# Commission Implementing Regulation (EU) 2020/2205 of 22 December 2020 amending Annex I to Regulation (EC) No 798/2008 as regards the entries for the United Kingdom and the Crown Dependency of Guernsey in the list of third countries, territories, zones or compartments from which consignments of poultry and poultry products may be introduced into or transit through the Union (Text with EEA relevance)

## COMMISSION IMPLEMENTING REGULATION (EU) 2020/2205

of 22 December 2020

amending Annex I to Regulation (EC) No 798/2008 as regards the entries for the United Kingdom and the Crown Dependency of Guernsey in the list of third countries, territories, zones or compartments from which consignments of poultry and poultry products may be introduced into or transit through the Union

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption[(1)], and in particular the introductory phrase and points (1) and (4) of Article 8 and the introductory phrase and point (c) of Article 9(4) thereof,

Having regard to Council Directive 2009/158/EC of 30 November 2009 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs[(2)], and in particular Articles 23(1), 24(2) and 25(2) thereof,

Whereas:

(1) Commission Regulation (EC) No 798/2008[(3)] lays down a list of third countries, territories, zones or compartments from which poultry and poultry products ('the commodities') may be imported into and transit through the Union and the respective veterinary certification requirements. It provides that the commodities are only to be imported into and transit through the Union from the third countries, territories, zones or compartments listed in columns 1 and 3 of the table in Part 1 of Annex I thereto.

(2) Regulation (EC) No 798/2008 also lays down the conditions for a third country, territory, zone or compartment, from which commodities are imported into the Union, to be considered as free from highly pathogenic avian influenza (HPAI).

(3) The United Kingdom has provided the necessary guarantees required by Regulation (EC) No 798/2008 in order for the United Kingdom and the Crown Dependency of Guernsey to be listed in Part 1 of Annex I to that Regulation after the end of the transition period provided for in the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the

European Atomic Energy Community (Withdrawal Agreement), without prejudice to the application of Union law to and in the United Kingdom in respect of Northern Ireland in accordance with Article 5(4) of the Protocol on Ireland/Northern Ireland to the Withdrawal Agreement in conjunction with Annex 2 to that Protocol. Taking into account the guarantees provided by the United Kingdom, that third country and the Crown Dependency of Guernsey should be included in Part 1 of Annex I to Regulation (EC) No 798/2008.

(4) However, since November 2020, the United Kingdom has confirmed a number of HPAI outbreaks of subtype H5N8 on its territory, certain of which will not have been resolved by 1 January 2021. Therefore, the territory of the United Kingdom cannot be considered as being free from that disease.

(5) The United Kingdom has submitted information on the epidemiological situation on its territory and the measures it has taken to prevent the further spread of HPAI. That information has been evaluated by the Commission. On the basis of that evaluation, as well as of the guarantees provided by the United Kingdom, it is appropriate to place restrictions on the introduction into the Union of consignments of poultry and poultry products from the areas affected by HPAI, which the veterinary authorities of the United Kingdom have placed under restrictions due to the outbreaks.

(6) Annex I to Regulation (EC) No 798/2008 should therefore be amended accordingly.

(7) As the transition period provided for in the Withdrawal Agreement ends on 31 December 2020, this Regulation should apply from 1 January 2021.

(8) 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*

Part 1 of Annex I to Regulation (EC) No 798/2008 is 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*.

It shall apply from 1 January 2021.

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

Done at Brussels, 22 December 2020.

*For the Commission*

*The President*

Ursula VON DER LEYEN

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/2205. (See end of Document for details)*

ANNEX

In Part 1 of Annex I to Regulation (EC) No 798/2008, the following entries are inserted after the entry for China:

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| ‘GB – United Kingdom[a] | GB-0 | Whole country | SPF | | | | | | | |
| | | | EP, E | | | | | | | |
| | GB-1 | The whole country of the United Kingdom, excluding area GB-2 | BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20 | | N | | | A | | |
| | | | WGM | | | | | | | |
| | | | POU, RAT | | N | | | | | |
| | GB-2 | The territory of the United Kingdom corresponding to: | | | | | | | | |
| | GB-2.1 | North Yorkshire County: The area contained within a circle of a radius of 10 km, centred on WGS84 dec. coordinates N54.30 | BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20 | | N<br>P2 | 1.1.2021 | | A | | |
| | | | WGM | | P2 | 1.1.2021 | | | | |
| | | | POU, RAT | | N<br>P2 | 1.1.2021 | | | | |

**a** In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, and in particular Article 5(4) of the Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, for the purposes of this Annex references to the United Kingdom do not include Northern Ireland.’.