



2023/2618

24.11.2023

COMMISSION IMPLEMENTING REGULATION (EU) 2023/2618

of 23 November 2023

amending certain Annexes to Implementing Regulation (EU) 2021/620 as regards the approval or withdrawal of the disease-free status of certain Member States or zones thereof as regards certain listed diseases and the approval of eradication programmes for certain listed diseases

(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 31(3), 36(4) and 42(4) thereof,

Whereas:

- (1) Regulation (EU) 2016/429 lays down disease-specific rules for the diseases listed in accordance with Article 5(1) thereof and lays down how those rules are to be applied to different categories of listed diseases. Regulation (EU) 2016/429 provides for the Member States to establish compulsory eradication programmes for the listed diseases referred to in Article 9(1), point (b), thereof, and for optional eradication programmes for listed diseases referred to in Article 9(1), point (c), thereof, and for the approval of such programmes by the Commission. That Regulation also provides for the approval or withdrawal by the Commission of the disease-free status of Member States or zones or compartments thereof regarding certain listed diseases referred to in Article 9(1), points (b) and (c), thereof.
- (2) Commission Delegated Regulation (EU) 2020/689 ⁽²⁾ supplements Regulation (EU) 2016/429 and lays down the criteria for granting, maintaining, suspending, and withdrawing disease-free status for Member States or zones or compartments thereof, and the requirements for the approval of compulsory or optional eradication programmes for Member States or zones or compartments thereof.
- (3) Commission Implementing Regulation (EU) 2021/620 ⁽³⁾ lays down implementing rules for the listed diseases, referred to in Article 9(1), points (a), (b) and (c), of Regulation (EU) 2016/429, of animals, as regards the disease-free and non-vaccination status of certain Member States or zones or compartments thereof, and the approval of eradication programmes for those listed diseases. More particularly, it lists in the Annexes thereto, the Member States or zones or compartments thereof with disease-free status, and it also lists the existing approved compulsory or optional eradication programmes. The changing epidemiological situation of the Aujeszky's disease virus (ADV) and the bluetongue virus (serotypes 1-24) (BTV) in certain Member States makes it necessary to amend Annexes VI and VIII to Implementing Regulation (EU) 2021/620 to reflect the current situation.
- (4) For infection with ADV and infection with BTV, certain Member States have recently applied to the Commission to have disease-free status granted or optional eradication programmes approved for certain zones of their territory. Certain Member States have also notified outbreaks of infection with BTV. Accordingly, this situation should be reflected in Annexes VI and VIII to Implementing Regulation (EU) 2021/620.

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) 2020/689 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for surveillance, eradication programmes, and disease-free status for certain listed and emerging diseases (OJ L 174, 3.6.2020, p. 211).

⁽³⁾ Commission Implementing Regulation (EU) 2021/620 of 15 April 2021 laying down rules for the application of Regulation (EU) 2016/429 of the European Parliament and of the Council as regards the approval of the disease-free and non-vaccination status of certain Member States or zones or compartments thereof as regards certain listed diseases and the approval of eradication programmes for those listed diseases (OJ L 131, 16.4.2021, p. 78).

- (5) For infection with ADV, Portugal has submitted to the Commission information demonstrating that the conditions for the recognition of disease-free status from infection with ADV laid down in Delegated Regulation (EU) 2020/689 are fulfilled for the Autonomous Region of the Azores. Following the assessment by the Commission, that application has been shown to comply with the criteria laid down in Part II, Chapter 4, of Delegated Regulation (EU) 2020/689 for the granting of disease-free status from infection with ADV. Therefore, that zone should be listed in Part I of Annex VI to Implementing Regulation (EU) 2021/620, as having disease-free status from infection with ADV.
- (6) As regards infection with BTV, Belgium and the Netherlands have notified to the Commission several outbreaks of infection with BTV serotype 3 affecting the whole territory of those Member States, Germany has notified to the Commission an outbreak of infection with BTV serotype 3 affecting the state of North Rhine-Westphalia, and Spain has notified to the Commission several outbreaks of infection with BTV serotype 4 in the province of Ciudad Real in the Autonomous Community of Castilla-La Mancha, also affecting the surrounding provinces of Albacete, Cuenca and Toledo. As the whole territory of Belgium, the whole territory of Germany, the whole territory of the Netherlands, and parts of those provinces in Spain are recognised as having disease-free status and are listed in Part I of Annex VIII to Implementing Regulation (EU) 2021/620, such disease-free status from infection with BTV should be withdrawn, and the entries for the whole territory of Belgium and for the whole territory of the Netherlands should be deleted, and the entries for Germany and for Spain in that list should be amended accordingly.
- (7) As regards infection with BTV, Spain has also informed the Commission that it has extended the territorial scope of the optional eradication programme already approved for the zone listed in Part II of Annex VIII to Implementing Regulation (EU) 2021/620 with the addition of a zone comprising the whole of the provinces of Albacete, Ciudad Real and Toledo in the Autonomous Community of Castilla-La Mancha. Therefore, that zone should be added to the entry for Spain in Part II of Annex VIII to Implementing Regulation (EU) 2021/620, as a zone with an approved eradication programme for infection with BTV.
- (8) Annexes VI and VIII to Implementing Regulation (EU) 2021/620 should, therefore, be amended accordingly.
- (9) 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 VI and VIII to Implementing Regulation (EU) 2021/620 are 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, 23 November 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Annexes VI and VIII to Implementing Regulation (EU) 2021/620 are amended as follows:

- (1) in Annex VI, in Part I, the following entry for Portugal is inserted between the entry for Poland and the entry for Slovenia:

Member State	Territory
Portugal	Região Autónoma dos Açores'

- (2) Annex VIII is amended as follows:

- (a) Part I is amended as follows:

- (i) the entry for Belgium is deleted;
- (ii) the entry for Germany is replaced by the following:

Member State	Territory
'Germany	Whole territory except Bundesland Nordrhein-Westfalen'

- (iii) the entry for the Netherlands is deleted;

- (iv) the entry for Spain is replaced by the following:

Member State	Territory
'Spain	Comunidad Autónoma de Andalucía: Province of Almería Province of Granada, the following districts: Alhama de Granada (Alhama/Temple), Baza (Altiplanicie Sur), Guadix (Hoya-Altiplanicie de Guadix), Huescar (Altiplanicie Norte), Iznalloz (Montes Orientales), Loja (Vega/Montes Occ.), Orgiva (Alpujarra/Valle de Lecrin), Santa Fe (Vega de Granada) Comunidad Autónoma de Aragón Comunidad Autónoma de Asturias Comunidad Autónoma de Canarias Comunidad Autónoma de Cantabria Comunidad Autónoma de Castilla-La Mancha: Province of Guadalajara Comunidad Autónoma de Castilla y León, except the following areas: Province of Salamanca Ávila, Arenas de San Pedro, Candeleda, Cebreros, El Barco de Ávila, El Barraco, Navaluenga, Navarredonda de Gredos, Piedrahíta, San Pedro del Arroyo, Sotillo de la Adrada in the Province of Ávila Alcañices, Bermillo de Sayago, Puebla de Sanabria in the Province of Zamora Comunidad Autónoma de Cataluña Comunidad Autónoma de Galicia except the following areas: Province of Orense Province of Pontevedra Sarria, Chantada and Terra de Lemos-Quiroga in the Province of Lugo Comunidad Autónoma de La Rioja Comunidad Autónoma de Madrid, except the following districts: Navalcarnero, San Martín de Valdeiglesias Comunidad Autónoma de Murcia Comunidad Autónoma de Navarra Comunidad Autónoma de País Vasco Comunidad Autónoma de Valencia'

(b) Part II is replaced by the following:

‘PART II

Member States or zones thereof with an approved eradication programme for infection with BTV

Member State	Territory	Date of initial approval as referred to in Article 15(2) of Delegated Regulation (EU) 2020/689
Spain	Comunidad Autónoma de Andalucía: Provinces of Cádiz, Córdoba, Huelva, Jaén, Málaga, Sevilla Province of Granada: Motril (Costa de Granada) Comunidad Autónoma de Castilla-La Mancha, except the Province of Guadalajara Comunidad Autónoma de Castilla y León: Province of Salamanca Province of Ávila, the following districts: Ávila, Arenas de San Pedro, Candeleda, Cebreros, El Barco de Ávila, El Barraco, Navaluenga, Navarredonda de Gredos, Piedrahíta, San Pedro del Arroyo, Sotillo de la Adrada Province of Zamora, the following districts: Alcañices, Bermillo de Sayago, Puebla de Sanabria Comunidad Autónoma de Extremadura Comunidad Autónoma de Galicia: Province of Orense Province of Pontevedra Sarria, Chantada and Terra de Lemos-Quiroga in the Province of Lugo Comunidad Autónoma de Islas Baleares Comunidad Autónoma de Madrid, the following districts: Navalcarnero, San Martín de Valdeiglesias	21 February 2022’