Commission Implementing Decision (EU) 2020/1402 of 5 October 2020 amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States (notified under document C(2020) 6914) (Text with EEA relevance)

COMMISSION IMPLEMENTING DECISION (EU) 2020/1402

of 5 October 2020

amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States

(notified under document C(2020) 6914)

(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,

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,

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[(3)], and in particular Article 4(3) thereof,

Whereas:

(1) Commission Implementing Decision 2014/709/EU[(4)] lays down animal health control measures in relation to African swine fever in certain Member States, where there have been confirmed cases of that disease in domestic or feral pigs (the Member States concerned). The Annex to that Implementing Decision demarcates and lists certain areas of the Member States concerned in Parts I to IV thereof, differentiated by the level of risk based on the epidemiological situation as regards that disease. The Annex to Implementing Decision 2014/709/EU has been amended several times to take account of changes in the epidemiological situation in the Union as regards African swine fever that need to be reflected in that Annex. The Annex to Implementing Decision 2014/709/EU was last amended by Commission Implementing Decision (EU) 2020/1330[(5)], following changes in the epidemiological situation as regards that disease in Poland.

(2) Since the date of adoption of Implementing Decision (EU) 2020/1330, there have been new occurrences of African swine fever in feral pigs in Poland, and in Germany close to the border with Poland.

(3) In late September 2020, one case of African swine fever in a feral pig was observed in the district of obornicki in Poland in an area currently not listed in the Annex to Implementing Decision 2014/709/EU. This case of African swine fever in a feral pig constitutes an increased level of risk, which should be reflected in that Annex. Accordingly, this area of Poland not listed in that Annex affected by this recent case of African swine fever, should now be listed in Parts I and II thereof.

(4) Also in late September 2020, one case of African swine fever in a feral pig was observed in the district of sokołowski in Poland in an area currently listed in Part II of the Annex to Implementing Decision 2014/709/EU, located in close proximity to an area currently listed in Part I thereof. This case of African swine fever in a feral pig constitutes an increased level of risk, which should be reflected in that Annex. Accordingly, this area of Poland listed in Part I of that Annex, that is in close proximity to an area listed in Part II affected by this recent case of African swine fever, should now be listed in Part II of that Annex instead of in Part I thereof.

(5) In addition, in late September 2020, one case of African swine fever in a feral pig was observed the municipality of Bleyen-Genschmar in Germany and Commission Implementing Decision (EU) 2020/1391[(6)] was adopted following the establishment of an infected area in Germany, in accordance with Article 15 of Directive 2002/60/EC. This case of African swine fever in a feral pig in Germany is located in close proximity to an area in Poland currently not listed in the Annex to Implementing Decision 2014/709/EU. This case of African swine fever in a feral pig constitutes an increased level of risk, which should be reflected in that Annex. Accordingly, this area of Poland not listed in the Annex to Implementing Decision 2014/709/EU, that is in close proximity to the area in Germany affected by this recent case of African swine fever, should now be listed in Part I of that Annex.

(6) Following the recent cases of African swine fever in feral pigs in Poland and in Bleyen-Genschmar in Germany close to the border with Poland, and taking into account the current epidemiological situation in the Union, regionalisation in Poland has been reassessed and updated. In addition, the risk management measures in place have also been reassessed and updated. These changes need to be reflected in the Annex to Implementing Decision 2014/709/EU.

(7) In order to take account of recent developments in the epidemiological situation of African swine fever in the Union, and in order to combat the risks associated with the spread of that disease in a proactive manner, new high-risk areas of a sufficient size should be demarcated for Poland and duly listed in Parts I and II of the Annex to Implementing Decision 2014/709/EU.

(8) Given the urgency of the epidemiological situation in the Union as regards the spread of African swine fever, it is important that the amendments made to the Annex to Implementing Decision 2014/709/EU by this Decision take effect as soon as possible.

(9) 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 2014/709/EU is replaced by the text set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 5 October 2020.

For the Commission

Stella KYRIAKIDES

Member of the Commission

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2020/1402. (See end of Document for details)*

ANNEX

The Annex to Implementing Decision 2014/709/EU is replaced by the following:

ANNEX PART I1.Belgium
Les zones suivantes en Belgique:
dans la province de Luxembourg:
2.Estonia
The following areas in Estonia:
3.Hungary
The following areas in Hungary:
4.Latvia
The following areas in Latvia:
5.Lithuania
The following areas in Lithuania:
6.Poland
The following areas in Poland:
7.Slovakia
The following areas in Slovakia:
8.Greece
The following areas in Greece:

PART II

1. **Belgium**

Les zones suivantes en Belgique:

dans la province de Luxembourg:

— la zone est délimitée, dans le sens des aiguilles d'une montre, par:
  — La Rue de la Station (N85) à Florenville jusque son intersection avec la N894,
  — La N894 jusque son intersection avec la rue Grande,
  — La rue Grande jusque son intersection avec la rue de Neufchâteau,
  — La rue de Neufchâteau jusque son intersection avec Hosseuse,
  — Hosseuse,
  — La Roquignole,
  — Les Chanvières,
  — La Fosse du Loup,
  — Le Sart,
  — La N801 jusque son intersection avec la rue de l'Accord,
  — La rue de l'Accord,
  — La rue du Fet,
  — La N40 jusque son intersection avec la E25-E411,
  — La E25-E411 jusque son intersection avec la N81 au niveau de Weyler,
  — La N81 jusque son intersection avec la N883 au niveau d'Aubange,
  — La N883 jusque son intersection avec la N88 au niveau d'Aubange,
  — La N88 jusque son intersection avec la N811,
  — La N811 jusque son intersection avec la rue Baillet Latour,

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2020/1402. (See end of Document for details)*

— La rue Baillet Latour jusque son intersection avec la N88,
— La N88 (rue Baillet Latour, rue Fontaine des Dames, rue Yvan Gils, rue de Virton, rue de Gérouville, Route de Meix) jusque son intersection avec la N981,
— La N981 (rue de Virton) jusque son intersection avec la N83,
— La N83 (rue du Faing, rue de Bouillon, rue Albert 1er, rue d'Arlon) jusque son intersection avec la N85 (Rue de la Station) à Florenville.

2. **Bulgaria**

The following areas in Bulgaria:
— the whole region of Haskovo,
— the whole region of Yambol,
— the whole region of Stara Zagora,
— the whole region of Pernik,
— the whole region of Kyustendil,
— the whole region of Plovdiv,
— the whole region of Pazardzhik,
— the whole region of Smolyan,
— the whole region of Burgas excluding the areas in Part III.

3. **Estonia**

The following areas in Estonia:
— Eesti Vabariik (välja arvatud Hiiu maakond).

4. **Hungary**

The following areas in Hungary:
— Békés megye 950 150, 950 250, 950 350, 950 450, 950 550, 950 650, 950 660, 950 750, 950 850, 950 860, 951 050, 951 150, 951 250, 951 260, 951 350, 951 450, 951 460, 951 550, 951 650, 951 750, 952 150, 952 250, 952 350, 952 450, 952 550, 952 650, 953 250, 953 260, 953 270, 953 350, 953 450, 953 550, 953 560, 953 950, 954 050, 954 060, 954 150, 956 250, 956 350, 956 450, 956 550, 956 650 és 956 750 kódszámú vadgazdálkodási egységeinek teljes területe,
— Borsod-Abaúj-Zemplén megye valamennyi vadgazdálkodási egységének teljes területe,
— Fejér megye 403 150, 403 160, 403 260, 404 250, 404 550, 404 560, 405 450, 405 550, 405 650, 406 450 és 407 050 kódszámú vadgazdálkodási egységeinek teljes területe,
— Hajdú-Bihar megye valamennyi vadgazdálkodási egységének teljes területe,
— Heves megye valamennyi vadgazdálkodási egységének teljes területe,
— Jász-Nagykun-Szolnok megye 750 250, 750 550, 750 650, 750 750, 750 850, 750 970, 750 980, 751 050, 751 150, 751 160, 751 250, 751 260, 751 350, 751 360, 751 450, 751 460, 751 470, 751 550, 751 650, 751 750, 751 850, 751 950, 752 150, 752 250, 752 350, 752 450, 752 460, 752 550, 752 560, 752 650, 752 750, 752 850, 752 950, 753 060, 753 070, 753 150, 753 250, 753 310, 753 450, 753 550, 753 650, 753 660, 753 750, 753 850, 753 950, 753 960, 754 050, 754 150, 754 250, 754 360, 754 370, 754 850, 755 550, 755 650 és 755 750 kódszámú vadgazdálkodási egységeinek teljes területe,