



COMMISSION IMPLEMENTING REGULATION (EU) 2023/2688

of 24 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 seven outbreaks of highly pathogenic avian influenza (HPAI) in poultry in the provinces of British Columbia (5), Alberta (1), and Saskatchewan (1), which were confirmed between 4 November 2023 and 7 November 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 California (1), Iowa (2), Minnesota (3), Missouri (1), North Dakota (2), Oregon (2), and South Dakota (9), which were confirmed between 14 November 2023 and 22 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, Canada and the United Kingdom have provided updated information to the Commission in relation to the epidemiological situation on their territories 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) Canada has submitted updated information on the epidemiological situation in relation to three outbreaks of HPAI in poultry establishments in the provinces of Alberta (2) and Saskatchewan (1), which were confirmed between 20 September 2023 and 3 October 2023.
- (12) The United Kingdom has submitted updated information on the epidemiological situation in relation to an outbreak of HPAI in a poultry establishment in Scotland, on the Isle of Lewis, which was confirmed on 27 September 2023.
- (13) Canada and the United Kingdom have also submitted information on the measures that were taken to prevent the further spread of HPAI. In particular, following the outbreaks of that disease, they have implemented a stamping out policy in order to control and limit the spread of that disease, and they have also completed the requisite cleaning and disinfection following the implementation of the stamping out policy on the infected poultry establishments on their territories.
- (14) The Commission has evaluated the information submitted by Canada and 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 Canada and the United Kingdom, from which entry into the Union had been suspended, should be reauthorised.
- (15) 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.
- (16) Commission Implementing Regulation (EU) 2023/2580 ⁽⁴⁾ corrected Annexes V and XIV to Implementing Regulation (EU) 2021/404 as regards the numbering of codes for two zones for the United Kingdom. An error has been detected as regards the closing date for one of those zones. It is therefore appropriate to correct Annexes V and XIV accordingly.
- (17) 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.

⁽⁴⁾ 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 (OJ L, 2023/2580, 15.11.2023, ELI: http://data.europa.eu/eli/reg_impl/2023/2580/oj)

- (18) The correction of the entries for the United Kingdom in the rows for the zone GB–2.323 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) 2023/2580.
- (19) 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 16 November 2023.

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

Done at Brussels, 24 November 2023.

For the Commission
The President
Ursula VON DER LEYEN

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 rows for the zones CA–2.192, CA–2.193 and CA–2.194 are replaced by the following:

‘CA Canada	CA–2.192	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		20.9.2023	17.11.2023
	CA–2.193		N, P1		27.9.2023	17.11.2023
	CA–2.194		N, P1		3.10.2023	17.11.2023’;

(ii) in the entry for Canada, the following rows for the zones CA–2.206 to CA–2.212 are added after the row for the zone CA–2.205:

‘CA Canada	CA–2.206	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		4.11.2023	
	CA–2.207		N, P1		4.11.2023	
	CA–2.208		N, P1		4.11.2023	
	CA–2.209		N, P1		6.11.2023	
	CA–2.210		N, P1		7.11.2023	
	CA–2.211		N, P1		7.11.2023	
	CA–2.212		N, P1		7.11.2023’;	

(iii) in the entry for the United Kingdom, the row for the zone GB–2.322 is replaced by the following:

‘GB United King- dom	GB–2.322	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		27.9.2023	30.10.2023’;
----------------------------	----------	---	-------	--	-----------	--------------

(iv) in the entry for the United States, the following rows for the zones US–2.506 to US–2.525 are added after the row for the zone US–2.505:

‘US United States	US–2.506	BPP, BPR, DOC, DOR, SP, SR, POU- LT20, HEP, HER, HE-LT20	N, P1		14.11.2023	
	US–2.507		N, P1		14.11.2023	
	US–2.508		N, P1		14.11.2023	
	US–2.509		N, P1		14.11.2023	
	US–2.510		N, P1		14.11.2023	
	US–2.511		N, P1		15.11.2023	
	US–2.512		N, P1		15.11.2023	
	US–2.513		N, P1		14.11.2023	
	US–2.514		N, P1		16.11.2023	

	US-2.515		N, P1		16.11.2023	
	US-2.516		N, P1		20.11.2023	
	US-2.517		N, P1		17.11.2023	
	US-2.518		N, P1		20.11.2023	
	US-2.519		N, P1		20.11.2023	
	US-2.520		N, P1		21.11.2023	
	US-2.521		N, P1		21.11.2023	
	US-2.522		N, P1		21.11.2023	
	US-2.523		N, P1		22.11.2023	
	US-2.524		N, P1		20.11.2023	
	US-2.525		N, P1		15.11.2023;	

(b) Part 2 is amended as follows:

- (i) in the entry for Canada, the following descriptions of the zones CA-2.206 to CA-2.212 are added after the row for the zone CA-2.205:

‘Canada	CA-2.206	British Columbia- Latitude 49.04, Longitude -122.23 The municipalities involved are: 3km PZ: Abbotsford 10km SZ: Abbotsford, Kilgard, Barrowtown, and Arnold
	CA-2.207	British Columbia- Latitude 49.07, Longitude -122.62 The municipalities involved are: 3km PZ: Langley and Langley Township 10km SZ: Aldergrove, Langley, Langley Township, and Surrey
	CA-2.208	Saskatchewan- Latitude 52.53, Longitude -106.57 The municipalities involved are: 3km PZ: Hague and Hepburn 10km SZ: Corman Park, Greenfeld, Gruenthal, Hague, Hepburn, Laird, Osler, and Rosthern
	CA-2.209	Alberta- Latitude 49.79, Longitude -113.32 The municipalities involved are: 3km PZ: Fort Macleod and Pearce 10km SZ: Fort Macleod, Granum, and Pearce
	CA-2.210	British Columbia- Latitude 49.31, Longitude -121.77 The municipalities involved are: 3km PZ: Agassiz 10km SZ: Agassiz, Harrison Hot Springs, Hope, and Kent
	CA-2.211	British Columbia- Latitude 49.10, Longitude -122.13 The municipalities involved are: 3km PZ: Abbotsford and Chilliwack 10km SZ: Abbotsford, Chilliwack, Cultus Lake, Deroche, and Lindell Beach
	CA-2.212	British Columbia- Latitude 49.10, Longitude -122.13 The municipalities involved are: 3km PZ: Deroche, Dewdney, and Mission 10km SZ: Abbotsford, Chilliwack, Deroche, Dewdney, Durieu, and Mission’;

- (ii) in the entry for the United States, the following description of the zones US–2.506 to US–2.525 are added after the row for the zone US–2.505:

United States	US–2.506	State of Minnesota Kandiyohi 11 Kandiyohi County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.9909461°W 45.1277665°N)
	US–2.507	State of Minnesota Redwood 05 Redwood County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 95.4904365°W 44.6206586°N)
	US–2.508	State of Missouri Jasper 03 Jasper County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.5951531°W 37.4320917°N)
	US–2.509	State of Iowa Kossuth 03 Kossuth County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.2239944°W 43.3722927°N)
	US–2.510	State of Iowa Taylor 02 Taylor County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.4897578°W 40.8971963°N)
	US–2.511	State of North Dakota LaMoure 04 LaMoure County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 98.4045941°W 46.4309401°N)
	US–2.512	State of South Dakota Edmunds 06 Edmunds County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 99.0021019°W 45.5211771°N)
	US–2.513	State of Minnesota Stearns 15 Stearns County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.8070843°W 45.7442945°N)
	US–2.514	State of Oregon Linn 04 Linn County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 122.9913798°W 44.4537258°N)
	US–2.515	State of Oregon Marion 02 Marion County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 122.8594746°W 45.3180106°N)
	US–2.516	State of California Fresno 08 Fresno County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 120.3582891°W 36.7404721°N)

	US-2.517	State of South Dakota Edmunds 07 Edmunds County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 99.0273841°W 45.6254446°N)
	US-2.518	State of South Dakota Edmunds 08 Edmunds County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 99.1308661°W 45.4350642°N)
	US-2.519	State of South Dakota Edmunds 09 Edmunds County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 99.0011969°W 45.4651880°N)
	US-2.520	State of South Dakota Kingsbury 05 Kingsbury County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 97.1788601°W 44.3252271°N)
	US-2.521	State of South Dakota Beadle 12 Beadle County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 97.9009159°W 44.4150837°N)
	US-2.522	State of South Dakota Clark 10 Clark County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 97.6720830°W 45.0348083°N)
	US-2.523	State of South Dakota Clark 11 Clark County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 97.5989286°W 44.9530109°N)
	US-2.524	State of South Dakota Day 02 Day County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 97.6241703°W 45.4300029°N)
	US-2.525	State of North Dakota McIntosh 02 McIntosh County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 99.8854345°W 46.0713755°N);

(2) in Annex XIV, in Part 1, Section B is amended as follows:

(a) in the entry for Canada, the rows for the zones CA-2.192, CA-2.193 and CA-2.194 are replaced by the following:

‘CA Canada	CA-2.192	POU, RAT	N, P1		20.9.2023	17.11.2023
		GBM	P1		20.9.2023	17.11.2023
	CA-2.193	POU, RAT	N, P1		27.9.2023	17.11.2023
		GBM	P1		27.9.2023	17.11.2023
	CA-2.194	POU, RAT	N, P1		3.10.2023	17.11.2023
		GBM	P1		3.10.2023	17.11.2023;

- (b) in the entry for Canada, the following rows for the zones CA–2.206 to CA–2.212 are added after the row for the zone CA–2.205:

CA Canada	CA–2.206	POU, RAT	N, P1		4.11.2023	
		GBM	P1		4.11.2023	
	CA–2.207	POU, RAT	N, P1		4.11.2023	
		GBM	P1		4.11.2023	
	CA–2.208	POU, RAT	N, P1		4.11.2023	
		GBM	P1		4.11.2023	
	CA–2.209	POU, RAT	N, P1		6.11.2023	
		GBM	P1		6.11.2023	
	CA–2.210	POU, RAT	N, P1		7.11.2023	
		GBM	P1		7.11.2023	
	CA–2.211	POU, RAT	N, P1		7.11.2023	
		GBM	P1		7.11.2023	
	CA–2.212	POU, RAT	N, P1		7.11.2023	
		GBM	P1		7. 11.2023';	

- (c) in the entry for the United Kingdom, the rows for the zone GB–2.322 are replaced by the following:

GB United Kingdom	GB–2.322	POU, RAT	N, P1		27.9.2023	30.10.2023
		GBM	P1		27.9.2023	30.10.2023';

- (d) in the entry for the United States, the following rows for the zones US–2.506 to US–2.525 are added after the row for the zone US–2.505:

US United States	US–2.506	POU, RAT	N, P1		14.11.2023	
		GBM	P1		14.11.2023	
	US–2.507	POU, RAT	N, P1		14.11.2023	
		GBM	P1		14.11.2023	
	US–2.508	POU, RAT	N, P1		14.11.2023	
		GBM	P1		14.11.2023	
	US–2.509	POU, RAT	N, P1		14.11.2023	
		GBM	P1		14.11.2023	
	US–2.510	POU, RAT	N, P1		14.11.2023	
		GBM	P1		14.11.2023	
	US–2.511	POU, RAT	N, P1		15.11.2023	
		GBM	P1		15.11.2023	
	US–2.512	POU, RAT	N, P1		15.11.2023	
		GBM	P1		15.11.2023	

US-2.513	POU, RAT	N, P1		14.11.2023	
	GBM	P1		14.11.2023	
US-2.514	POU, RAT	N, P1		16.11.2023	
	GBM	P1		16.11.2023	
US-2.515	POU, RAT	N, P1		16.11.2023	
	GBM	P1		16.11.2023	
US-2.516	POU, RAT	N, P1		20.11.2023	
	GBM	P1		20.11.2023	
US-2.517	POU, RAT	N, P1		17.11.2023	
	GBM	P1		17.11.2023	
US-2.518	POU, RAT	N, P1		20.11.2023	
	GBM	P1		20.11.2023	
US-2.519	POU, RAT	N, P1		20.11.2023	
	GBM	P1		20.11.2023	
US-2.520	POU, RAT	N, P1		21.11.2023	
	GBM	P1		21.11.2023	
US-2.521	POU, RAT	N, P1		21.11.2023	
	GBM	P1		21.11.2023	
US-2.522	POU, RAT	N, P1		21.11.2023	
	GBM	P1		21.11.2023	
US-2.523	POU, RAT	N, P1		22.11.2023	
	GBM	P1		22.11.2023	
US-2.524	POU, RAT	N, P1		20.11.2023	
	GBM	P1		20.11.2023	
US-2.525	POU, RAT	N, P1		15.11.2023	
	GBM	P1		15.11.2023'	

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 row for the zone GB-2.323 is replaced by the following:

'GB United King- dom	GB-2.323	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		23.10.2023';	
-----------------------------------	----------	---	-------	--	--------------	--

- (2) In Annex XIV, Part 2, in the entry for the United Kingdom, the rows for the zone GB-2.323 are replaced by the following:

‘GB United King- dom	GB-2.323	POU, RAT	N, P1		23.10.2023	
		GBM	P1		23.10.2023’.	