Commission Implementing Decision (EU) 2020/2051 of 11 December 2020 amending the Annex to Implementing Decision (EU) 2020/1742 concerning certain protective measures in relation to highly pathogenic avian influenza of subtype H5N8 in the United Kingdom (notified under document C(2020) 9184) (Only the English text is authentic) (Text with EEA relevance)

COMMISSION IMPLEMENTING DECISION (EU) 2020/2051

of 11 December 2020

amending the Annex to Implementing Decision (EU) 2020/1742 concerning certain protective measures in relation to highly pathogenic avian influenza of subtype H5N8 in the United Kingdom

(notified under document C(2020) 9184)

(Only the English text is authentic)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market[(1)], and in particular Article 9(4) thereof, in conjunction with Article 131 of 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'),

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary checks applicable in intra-Union trade in certain live animals and products with a view to the completion of the internal market[(2)], and in particular Article 10(4) thereof, in conjunction with Article 131 of the Withdrawal Agreement,

Whereas:

(1) Commission Implementing Decision (EU) 2020/1742[(3)] was adopted following outbreaks of highly pathogenic avian influenza (HPAI) of subtype H5N8 in holdings where poultry or other captive birds are kept in the United Kingdom, and the establishment of protection and surveillance zones by the competent authority of the United Kingdom in accordance with Council Directive 2005/94/EC[(4)].

(2) Implementing Decision (EU) 2020/1742 provides that the protection and surveillance zones established by the United Kingdom in accordance with Directive 2005/94/EC are to comprise at least the areas listed as protection and surveillance zones in the Annex to that Implementing Decision.

(3) The Annex to Implementing Decision (EU) 2020/1742 was recently amended by Commission Implementing Decision (EU) 2020/1996[(5)], following further outbreaks of

highly pathogenic avian influenza of subtype H5N8 in poultry or other captive birds in the United Kingdom that needed to be reflected in that Annex.

(4) Since the date of adoption of Implementing Decision (EU) 2020/1996, the United Kingdom has notified the Commission of new outbreaks of HPAI of subtype H5N8 in holdings where poultry or other captive birds are kept in North Yorkshire and Norfolk County, and it has taken the necessary measures required in accordance with Directive 2005/94/EC, including the establishment of protection and surveillance zones around these new outbreaks.

(5) The Commission has examined those measures in collaboration with the United Kingdom, and it is satisfied that the borders of the new protection and surveillance zones, established by the competent authority of the United Kingdom, are at a sufficient distance to the holdings where the new outbreaks of HPAI of subtype H5N8 have been confirmed.

(6) In order to prevent any unnecessary disturbance to trade within the Union and to avoid unjustified barriers to trade being imposed by third countries, it is necessary to rapidly describe at Union level, in collaboration with the United Kingdom the new protection and surveillance zones established by the United Kingdom in accordance with Directive 2005/94/EC. Therefore, the protection and surveillance zones listed for the United Kingdom in the Annex to Implementing Decision (EU) 2020/1742 should be amended.

(7) Accordingly, the Annex to Implementing Decision (EU) 2020/1742 should be amended to update regionalisation at Union level to take account of the new protection and surveillance zones established in accordance with Directive 2005/94/EC by the United Kingdom and the duration of the restrictions applicable therein.

(8) Implementing Decision (EU) 2020/1742 should therefore be amended accordingly.

(9) Given the urgency of the epidemiological situation in the Union as regards the spread of HPAI of subtype H5N8, it is important that the amendments to be made to the Annex to Implementing Decision (EU) 2020/1742 by this Decision take effect as soon as possible.

(10) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Implementing Decision (EU) 2020/1742 is replaced by the text set out in the Annex to this Decision.

Article 2

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 11 December 2020.

For the Commission

Stella KYRIAKIDES

Member of the Commission