Commission Implementing Regulation (EU) 2015/1884 of 20 October 2015 amending Annex I to Regulation (EC) No 798/2008 as regards the entries for Canada and the United States in the list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into or transit through the Union in relation to highly pathogenic avian influenza outbreaks in these countries (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2015/1884

of 20 October 2015

amending Annex I to Regulation (EC) No 798/2008 as regards the entries for Canada and the United States in the list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into or transit through the Union in relation to highly pathogenic avian influenza outbreaks in these countries

(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 of Article 8, the first subparagraph of point 1 of Article 8, point 4 of Article 8 and Article 9(4)(c) 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 veterinary certification requirements for imports into and transit, including storage during transit, through the Union of poultry and poultry products (‘the commodities’). It provides that the commodities may only 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 to be considered as free from highly pathogenic avian influenza (HPAI).

(3) Canada is listed in Part 1 of Annex I to Regulation (EC) No 798/2008 as a third country from which imports into and transit through the Union of the commodities covered by that Regulation are authorised from certain parts of its territory depending on the presence of HPAI outbreaks. That regionalisation was recognised by Regulation (EC) No 798/2008, as amended by Implementing Regulation (EU) 2015/198[(4)] and lastly

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by Implementing Regulation (EU) 2015/908[(5)] following outbreaks of HPAI in the Province of Ontario.

(4) An Agreement between the Union and Canada[(6)] provides for a swift mutual recognition of regionalisation measures in the event of outbreaks of a disease in the Union or in Canada ('the Agreement').

(5) Canada has reported the completion of cleaning and disinfection measures following stamping-out on holdings in the Province of Ontario where HPAI outbreaks were detected in April 2015. It is therefore appropriate to indicate the date when the affected areas in this Province that were placed under veterinary restrictions in relation to those outbreaks, may again be considered free of HPAI and imports into the Union of certain commodities originating from those areas should again be authorised.

(6) The entry for Canada in the list in Part 1 of Annex I to Regulation (EC) No 798/2008 should therefore be amended to take account of the current epidemiological situation in that third country.

(7) The United States is listed in Part 1 of Annex I to Regulation (EC) No 798/2008 as a third country from which imports into and transit through the Union of the commodities covered by that Regulation are authorised from certain parts of its territory depending on the presence of HPAI outbreaks. That regionalisation was recognised by Regulation (EC) No 798/2008, as amended by Implementing Regulations (EU) 2015/243[(7)], (EU) 2015/342[(8)], (EU) 2015/526[(9)], (EU) 2015/796[(10)], (EU) 2015/1153[(11)], (EU) 2015/1220[(12)] and lastly by (EU) 2015/1363[(13)] following outbreaks of HPAI in that country. According to Implementing Regulation (EU) 2015/1363, no further states became newly infected with HPAI.

(8) An Agreement between the Union and the United States[(14)] provides for a swift mutual recognition of regionalisation measures in the event of outbreaks of a disease in the Union or in the United States ('the Agreement').

(9) Following each HPAI outbreak the United States has implemented a stamping-out policy in order to control HPAI and limit its spread. The veterinary authorities of the United States continue to suspend issuing veterinary certificates for consignments of commodities intended for export to the Union from the entire territory of the affected states or from parts thereof which have been placed under restrictions and are subject to Union regionalisation measures.

(10) Since mid-June, no further HPAI outbreaks were detected in the United States. The United States has submitted updated information on the epidemiological situation on its territory and the measures it has taken to prevent the further spread of HPAI which has now been evaluated by the Commission. On the basis of that evaluation, as well as the commitments laid down in the Agreement and the guarantees provided by the United States, it is appropriate to modify the prohibition on the introduction into the Union of certain commodities to cover only certain parts of the states of Iowa and North Dakota, which the veterinary authorities of the United States have placed under restrictions due to previous outbreaks.

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(11) In addition, the United States has reported the completion of cleaning and disinfection measures following the stamping-out of poultry on holdings in the states of Iowa, Montana, Nebraska, and North and South Dakota where HPAI outbreaks were detected between April and June 2015. It is therefore appropriate to indicate the dates when the affected areas in those states that were placed under veterinary restrictions in relation to those outbreaks, may again be considered free of HPAI and imports into the Union of certain commodities originating from those areas should accordingly again be authorised.

(12) The entry for the United States in the list in Part 1 of Annex I to Regulation (EC) No 798/2008 should therefore be amended to take account of the current epidemiological situation in that third country. For reasons of clarity in the description of the territory, zone or compartment in the table in Part 1 of that Annex, it is appropriate to include all concerned commodities in column 4 of that table.

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

(14) 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*.

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

Done at Brussels, 20 October 2015.

For the Commission

The President

Jean-Claude JUNCKER

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ANNEX

Part 1 of Annex I to Regulation (EC) No 798/2008 is amended as follows:

(a) The entry for Canada is replaced by the following:

ISO code and name of third country or territory	Code of third country, territory, zone or compartment	Description of third country, territory, zone or compartment	Veterinary certificate		Specific conditions	Specific conditions		Avian influenza surveillance status	Avian influenza vaccination status	Salmonella control status
			Model (s)	Additional guarantees		Closing date ([1])	Opening date ([2])			
1	2	3	4	5	6	6A	6B	7	8	9
‘CA — Canada	CA-0	Whole country	SPF							
			EP, E							S4
	CA-1	The whole country of Canada excluding area CA-2	WGM	VIII						
			POU, RAT		N					
			BPR, BPP, DOC, DOR, HEP, HER, SRP, SRA					A		S1, ST1
	CA-2	Territory of Canada corresponding to:								
	CA-2.1	“Primary Control Zone” delimited by the following boundaries: — —	WGM	VIII	P2	4.12.2014	6.2015			
			POU, RAT		N, P2					
			BPR, BPP, DOC, DOR, HEP, HER, SRP, SRA					A		S1, ST1

	south, the border to the United States of America, — on the north, Highway 16, — on the east, the border between the Provinces of British Columbia and Alberta.								
CA-2.2	Area in the Province of Ontario delimited by the following boundaries: — from County Road 119 where it meets County Road 64 and 25th Line, — north on 25th	WGM	VIII	P2	8.4.2015	8.10.2015			
		POU, RAT		N, P2					
		BPR, BPP, DOC, DOR, HEP, HER, SRP, SRA							S1, ST1