



2023/2755

6.12.2023

COMMISSION IMPLEMENTING REGULATION (EU) 2023/2755

of 5 December 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 two outbreaks of highly pathogenic avian influenza (HPAI) in poultry in the province of British Columbia, which were confirmed on 8 November 2023 by laboratory analysis (RT-PCR).
- (6) The United Kingdom has notified the Commission of two outbreaks of highly pathogenic avian influenza (HPAI) in poultry in England, in the council areas of Devon and Northumberland, which were confirmed on 29 November 2023 and 27 November, respectively, 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) The United States has notified the Commission of 17 outbreaks of HPAI in poultry in the states of Georgia (1), Iowa (1), Maryland (1), Minnesota (9), Ohio (1), North Dakota (1), and South Dakota (3), which were confirmed between 16 November 2023 and 28 November 2023 by laboratory analysis (RT-PCR).
- (8) Following these recent outbreaks of HPAI, the veterinary authorities of Canada, the United Kingdom 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.
- (9) Canada, the United Kingdom 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.
- (10) 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, the United Kingdom 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.
- (11) Moreover, Canada and the United States 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.
- (12) In particular, Canada has submitted updated information on the epidemiological situation in relation to an outbreak of HPAI in poultry establishments in the province of Alberta, which was confirmed on 10 October 2023.
- (13) Furthermore, the United States has submitted updated information on the epidemiological situation on its territory in relation to an outbreak of HPAI in a poultry establishment in the state of South Dakota, which was confirmed on 4 October 2023.
- (14) Canada and the United States have also submitted information on the measures that were taken to prevent the further spread of HPAI. In particular, following the outbreak of that disease, they have implemented a stamping out policy in order to control and limit the spread of that disease, and completed the requisite cleaning and disinfection following the implementation of the stamping out policy on the infected poultry establishment on their territories.
- (15) The Commission has evaluated the information submitted by Canada and the United States, and considers that they have provided appropriate guarantees that the animal health situation that gave rise to the suspensions, no longer represent 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 States, from which entry into the Union had been suspended, should be reauthorised.
- (16) 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.
- (17) Taking into account the current epidemiological situation in Canada, the United Kingdom and the United States as regards HPAI, 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.
- (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

Annexes V and XIV to Implementing Regulation (EU) 2021/404 are amended in accordance with the Annex to this Regulation.

Article 2

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*.

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

Done at Brussels, 5 December 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

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 row for the zone CA-2.195 is replaced by the following:

'CA' Canada	CA-2.195	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		10.10.2023	24.11.2023'
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(ii) in the entry for Canada, the following rows for the zones CA-2.213 and CA-2.214 are added after the row for the zone CA-2.212:

'CA' Canada	CA-2.213	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		8.11.2023	
	CA-2.214		N, P1		8.11.2023'	

(iii) in the entry for the United Kingdom, the following rows for the zones GB-2.325 and GB-2.326 are added after the row for the zone GB-2.324:

'GB' United Kingdom	GB-2.325	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		27/11/2023	
	GB-2.326		N, P1		29/11/2023'	

(iv) in the entry for the United States, the row for the zone US-2.460 is replaced by the following:

'US' United States	US-2.460	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		4.10.2023	22.11.2023'
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(v) in the entry for the United States, the following rows for the zones US-2.526 to US-2.542 are added after the row for the zone US-2.525:

'US' United States	US-2.526	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		16.11.2023	
	US-2.527		N, P1		21.11.2023	
	US-2.528		N, P1		21.11.2023	
	US-2.529		N, P1		21.11.2023	
	US-2.530		N, P1		22.11.2023	
	US-2.531		N, P1		22.11.2023	
	US-2.532		N, P1		24.11.2023	
	US-2.533		N, P1		23.11.2023	
	US-2.534		N, P1		21.11.2023	
	US-2.535		N, P1		21.11.2023	
	US-2.536		N, P1		22.11.2023	
	US-2.537		N, P1		21.11.2023	

	US-2.538		N, P1		28.11.2023	
	US-2.539		N, P1		28.11.2023	
	US-2.540		N, P1		28.11.2023	
	US-2.541		N, P1		27.11.2023	
	US-2.542		N, P1		28.11.2023'	

(b) Part 2 is amended as follows:

- (i) in the entry for Canada, the following descriptions of the zones CA-2.213 and CA-2.214 are added after the description of the zone CA-2.212:

'Canada	CA-2.213	British Columbia- Latitude 49.02, Longitude -122.55 The municipalities involved are: 3km PZ: Aldergrove and Langley Township 10km SZ: Abbotsford, Aldergrove, Langley, and Langley Township
	CA-2.214	British Columbia- Latitude 49.34, Longitude -124.4 The municipalities involved are: 3km PZ: Parksville and Qualicum Beach 10km SZ: Coombs, Errington, Parksville, and Qualicum Beach'

- (ii) in the entry for the United Kingdom, the following descriptions of the zones GB-2.325 and GB-2.326 are added after the description of the zone GB-2.324:

'United Kingdom	GB-2.325	near Wooler, Berwick-Upon-Tweed, Northumberland, England, GB The area contained within a circle of a radius of 10km, centred on WGS84 dec, coordinates Lat: N55.59 and Long: W2.09
	GB-2.326	near Cranbrook, East Devon, Devon, England, GB The area contained within a circle of a radius of 10km, centred on WGS84 dec, coordinates Lat: N50.77 and Long: W3.50'

- (iii) in the entry for the United States, the following descriptions of the zones US-2.526 to US-2.542 are added after the description of the zone US-2.525:

'United States	US-2.526	State of Minnesota Swift 07 Swift County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 95.7836781°W 45.3290985°N)
	US-2.527	State of Minnesota Big Stone 02 Big Stone County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 96.5839374°W 45.5199639°N)
	US-2.528	State of Minnesota Brown 04 Brown County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.6762791°W 44.3873242°N)

US-2.529	State of Minnesota Kandiyohi 12 Kandiyohi County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 95.0218481°W 45.1720661°N)
US-2.530	State of Minnesota Otter Tail 08 Otter Tail County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 95.3657614°W 46.2920714°N)
US-2.531	State of Minnesota Stearns 16 Stearns County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.9181198°W 45.7633456°N)
US-2.532	State of Minnesota Otter Tail 09 Otter Tail County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 95.4699247°W 46.6529963°N)
US-2.533	State of Minnesota Kandiyohi 13 Kandiyohi County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 95.0171215°W 45.1717360°N)
US-2.534	State of Georgia Sumter 01 Sumter County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 84.0512798°W 32.2094378°N)
US-2.535	State of Maryland Caroline 01 Caroline County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 75.9570082°W 38.8335872°N)
US-2.536	State of South Dakota Brule 04 Brule County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 98.8847887°W 43.7372590°N)
US-2.537	State of Ohio Union 01 Union County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 84.0512798°W 32.2094378°N)
US-2.538	State of Iowa Sioux 01 Sioux County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 96.2515298°W 43.1886323°N)
US-2.539	State of South Dakota McPherson 09 McPherson County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 98.8843773°W 45.9972533°N)

	US-2.540	State of South Dakota Yankton 02 Yankton County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 97.4907641°W 43.2004004°N)
	US-2.541	State of Minnesota Brown 05 Brown County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 94.6796137°W 44.3876842°N)
	US-2.542	State of North Dakota Dickey 04 Dickey County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 98.4439654°W 46.1626533°N)

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

(a) in the entry for Canada, the rows for the zone CA-2.195 are replaced by the following:

'CA Canada	CA-2.195	POU, RAT	N, P1		10.10.2023	24.11.2023
		GBM	P1		10.10.2023	24.11.2023'

(b) in the entry for Canada, the rows for the zones CA-2.213 and CA-2.214 are added after the row for the zone CA-2.212:

'CA Canada	CA-2.213	POU, RAT	N, P1		8.11.2023	
		GBM	P1		8.11.2023	
	CA-2.214	POU, RAT	N, P1		8.11.2023	
		GBM	P1		8.11.2023'	

(c) in the entry for the United Kingdom, the following rows for the zones GB-2.325 and GB-2.326 are added after the rows for the zone GB-2.324:

'GB United Kingdom	GB-2.325	POU, RAT	N, P1		27.11.2023	
		GBM	P1		27.11.2023	
	GB-2.326	POU, RAT	N, P1		29.10.2023	
		GBM	P1		29.10.2023'	

(d) in the entry for the United States, the rows for the zone US-2.460 are replaced by the following:

'US United States	US-2.460	POU, RAT	N, P1		4.10.2023	22.11.2023
		GBM	P1		4.10.2023	22.11.2023'

(e) in the entry for the United States, the rows for the zones US-2.526 to US-2.542 are added after the row for the zone US-2.525:

'US United States	US-2.526	POU, RAT	N, P1		16.11.2023	
		GBM	P1		16.11.2023	

US-2.527	POU, RAT	N, P1		21.11.2023	
	GBM	P1		21.11.2023	
US-2.528	POU, RAT	N, P1		21.11.2023	
	GBM	P1		21.11.2023	
US-2.529	POU, RAT	N, P1		21.11.2023	
	GBM	P1		21.11.2023	
US-2.530	POU, RAT	N, P1		22.11.2023	
	GBM	P1		22.11.2023	
US-2.531	POU, RAT	N, P1		22.11.2023	
	GBM	P1		22.11.2023	
US-2.532	POU, RAT	N, P1		24.11.2023	
	GBM	P1		24.11.2023	
US-2.533	POU, RAT	N, P1		23.11.2023	
	GBM	P1		23.11.2023	
US-2.534	POU, RAT	N, P1		21.11.2023	
	GBM	P1		21.11.2023	
US-2.535	POU, RAT	N, P1		21.11.2023	
	GBM	P1		21.11.2023	
US-2.536	POU, RAT	N, P1		22.11.2023	
	GBM	P1		22.11.2023	
US-2.537	POU, RAT	N, P1		21.11.2023	
	GBM	P1		21.11.2023	
US-2.538	POU, RAT	N, P1		28.11.2023	
	GBM	P1		28.11.2023	
US-2.539	POU, RAT	N, P1		28.11.2023	
	GBM	P1		28.11.2023	
US-2.540	POU, RAT	N, P1		28.11.2023	
	GBM	P1		28.11.2023	
US-2.541	POU, RAT	N, P1		27.11.2023	
	GBM	P1		27.11.2023	
US-2.542	POU, RAT	N, P1		28.11.2023	
	GBM	P1		28.11.2023'	