Commission Implementing Decision (EU) 2020/1715 of 16 November 2020 amending the Annex to Implementing Decision (EU) 2020/1606 concerning certain interim protective measures in relation to highly pathogenic avian influenza of subtype H5N8 in the Netherlands (notified under document C(2020) 8021) (Only the Dutch text is authentic) (Text with EEA relevance)

COMMISSION IMPLEMENTING DECISION (EU) 2020/1715

of 16 November 2020

amending the Annex to Implementing Decision (EU) 2020/1606 concerning certain interim protective measures in relation to highly pathogenic avian influenza of subtype H5N8 in the Netherlands

(notified under document C(2020) 8021)

(Only the Dutch 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) 2020/1606[(3)] was adopted following an outbreak of highly pathogenic avian influenza (HPAI) of subtype H5N8 in one holding where poultry are kept in the province of Gelderland in the Netherlands, 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) 2020/1606 provides that the protection and surveillance zones established by the Netherlands 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) 2020/1606 was recently amended by Commission Implementing Decision (EU) 2020/1670[(5)], following another outbreak of highly pathogenic avian influenza of subtype H5N8 in poultry in the province of Gelderland in the Netherlands that needed to be reflected in that Annex.

Changes to legislation: *Commission Implementing Decision (EU) 2020/1715 is up to date with all changes known to be in force on or before 15 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) Since the date of adoption of Implementing Decision (EU) 2020/1670, the Netherlands has notified the Commission of an outbreak of HPAI of subtype H5N8 in a holding where poultry are kept in the province of Groningen, and it has taken the necessary measures required in accordance with Directive 2005/94/EC, including the establishment of protection and surveillance zones around this new outbreak.

(5) The Commission has examined those measures in collaboration with the Netherlands, and it is satisfied that the borders of the protection and surveillance zones, established by the competent authority in that Member State, are at a sufficient distance to any holding where an outbreak of HPAI of subtype H5N8 has 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 Netherlands the new protection and surveillance zones established in that Member State in accordance with Directive 2005/94/EC. Therefore, the protection and surveillance zones listed for the Netherlands in the Annex to Implementing Decision (EU) 2020/1606 should be amended.

(7) Accordingly, pending the next meeting of the Standing Committee on Plants, Animals, Food and Feed, the Annex to Implementing Decision (EU) 2020/1606 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 Netherlands and the duration of the restrictions applicable therein.

(8) Implementing Decision (EU) 2020/1606 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 made to the Annex to Implementing Decision (EU) 2020/1606 by this Decision take effect as soon as possible.

(10) 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) 2020/1606 is replaced by the text set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 16 November 2020.

For the Commission

Stella KYRIAKIDES

Member of the Commission

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ANNEX

ANNEX PART A

Protection zone as referred to in Article 1:
Member State: The Netherlands

PART B

Surveillance zone as referred to in Article 1:
Member State: The Netherlands

Area comprising:		**Date until applicable in accordance with Article 31 of Directive 2005/94/EC**
Province: Gelderland		
1.	From the crossing Beldertseweg with Amsterdam-Rijnkanaal, follow Beldertseweg (N835) in eastern direction until Ommerenwal.	29.11.2020
2.	Follow Ommerenwal in eastern direction turing into Voorburgtseweg turning into Ooievaar turning into Dokter Guepinlaan turning into Voorstraat turning into Dokter van Noorstraat until Oudsmidsestraat.	
3.	Follow Oudsmidsestraat in eastern direction until Dorpstraat.	
4.	Follow Dorpstraat in northern direction until Papestraat.	
5.	Follow Papestraat in eastern direction turning into Remstraat turning into Hogeweg until Cuneraweg.	
6.	Follow Cuneraweg in northern direction until Nederrijn (river).	
7.	Follow Nederrijn in south-eastern direction until Veerweg.	
8.	Follow Veerweg in southern direction until aan Rijnbandijk.	
9.	Follow Rijnbandijk in eastern direction until Dorpsstraat.	
10.	Follow Dorpsstraat in southern direction until Burg Lodderstaat.	
11.	Follow Burg Lodderstraat in eastern direction until Dalwagenseweg.	
12.	Follow Dalwagenseweg in southern direction turning into Dodewaardsestraat until Matensestraat.	
13.	Follow Matensestraat in eastern direction until Dalwagen.	

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14.	Follow Dalwagen in southern direction until Pluimenburgsestraat.
15.	Follow Pluimenburgsestraat in eastern direction, turning into Waalbandijk, crossing river “de Waal” until Waalbandijk.
16.	Follow Waalbandijk in eastern direction along “pad langs ganzenkuil” until Deest.
17.	Follow Deest in southern direction until Heemstraweg.
18.	Follow Van Heemstraweg in eastern direction until Geerstraat.
19.	Follow Geerstraat in southern direction until Koningstraat.
20.	Follow Koningstraat in eastern direction until Betenlaan.
21.	Follow Betenlaan in southern direction until Broeksche Leigraaf Winsen (water).
22.	Follow Broeksche Leigraaf Winsen in eastern direction until A50.
23.	Follow A50 in southern direction until Graafsebaan.
24.	Follow Graafsebaan in Northern direction until Julianasingel.
25.	Follow Julianasingel in western direction until Dr Saal v. Zwanenbergsingel.
26.	Follow Dr Saal v. Zwanenbergsingel in northern direction until railway-track Nijmegen-’s-Hertogenbosch.
27.	Follow railway-track Nijmegen-’s-Hertogenbosch in western direction until Klompstraat.
28.	Follow Klompstraat in northern direction turning into Kepkensdonk turning into Weisestraat until Gewandeweg.
29.	Follow Gewandeweg in western direction until Kesselsegraaf.
30.	Follow Kesselsegraaf in northern direction until De Lithse Ham.
31.	From Lithse Ham crossing the rivers “Maas” and “Waal” at Heerewaarden until Waalbandijk.
32.	Follow Waalbandijk in northern direction turning into Molenstraat until Dreef.
33.	Follow Dreef volgen in northern direction until Pippertsestraat.