

COMMISSION IMPLEMENTING DECISION (EU) 2023/1624**of 4 August 2023****amending Implementing Decision (EU) 2022/2333 concerning certain emergency measures relating to sheep pox and goat pox in Spain***(notified under document C(2023) 5415)***(Only the Spanish 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(1) thereof,

Whereas:

- (1) Commission Implementing Decision (EU) 2022/2333 ⁽²⁾ was adopted within the framework of Regulation (EU) 2016/429, and it lays down emergency measures relating to outbreaks of sheep pox and goat pox in Spain, that were detected in the regions of Andalusia and Castilla-La Mancha, where they form two distinct clusters, one in each region. That Implementing Decision applies until 31 December 2023.
- (2) More particularly, Implementing Decision (EU) 2022/2333 provides that the protection, surveillance and further restricted zones, to be established by Spain following outbreaks of sheep pox and goat pox, in accordance with Article 21 of Commission Delegated Regulation (EU) 2020/687 ⁽³⁾, are to comprise at least the areas listed in the Annex to that Implementing Decision.
- (3) In addition to the protection and surveillance zones, a further restricted zone was established, in accordance with Article 21(1) of Delegated Regulation (EU) 2020/687, in both the regions of Andalusia and Castilla-La Mancha, where Spain is required to apply certain measures regarding restrictions on the movements of sheep and goats outside that further restricted zone, with a view to preventing the spread of sheep pox and goat pox to the rest of its territory and to the rest of the Union.
- (4) After the adoption of Implementing Decision (EU) 2022/2333, Spain notified the Commission of a number of additional outbreaks of sheep pox and goat pox in establishments where sheep and/or goats were kept. As a result, the areas listed as protection and surveillance zones, as well as the areas listed as further restricted zones for Spain, in the Annex to Implementing Decision (EU) 2022/2333, were subsequently amended. The Annex to Implementing Decision (EU) 2022/2333 was last amended by Commission Implementing Decision 2023/1145 ⁽⁴⁾.
- (5) Since the date of adoption of Implementing Decision (EU) 2023/1145, Spain has informed the Commission about the surveillance undertaken in the protection and surveillance zones listed in the Annex to Implementing Decision (EU) 2022/2333. The results of this surveillance indicate that there have been no new outbreaks of sheep pox and goat pox in Spain since 17 May 2023.

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ Commission Implementing Decision (EU) 2022/2333 of 23 November 2022 concerning certain emergency measures relating to sheep pox and goat pox in Spain and repealing Implementing Decision (EU) 2022/1913 (OJ L 308, 29.11.2022, p. 22).

⁽³⁾ 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).

⁽⁴⁾ Commission Implementing Decision (EU) 2023/1145 of 7 June 2023 amending Implementing Decision (EU) 2022/2333 concerning certain emergency measures relating to sheep pox and goat pox in Spain (OJ L 151, 12.6.2023, p. 28).

- (6) In view of the favourable epidemiological situation as regards that disease, Spain has requested that certain measures laid down in Article 3 of Implementing Decision (EU) 2022/2333 related to the movements of sheep and goats from the further restricted zone to a destination outside that further restricted zone be amended, to allow movements of sheep and goats from the further restricted zone to the rest of the territory of Spain, for purposes other than immediate slaughter.
- (7) Therefore, the measures related to the movements of sheep and goats from the further restricted zone to a destination outside that further restricted zone, as provided for in Article 3 of Implementing Decision (EU) 2022/2333, should be amended to allow for movements of sheep and goats from the further restricted zone to the rest of the territory of Spain for the purposes other than immediate slaughter and setting out conditions and biosecurity measures under which such movements may take place, taking into account the current epidemiological situation as regards sheep pox and goat pox in the region of Castilla-La Mancha.
- (8) Given the epidemiological situation, i.e. the absence of sheep pox and goat pox in other parts of the Union, and the specific needs regarding the movements of sheep and goats from the further restricted zone to the rest of Spain in particular to avoid animal welfare problems with the animals in this further restricted zone, due to the size and long duration of the measures implemented in this zone, it is important that the amendments to be made to Article 3 of Implementing Decision (EU) 2022/2333 by this Decision take effect as soon as possible.
- (9) Implementing Decision (EU) 2022/2333 should therefore be amended accordingly.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

Amendments to Implementing Decision (EU) 2022/2333

Article 3 of Implementing Decision (EU) 2022/2333 is replaced by the following:

'Article 3

Measures to be applied in the protection, surveillance and the further restricted zones

1. Movements of sheep and goats kept in the protection zone shall only be permitted if they are authorised by the competent authority and they comply with the conditions set out in paragraphs 2, 7 and 8.
2. Movements of sheep and goats kept in the protection zone may be authorised by the competent authority when such movements of sheep and goats are directly to a slaughterhouse located in the same protection zone as the establishment of origin, for immediate slaughter.
3. Movements of sheep and goats kept in the surveillance zone shall only be permitted if they are authorised by the competent authority and they comply with the conditions set out in paragraphs 4, 7 and 8.
4. Movements of sheep and goats kept in the surveillance zone may be authorised by the competent authority when such movements of sheep and goats are directly to a slaughterhouse located in the same surveillance zone as the establishment of origin, for immediate slaughter.
5. Movements of sheep and goats from the further restricted zone to a destination outside that further restricted zone shall only be permitted if they are authorised by the competent authority and they comply with the conditions set out in paragraph 6, and in paragraph 8, points (a) to (d).

6. The following movements of sheep and goats, kept in the further restricted zone, outside that zone within the territory of Spain, may be authorised by the competent authority of the place of origin:

- (a) movements of sheep and goats directly to a slaughterhouse for immediate slaughter;
- (b) movements of sheep and goats directly to an establishment located outside the further restricted zone, subject to the following conditions:
 - (i) the animals destined for movement were kept in the establishment of origin for a period of at least 30 days prior to the date of movement, or since birth if younger than 30 days;
 - (ii) the sheep and goats shall remain in the establishment of destination, for a period of at least 30 days after the date of arrival, except where they are moved directly to a slaughterhouse for immediate slaughter;
 - (iii) the sheep and goats destined for movement shall comply with one of the following requirements:
 - within the period of 48 hours preceding the time of loading, the sheep and goats on the establishment of origin must have been subjected to a clinical inspection and have not shown clinical signs or lesions of sheep pox and goat pox;
 - or
 - the sheep and goats destined for movement comply with any other similar animal health guarantees, based on the favourable outcome of a risk assessment of the measures against the spread of sheep pox and goat pox required by the competent authority of the place of origin.

7. The sheep and goats due for transport shall be subject to clinical inspection by the competent authority of the place of origin within a period of 24 hours or less before the time of transport.

8. The means of transport used for the movements of sheep and goats from the protection, surveillance or further restricted zones, referred to in paragraphs 1, 3 and 5, shall:

- (a) comply with the requirements for the means of transport laid down in Article 24(1) of Delegated Regulation (EU) 2020/687;
- (b) be cleaned and disinfected before any transport of animals under the control or supervision of the competent authority;
- (c) be cleaned and disinfected in accordance with the requirements for the means of transport laid down in Article 24(2) of Delegated Regulation (EU) 2020/687 under the control or supervision of the competent authority;
- (d) only transport sheep and goats of the same health status kept in the same establishment;
- (e) be sealed by the competent authority of the establishment of origin after the loading of the animals and unsealed by the competent authority of the slaughterhouse of destination.'

Article 2

Addressee

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 4 August 2023.

For the Commission
Stella KYRIAKIDES
Member of the Commission
