Commission Implementing Regulation (EU) 2015/908 of 11 June 2015 amending Annex I to Regulation (EC) No 798/2008 as regards the entry for Canada in the list of third countries, territories, zones or compartments from which certain poultry commodities may be imported into or transit through the Union in relation to highly pathogenic avian influenza (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2015/908

of 11 June 2015

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(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 Commission Implementing Regulation (EU) 2015/198[(4)] following outbreaks of HPAI in the Province of British Columbia.

Changes to legislation: *Commission Implementing Regulation (EU) 2015/908 is up to date with all changes known to be in force on or before 28 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(4) An Agreement between the Union and Canada[5] 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) On 8 April 2015, Canada confirmed an outbreak of HPAI of subtype H5N2 in poultry in the Province of Ontario. The veterinary authorities of Canada immediately suspended issuing veterinary certificates for consignments of commodities intended for export to the Union from its whole territory. Canada has also implemented a stamping-out policy in order to control HPAI and limit its spread.

(6) Following that outbreak in the Province of Ontario, Canada 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 Canada, it is appropriate to conclude that limiting the restrictions on the introduction into the Union of the commodities to the area affected by HPAI, which the veterinary authorities of Canada have placed under restrictions due to the HPAI outbreaks in the Provinces of British Columbia and Ontario, should be sufficient to cover the risks associated with the introduction into the Union of the commodities.

(7) Canada has further reported the completion of cleaning and disinfection measures following stamping-out on holdings where outbreaks had been detected between December 2014 and February 2015 in the Province of British Columbia. It is therefore appropriate to indicate the dates when these parts of the territory that were placed under veterinary restrictions in relation to these outbreaks may again be considered HPAI free and imports into the Union of certain poultry commodities originating from these areas should be re-authorised.

(8) 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.

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

(10) 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.

***Changes to legislation:** Commission Implementing Regulation (EU) 2015/908 is up to date with all changes known to be in force on or before 28 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Done at Brussels, 11 June 2015.

For the Commission

The President

Jean-Claude JUNCKER

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ANNEX

In Part 1 of Annex I to Regulation (EC) No 798/2008, 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	BPR, BPP, DOC, DOR, HEP, HER, SRA, SRP		N			A		S1, ST1’
			WGM	VIII						
			POU, RAT		N					
	CA-2	Territory of Canada corresponding to:								
	CA-2.1	“Primary Control Zone” delimited by the following boundaries: — on the west, the Pacific Ocean, — on the south,	WGM	VIII	P2	4.12.2014	4.6.2015			
			POU, RAT		N, P2					

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		— 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 Line —	WGM	VIII	P2	8.4.2015				
		POU, RAT		N, P2					