



2023/2809

22.12.2023

COMMISSION IMPLEMENTING REGULATION (EU) 2023/2809

of 21 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 and germinal products of poultry, and of 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⁾ lays down the lists of third countries, or territories, or zones 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. Those lists and certain general rules concerning those lists are set out in Annexes I to XXII to that Regulation.
- (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 and germinal products of poultry, and of fresh meat of poultry and game birds.
- (5) Canada has notified the Commission of 12 outbreaks of highly pathogenic avian influenza (HPAI) in poultry in the provinces of Alberta (4), British Columbia (3), Manitoba (1), Quebec (2), and Saskatchewan (2), which were confirmed between 9 November 2023 and 5 December 2023 by laboratory analysis (RT-PCR).
- (6) The United Kingdom has notified the Commission of an outbreak of highly pathogenic avian influenza (HPAI) in poultry in Scotland, on the Orkney Islands, which was confirmed on 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, ELI: http://data.europa.eu/eli/reg_del/2020/692/oj).

⁽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, ELI: http://data.europa.eu/eli/reg_impl/2021/404/oj).

- (7) The United States notified the Commission of six outbreaks of HPAI in poultry in the states of Arkansas (1), California (3), New York (1) and South Dakota (1) which were confirmed between 7 December 2023 and 13 December 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 and germinal products of poultry, and of 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) In addition, Canada, the United Kingdom 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) Canada has submitted updated information on the epidemiological situation in relation to outbreaks of HPAI in the provinces of Alberta (1), Quebec (1), and Saskatchewan (2), which were confirmed between 25 October 2023 and 31 October 2023 by laboratory analysis (RT-PCR).
- (13) The United Kingdom has submitted updated information on the epidemiological situation in relation to an outbreak of HPAI in turkey in Lincolnshire, England, which was confirmed on 9 November 2023.
- (14) The United States has submitted updated information on the epidemiological situation in relation to two outbreaks of HPAI in poultry establishments in the states of Minnesota and South Dakota, which were confirmed on 3 November 2023 and 25 October 2023, respectively.
- (15) Canada, the United Kingdom and the United States have also submitted information on the measures they have taken to prevent the further spread of HPAI. In particular, following the outbreaks of HPAI, they have implemented a stamping out policy in order to control and limit the spread of that disease, and also completed the requisite cleaning and disinfection following the implementation of the stamping out policy on the infected poultry establishment on their territories.
- (16) The Commission has evaluated the information submitted by Canada, the United Kingdom and the United States, and considers that they have provided appropriate guarantees that the animal health situation that gave rise to the suspension of the entry of consignments of certain products into the Union from the concerned zones in those third countries, as set out in Annexes V and XIV to Implementing Regulation (EU) 2021/404, no longer represents a threat to animal or public health within the Union, and that, consequently, the entry into the Union of those consignments from the concerned zones of Canada, the United Kingdom and the United States, from which entry into the Union had been suspended, should be reauthorised.
- (17) 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 States, and the United Kingdom.
- (18) Taking into account the current epidemiological situation in Canada, the United Kingdom and the United States as regards HPAI, and in order to avoid unnecessary disruption of trade with those third countries, 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.

- (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

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, 21 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 following row for the zone CA-2.198 is replaced by the following:

CA Canada	CA-2.198	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		25.10.2023	18.12.2023'
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(ii) in the entry for Canada, the following rows for the zones CA-2.201, CA-2.202 and CA-2.203 are replaced by the following:

CA Canada	CA-2.201	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		25.10.2023	18.12.2023
	CA-2.202		N, P1		30.10.2023	18.12.2023
	CA-2.203		N, P1		31.10.2023	18.12.2023'

(iii) in the entry for Canada, the following rows for the zones CA-2.215 to CA-2.226 are added after the row for the zone CA-2.214:

CA Canada	CA-2.215	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		9.11.2023	
	CA-2.216		N, P1		15.11.2023	
	CA-2.217		N, P1		10.11.2023	
	CA-2.218		N, P1		17.11.2023	
	CA-2.219		N, P1		15.11.2023	
	CA-2.220		N, P1		23.11.2023	
	CA-2.221		N, P1		25.11.2023	
	CA-2.222		N, P1		24.11.2023	
	CA-2.223		N, P1		27.11.2023	
	CA-2.224		N, P1		27.11.2023	
	CA-2.225		N, P1		4.12.2023	
	CA-2.226		N, P1		5.12.2023'	

(iv) in the entry for the United Kingdom, the row for the zone GB-2.324 is replaced by the following:

'GB' United Kingdom	GB-2.324	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		9.11.2023	14.12.2023'
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(v) in the entry for the United Kingdom, the following row for the zone GB-2.327 is added after the row for the zone GB-2.326:

'GB' United Kingdom	GB-2.327	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		22.11.2023'	
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(vi) in the entry for the United States, the row for the zone US-2.478 is replaced by the following:

'US' United States	US-2.478	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		25.10.2023	13.12.2023'
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(vii) in the entry for the United States, the row for the zone US-2.491 is replaced by the following:

'US' United States	US-2.491	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		3.11.2023	17.12.2023'
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(viii) in the entry for the United States, the following rows for the zones US-2.578 to US-2.583 are added after the row for the zone US-2.577:

'US' United States	US-2.578	BPP, BPR, DOC, DOR, SP, SR, POU-LT20, HEP, HER, HE-LT20	N, P1		12.12.2023	
	US-2.579		N, P1		12.12.2023	
	US-2.580		N, P1		12.12.2023	
	US-2.581		N, P1		13.12.2023	
	US-2.582		N, P1		13.12.2023	
	US-2.583		N, P1		7.12.2023'	

(b) Part 2 is amended as follows:

- (i) in the entry for Canada, the following descriptions for the zones CA-2.215 to CA-2.226 are added after the row for the zone CA-2.214:

Canada	CA-2.215	Manitoba – Latitude 49.23, Longitude –97.72 The municipalities involved are: 3 km PZ: Blumengart, Friedensruh, Gnadenthal, Plum Coulee, and Reinfeld 10 km SZ: Hamburg, Neuenberg, Reinland, Rosetown, Schanzenfeld, and Winkler
	CA-2.216	Quebec – Latitude 45.46, Longitude –72.86 The municipalities involved are: 3 km PZ: Saint-Césaire and Saint Paul-D'Abbotsford 10 km SZ: Ange-Gardien, Granby, Rougement, Saint-Alphonse-de-Granby, Saint Damase, Sainte-Brigide-d'Iberville, Sainte-Cécile-de-Milton and Sainte-Pie
	CA-2.217	Saskatchewan – Latitude 52.27, Longitude –105.52 The municipalities involved are: 3 km PZ: Bruno 10 km SZ: Dana, Muskiki Springs, and Peterson
	CA-2.218	British Columbia – Latitude 49.13, Longitude –122.77 The municipalities involved are: 3 km PZ: Surrey 10 km SZ: Delta, Langley, Langley Township, and Surrey
	CA-2.219	Saskatchewan – Latitude 54.16, Longitude –108.69 The municipalities involved are: 3 km PZ: Rapid View 10 km SZ: Blue Bell, Four Corners and Loon River
	CA-2.220	British Columbia – Latitude 49.08, Longitude –122.5 The municipalities involved are: 3 km PZ: Aldergrove 10 km SZ: Abbotsford, Fort Langley, Langley, Langley Township, and Maple Ridge
	CA-2.221	British Columbia – Latitude 49.14, Longitude –121.86 The municipalities involved are: 3 km PZ: Chilliwack 10 km SZ: Agassiz and Harrison Mills
	CA-2.222	Alberta – Latitude 49.74, Longitude –112.1 The municipalities involved are: 3 km PZ: Taber 10 km SZ: Cranford and Fincastle
	CA-2.223	Alberta – Latitude 53.76, Longitude –114.65 The municipalities involved are: 3 km PZ: Darwell 10 km SZ: Cherhill, Glenevis, Alexis, West Cove Lake Isle
	CA-2.224	Alberta – Latitude 49.69, Longitude –112.8 The municipalities involved are: 3 km PZ: Wilson 10 km SZ: Stewart

	CA-2.225	Quebec – Latitude 45.5, Longitude –72.89 The municipalities involved are: 3 km PZ: Saint-Dominique 10 km SZ: Saint-Hyacinthe, La Providence, Douville, Saint-Damase, La Presqu'île, Saint-Pie, Émileville, Jogues and La Carrière
	CA-2.226	Alberta – Latitude 49.79, Longitude –112.11 The municipalities involved are: 3 km PZ: Taber 10 km SZ: Taber'

- (ii) in the entry for the United Kingdom, the following description of the zone GB-2.327 is added after the description of the zone GB-2.326:

'United Kingdom	GB-2.327	near Finstown, Orkney Islands, Scotland, GB The area contained within a circle of a radius of 10 km, centred on WGS84 dec, coordinates Lat: N59.02 and Long: W3.08'
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- (iii) in the entry for the United States, the following descriptions of the zones US-2.578 to US-2.583 are added after the description of the zone US-2.577:

'United States	US-2.578	State of South Dakota Lake 03 Lake County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 97.0904603°W 43.9606440°N)
	US-2.579	State of New York Dutchess 02 Dutchess County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 73.6502185°W 41.7533890°N)
	US-2.580	State of California San Joaquin 04 San Joaquin County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 121.1146566°W 38.1722612°N)
	US-2.581	State of California Merced 03 Merced County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 120.8530684°W 37.5109607°N)
	US-2.582	State of California Merced 04 Merced County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 120.9945284°W 37.2756465°N)
	US-2.583	State of Arkansas Carroll 02 Carroll County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 93.3228772°W 36.4217989°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-2.198 are replaced by the following:

‘CA Canada	CA-2.198	POU, RAT	N, P1		25.10.2023	18.12.2023
		GBM	P1		25.10.2023	18.12.2023’

(b) in the entry for Canada, the rows for the zones CA-2.201, CA-2.202 and CA-2.203 are replaced by the following:

‘CA Canada	CA-2.201	POU, RAT	N, P1		25.10.2023	18.12.2023
		GBM	P1		25.10.2023	18.12.2023
	CA-2.202	POU, RAT	N, P1		30.10.2023	18.12.2023
		GBM	P1		30.10.2023	18.12.2023
	CA-2.203	POU, RAT	N, P1		31.10.2023	18.12.2023
		GBM	P1		31.10.2023	18.12.2023’

(c) in the entry for Canada, the following rows for the zones CA-2.215 to CA-2.226 are added after the row for the zone CA-2.214:

‘CA Canada	CA-2.215	POU, RAT	N, P1		9.11.2023	
		GBM	P1		9.11.2023	
	CA-2.216	POU, RAT	N, P1		15.11.2023	
		GBM	P1		15.11.2023	
	CA-2.217	POU, RAT	N, P1		10.11.2023	
		GBM	P1		10.11.2023	
	CA-2.,218	POU, RAT	N, P1		17.11.2023	
		GBM	P1		17.11.2023	
	CA-2.219	POU, RAT	N, P1		15.11.2023	
		GBM	P1		15.11.2023	
	CA-2.220	POU, RAT	N, P1		23.11.2023	
		GBM	P1		23.11.2023	
	CA-2.221	POU, RAT	N, P1		25.11.2023	
		GBM	P1		25.11.2023	
	CA-2.222	POU, RAT	N, P1		24.11.2023	
		GBM	P1		24.11.2023	
	CA-2.223	POU, RAT	N, P1		27.11.2023	
		GBM	P1		27.11.2023	
	CA-2.224	POU, RAT	N, P1		27.11.2023	
		GBM	P1		27.11.2023	

	CA-2.225	POU, RAT	N, P1		4.12.2023	
		GBM	P1		4.12.2023	
	CA-2.226	POU, RAT	N, P1		5.12.2023	
		GBM	P1		5.12.2023'	

(d) in the entry for the United Kingdom, the rows for the zone GB-2.324 are replaced by the following:

'GB' United Kingdom	GB-2.324	POU, RAT	N, P1		9.11.2023	14.12.2023
		GBM	P1		9.11.2023	14.12.2023'

(e) in the entry for the United Kingdom, the following rows for the zone GB-2.327 are added after the rows for the zone GB-2.326:

'GB' United Kingdom	GB-2.327	POU, RAT	N, P1		22.11.2023	
		GBM	P1		22.11.2023'	

(f) in the entry for the United States, the rows for the zone US-2.478 are replaced by the following:

'US' United States	US-2.478	POU, RAT	N, P1		25.10.2023	13.12.2023
		GBM	P1		25.10.2023	13.12.2023'

(g) in the entry for the United States, the rows for the zone US-2.491 are replaced by the following:

'US' United States	US-2.491	POU, RAT	N, P1		3.11.2023	17.12.2023
		GBM	P1		3.11.2023	17.12.2023'

(h) in the entry for the United States, the following rows for the zones US-2.578 to US-2.583 are added after the rows for the zone US-2.577:

'US' United States	US-2.578	POU, RAT	N, P1		12.12.2023	
		GBM	P1		12.12.2023	
	US-2.579	POU, RAT	N, P1		12.12.2023	
		GBM	P1		12.12.2023	
	US-2.580	POU, RAT	N, P1		12.12.2023	
		GBM	P1		12.12.2023	
	US-2.581	POU, RAT	N, P1		13.12.2023	
		GBM	P1		13.12.2023	
	US-2.582	POU, RAT	N, P1		13.12.2023	
		GBM	P1		13.12.2023	
	US-2.583	POU, RAT	N, P1		7.12.2023	
		GBM	P1		7.12.2023'	