Commission Implementing Regulation (EU) 2015/526 of 27 March 2015 amending Annex I to Regulation (EC) No 798/2008 as regards the entry for the United States 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 further outbreaks of highly pathogenic avian influenza in that country (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2015/526

of 27 March 2015

amending Annex I to Regulation (EC) No 798/2008 as regards the entry for the United States 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 further outbreaks of highly pathogenic avian influenza in that country

(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) 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 Regulation (EU) 2015/243[(4)] and

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Implementing Regulation (EU) 2015/342[(5)] following outbreaks of HPAI in the States of California, Idaho, Oregon and Washington.

(4) An Agreement between the Union and the United States[(6)] 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').

(5) The United States confirmed further outbreaks of HPAI of subtype H5 in poultry flocks in the States of California, Oregon, Minnesota and Washington during February and March 2015. The veterinary authorities of the United States immediately suspended issuing veterinary certificates for consignments of commodities intended for export to the Union from the affected States. The United States has also implemented a stamping-out policy in order to control HPAI and limit its spread.

(6) Following those outbreaks in the States of California, Oregon, Minnesota and Washington, the United States 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 the whole State of Minnesota and those parts of the States of California, Oregon and Washington, which the veterinary authorities of the United States have placed under restrictions due to the current outbreaks.

(7) The United States has further reported the completion of cleaning and disinfection measures following stamping-out on holdings where outbreaks had been detected between mid-December 2014 and mid-January 2015. It is 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 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.

(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.

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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, 27 March 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 the United States 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 ([7])
			Model(s)	Additional guarantees		Closing date ([1])	Opening date ([2])			
1	2	3	4	5	6	6A	6B	7	8	9
‘US — United States	US-0	Whole country	SPF							
			EP, E							S4
	US-1	Area of the United States, excluding the territory US-2	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA		N			A		S3, ST1’
			WGM	VIII						
			POU, RAT		N					
	US-2	Area of the United States corresponding to:								
	US-2.1	State of Washington: Benton County Franklin County	WGM	VIII	P2	19.12.2014	14.4.2015			
			POU, RAT		N P2					
	US-2.2	State of Washington: Clallam County	WGM	VIII	P2	19.12.2014	14.5.2015			
			POU, RAT		N P2					

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US-2.3	State of Washington, Okanogan County ([1]): (a) **North**: Beginning at the intersection of US 97 WA 20 and S. Janis Road, turn right onto S. Janis Road. Turn left onto McLaughlin Canyon Road, then right onto Hardy Road, then turn left onto Chewilken Valley Road. (b) **East**: From Chewilken Valley Road, turn right onto	WGM POU, RAT	VIII	P2 N P2	29.1.2015			