: W2.11';
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(3) In Annex XIV, Part 2, in the entry for the United Kingdom, the rows for the zones GB-2.321 and GB-2.322 are replaced by the following:

GB United King- dom	GB-2.321	POU, RAT	N, P1		25.8.2023	
		GBM	P1		25.8.2023	
	GB-2.322	POU, RAT	N, P1		27.9.2023	
		GBM	P1		27.9.2023	
	GB-2.323	POU, RAT	N, P1		23.9.2023	
		GBM	P1		23.9.2023'	