



2024/1310

8.5.2024

COMMISSION IMPLEMENTING DECISION (EU) 2024/1310

of 6 May 2024

concerning certain interim emergency measures relating to African swine fever in Poland

(notified under document C(2024) 3173)

(Only the Polish text is authentic)

(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 Article 259(2) thereof,

Whereas:

- (1) African swine fever is an infectious viral disease affecting kept and wild porcine animals and can have a severe impact on the concerned animal population and the profitability of farming causing disturbance to movements of consignments of those animals and products thereof within the Union and exports to third countries.
- (2) In the event of outbreaks of African swine fever in wild porcine animals, there is a serious risk of the spread of that disease to other wild porcine animals and to establishments of kept porcine animals.
- (3) Commission Delegated Regulation 2020/687 ⁽²⁾ supplements the rules for the control of the listed diseases referred to in Article 9(1), points (a), (b) and (c), of Regulation (EU) 2016/429, and defined as category A, B and C diseases in Commission Implementing Regulation (EU) 2018/1882 ⁽³⁾. In particular, Articles 63 to 66 of Delegated Regulation (EU) 2020/687 provide for certain measures to be taken in the event of an official confirmation of an outbreak of a category A disease in wild animals, including African swine fever in wild porcine animals. Notably, those provisions provide for the establishment of an infected zone and prohibitions on movements of wild animals of listed species and products of animal origin thereof.
- (4) Commission Implementing Regulation (EU) 2023/594 ⁽⁴⁾ lays down rules on special disease control measures regarding African swine fever. In particular, in the event of an outbreak of that disease in wild porcine animals in an area of a Member State, Article 3, point (b), of that Implementing Regulation provides for the establishment of an infected zone in accordance with Article 63 of Delegated Regulation (EU) 2020/687. In addition, Article 6 of Implementing Regulation (EU) 2023/594 provides that following an outbreak of African swine fever in wild porcine animals in a previously disease-free Member State or zone, that area is to be listed as an infected zone in Part A of Annex II thereto, and that the infected zone established in accordance with Article 63 of Delegated Regulation (EU) 2020/687 is to be adjusted without delay to comprise at least the infected zone listed in Part A of Annex II to that Implementing Regulation.

⁽¹⁾ OJ L 84, 31.03.2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/429/oj>.

⁽²⁾ Commission Delegated Regulation (EU) 2020/687 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and the Council, as regards rules for the prevention and control of certain listed diseases (OJ L 174, 3.6.2020, p. 64, ELI: http://data.europa.eu/eli/reg_del/2020/687/oj).

⁽³⁾ Commission Implementing Regulation (EU) 2018/1882 of 3 December 2018 on the application of certain disease prevention and control rules to categories of listed diseases and establishing a list of species and groups of species posing a considerable risk for the spread of those listed diseases (OJ L 308, 4.12.2018, p. 21, ELI: http://data.europa.eu/eli/reg_impl/2018/1882/oj).

⁽⁴⁾ Commission Implementing Regulation (EU) 2023/594 of 16 March 2023 laying down special disease control measures for African swine fever and repealing Implementing Regulation (EU) 2021/605 (OJ L 79, 17.3.2023, p. 65, ELI: http://data.europa.eu/eli/reg_impl/2023/594/oj).

- (5) Furthermore, Article 8(2) of Implementing Regulation (EU) 2023/594 provides that the Member States concerned are to apply the special disease control measures laid down in that Implementing Regulation applicable to restricted zones II in the areas listed as infected zones in Part A of Annex II thereto, in addition to the measures laid down in Articles 63 to 66 of Delegated Regulation (EU) 2020/687. In addition, Article 8(3) of Implementing Regulation (EU) 2023/594 provides that the Member States are to prohibit the movements of consignments of kept porcine animals and products thereof to other Member States and to third countries from the infected zone of that Member State concerned listed in Part A of Annex II.
- (6) Finally, Article 8(4) of Implementing Regulation (EU) 2023/594 provides that competent authority of the Member States concerned may decide that the prohibition provided for in Article 8(3) of that Implementing Regulation does not apply to the movements of consignments of meat products, including casings, obtained from porcine animals kept in the infected zone listed in Part A of Annex II thereto, which have undergone the relevant risk-mitigating treatment in accordance with Annex VII to Delegated Regulation (EU) 2020/687.
- (7) Poland has informed the Commission of the confirmation of one outbreak of African swine fever in wild porcine animals in the Pomorskie Region on 25 April 2024 in an area that was previously free of that disease. Accordingly, the competent authority of that Member State established an infected zone in accordance with Delegated Regulation (EU) 2020/687 and Implementing Regulation (EU) 2023/594.
- (8) In order to prevent any unnecessary disturbance to trade within the Union and to avoid unjustified barriers to trade by third countries, it is necessary to identify at Union level the infected zone for African swine fever in Poland in collaboration with that Member State.
- (9) In addition, in order to prevent the further spread of African swine fever, pending the listing of the areas of Poland affected by the recent outbreak of African swine fever in wild porcine animals, as an infected zone in Part A of Annex II to Implementing Regulation (EU) 2023/594, those areas of Poland should be listed in the Annex to this Decision and they should be subject to the special disease control measures applicable to restricted zones II as provided for in Article 8(2) of the Implementing Regulation for areas which have been listed as infected zones in Part A of Annex II to that Regulation.
- (10) Due to the persistent and serious nature of this new epidemiological situation of African swine fever in the Union, and taking account of the increased immediate risk of the further spread of the disease, the special disease control measures for African swine fever provided for in Articles 8(3) and (4) of Implementing Regulation (EU) 2023/594, should also apply to movements of consignments of kept porcine animals and products thereof from the areas listed in the Annex to this Decision to other Member States and to third countries, in addition to the measures laid down in Articles 63 to 66 of Delegated Regulation (EU) 2020/687.
- (11) Given the urgency of the epidemiological situation in the Union as regards the spread of African swine fever, it is important that the measures laid down in this Implementing Decision apply as soon as possible.
- (12) Accordingly, pending the opinion of the Standing Committee on Plants, Animals, Food and Feed, the infected zone in Poland should be established immediately and listed in the Annex to this Decision and the duration of that zoning fixed. Furthermore, the application of special disease control measures should be foreseen.
- (13) This Decision is to be reviewed at the next meeting of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

Poland shall ensure that an infected zone for African swine fever is established immediately by Poland in accordance with Article 63 of Delegated Regulation (EU) 2020/687 and Article 3, point (b), of Implementing Regulation (EU) 2023/594, and that it comprises at least the areas listed in the Annex to this Decision.

Article 2

Poland shall apply the special disease control measures applicable to restricted zones II as referred to in Article 8(2) of Implementing Regulation (EU) 2023/594, and the measures provided for in Article 8(3) and (4) of that Implementing Regulation, in the areas listed as an infected zone in the Annex to this Decision, in addition to the measures laid down in Articles 63 to 66 of Delegated Regulation (EU) 2020/687.

Article 3

This Decision shall apply until 24 July 2024.

Article 4

This Decision is addressed to the Republic of Poland.

Done at Brussels, 6 May 2024.

For the Commission
Stella KYRIAKIDES
Member of the Commission

ANNEX

Areas established as infected zone in Poland as referred to in Article 1	Date until applicable
w województwie pomorskim: — gminy Cedry Wielkie, Kolbudy, Pruszcz Gdański i Suchy Dąb w powiecie gdańskim, — gminy Przodkowo i Żukowo w powiecie kartuskim, — gminy Kosakowo i Puck w powiecie puckim, — gminy Reda, Rumia, Szemud i Wejherowo, w powiecie wejherowskim, — miasta na prawach powiatów: Gdańsk, Gdynia, Sopot.	24.7.2024