Commission Implementing Decision (EU) 2020/1725 of 17 November 2020 amending the Annex to Implementing Decision (EU) 2020/1664 concerning certain interim protective measures in relation to highly pathogenic avian influenza of subtype H5N8 in Germany (notified under document C(2020) 8128) (Only the German text is authentic) (Text with EEA relevance)

COMMISSION IMPLEMENTING DECISION (EU) 2020/1725

of 17 November 2020

amending the Annex to Implementing Decision (EU) 2020/1664 concerning certain interim protective measures in relation to highly pathogenic avian influenza of subtype H5N8 in Germany

(notified under document C(2020) 8128)

(Only the German 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(3) thereof,

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(3) thereof,

Whereas:

(1) Commission Implementing Decision (EU) 2020/1664[(3)] was adopted following confirmation of the presence of highly pathogenic avian influenza (HPAI) of subtype H5N8 in migratory and non-migratory wild birds in Germany, as well as an outbreak of that virus in one holding where poultry or other captive birds are kept in the Nordfriesland district of Germany and the establishment of protection and surveillance zones by the competent authority of that Member State in accordance with Council Directive 2005/94/EC[(4)].

(2) Implementing Decision (EU) 2020/1664 provides that the protection and surveillance zones established by Germany 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) Since the date of adoption of Implementing Decision (EU) 2020/1664, Germany has notified the Commission of additional outbreaks of HPAI of subtype H5N8 in holdings where poultry or other captive birds are kept in the Segeberg and Vorpommern-Rügen

Changes to legislation: *Commission Implementing Decision (EU) 2020/1725 is up to date with all changes known to be in force on or before 24 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*

districts of that Member State, and it has taken the measures required in accordance with Directive 2005/94/EC, including the establishment of protection and surveillance zones around these new outbreaks.

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

(5) 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 Germany, the new protection and surveillance zones established by the competent authority of that Member State in accordance with Directive 2005/94/EC. Therefore, the protection and surveillance zones listed for Germany in the Annex to Implementing Decision (EU) 2020/1664 should be amended.

(6) Accordingly, pending the next meeting of the Standing Committee on Plants, Animals, Food and Feed, the Annex to Implementing Decision (EU) 2020/1664 should be amended to update regionalisation at Union level to take account of the new protection and surveillance zones established by Germany in accordance with Directive 2005/94/EC and the duration of the restrictions applicable therein.

(7) Implementing Decision (EU) 2020/1664 should therefore be amended accordingly.

(8) 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) 2020/1664 by this Decision take effect as soon as possible.

(9) This Decision is to be reviewed at the next meeting of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Implementing Decision (EU) 2020/1664 is replaced by the text set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 17 November 2020.

For the Commission

Stella KYRIAKIDES

Member of the Commission

***Changes to legislation:** Commission Implementing Decision (EU) 2020/1725 is up to date with all changes known to be in force on or before 24 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*

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ANNEX

ANNEX PART A

Protection zone as referred to in Article 1:

Member State: Germany

PART B

Surveillance zone as referred to in Article 1:

Member State: Germany

Area comprising:	**Date until applicable in accordance with Article 31 of Directive 2005/94/EC**
SCHLESWIG-HOLSTEIN	
Landkreis Nordfriesland — Gemeinde Galmsbüll — Gemeinde Dagebüll — Gemeinde Ockholm — Hallig Gröde — Hallig Langeneß — Gemeinde Wyk auf Föhr — Gemeinde Wrixum — Gemeinde Oevenum	10.12.2020
Landkreis Nordfriesland — Hallig Oland	From 2.12.2020 until 10.12.2020
Landkreis Segeberg — Gemeinde Daldorf – südlich des Hohenberger Wegs und der Ricklinger Str. sowie westlich der BAB 21 — Gemeinde Rickling – exklusive des Gebiets in Part A — Gemeinde Boostedt – exklusive des Gebiets in Part A — Gemeinde Groß Kummerfeld — Gemeinde Negernbötel – Gebiet westlich der BAB 21 — Stadt Wahlstedt — Gemeinde Wittenborn – Gebiet westlich der Kieler Str. und nördlich der B 206 — Gemeinde Bark — Gemeinde Todesfelde – Gebiet westlich der Verlängerung der Straße Hörn und nördlich des Bogens Poggensaal sowie nördlich der Todesfelder Straße (L 187) — Gemeinde Hartenholm — Gemeinde Hasenmoor	14.12.2020