Changes to legislation: *Commission Implementing Decision (EU) 2020/604 is up to date with all changes known to be in force on or before 22 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*

Commission Implementing Decision (EU) 2020/604 of 30 April 2020 amending the Annex to Implementing Decision (EU) 2020/47 on protective measures in relation to highly pathogenic avian influenza of subtype H5N8 in certain Member States (notified under document C(2020) 2914) (Text with EEA relevance)

COMMISSION IMPLEMENTING DECISION (EU) 2020/604

of 30 April 2020

amending the Annex to Implementing Decision (EU) 2020/47 on protective measures in relation to highly pathogenic avian influenza of subtype H5N8 in certain Member States

(notified under document C(2020) 2914)

(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,

Whereas:

(1) Commission Implementing Decision (EU) 2020/47[(3)] was adopted following outbreaks of highly pathogenic avian influenza of subtype H5N8 in holdings where poultry are kept in certain Member States, and the establishment of protection and surveillance zones by those Member States in accordance with Council Directive 2005/94/EC[(4)].

(2) Implementing Decision (EU) 2020/47 provides that the protection and surveillance zones established by the Member States listed in the Annex to that Implementing Decision, in accordance with Directive 2005/94/EC, are to comprise at least the areas listed as protection and surveillance zones in that Annex.

(3) The Annex to Implementing Decision (EU) 2020/47 was recently amended by Commission Implementing Decision (EU) 2020/574[(5)], following outbreaks of highly pathogenic avian influenza of subtype H5N8 in poultry in Hungary that needed to be reflected in that Annex.

(4) Since the date of adoption of Implementing Decision (EU) 2020/574, Hungary has notified the Commission of more outbreaks of highly pathogenic avian influenza of subtype H5N8 in holdings where poultry were kept, again located in the Bács-Kiskun and Csongrád counties of that Member State.

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(5) Some of the new outbreaks in Hungary are located outside the boundaries of areas currently listed in the Annex to Implementing Decision (EU) 2020/47, with the result that the new protection and surveillance zones around these new outbreaks, established by the competent authority of Hungary in accordance with Directive 2005/94/EC, extend beyond the boundaries of the areas currently listed in that Annex.

(6) The Commission has examined the measures taken by Hungary, in accordance with Directive 2005/94/EC, and it is satisfied that the boundaries of the new protection and surveillance zones, established by the competent authority of that Member State, are at a sufficient distance to the holdings where the recent outbreaks of highly pathogenic avian influenza of subtype H5N8 have been confirmed.

(7) 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 Hungary, the new protection and surveillance zones established by that Member State. Therefore, new protection and surveillance zones should be listed for Hungary in the Annex to Implementing Decision (EU) 2020/47.

(8) Accordingly, the Annex to Implementing Decision (EU) 2020/47 should be amended to update regionalisation at Union level to include the new protection and surveillance zones established by Hungary, in accordance with Directive 2005/94/EC, and the duration of the restrictions applicable therein.

(9) Implementing Decision (EU) 2020/47 should therefore be amended accordingly.

(10) Given the urgency of the epidemiological situation in the Union, as regards the spread of highly pathogenic avian influenza of subtype H5N8, it is important that the amendments made to the Annex to Implementing Decision (EU) 2020/47, by this Decision, take effect as soon as possible.

(11) 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) 2020/47 is replaced by the text set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

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Done at Brussels, 30 April 2020.

For the Commission

Stella KYRIAKIDES

Member of the Commission

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ANNEX

The Annex to Implementing Decision (EU) 2020/47 is replaced by the following:

ANNEX PART A

Protection zones in the concerned Member States as referred to in Articles 1 and 2:
Member State: Germany
Member State: Hungary
Member State: Poland

PART B

Surveillance zones in the concerned Member States as referred to in Articles 1 and 3:
Member State: Germany

Area comprising:	**Date until applicable in accordance with Article 31 of Directive 2005/94/EC**
BUNDESLAND SACHSEN-ANHALT, Landkreis Börde	
Verbandsgemeinde Flechtingen Gemeinde: 39345 Bülstringen Ortsteil: Wieglitz/Ellersell	From 24.4.2020 until 2.5.2020
Einheitsgemeinde Stadt Haldensleben Ortsteil: 39345 Uthmöden	From 24.4.2020 until 2.5.2020
Einheitsgemeinde Stadt Haldensleben Ortsteil: 39343 Bodendorf Ortsteil: 39345 Gut Detzel Ortsteil: 39340 Hütten Ortsteil: 39340 Lübberitz Ortsteil: 39345 Satuelle Ortsteil: 39343 Süplingen 39340 Stadt Haldensleben	2.5.2020
Einheitsgemeinde Oebisfelde/Weferlingen Ortsteil: 39359 Keindorf	2.5.2020
Verbandsgemeinde Elbe-Heide Gemeinde Westheide Ortsteil: 39345 Born	2.5.2020
BUNDESLAND SACHSEN-ANHALT, Altmarkkreis Salzwedel	
Gemeinde Gardelegen Ortsteil: 39638 Jeseritz Ortsteil: 39638 Parleib Ortsteil: 39638 Potzehne Ortsteil: 39638 Roxförde	2.5.2020

Member State: Hungary

Area comprising:	**Date until applicable in accordance with Article 31 of Directive 2005/94/EC**

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Bács-Kiskun és Csongrád megye:	
Ásotthalom, Balástya, Csongrád, Gátér, Hajós, Pálmonostora, Ruzsa és Tiszaalpár települések közigazgatási területeinek a 46.440827 és a 19.846995, a 46.438786 és 19.850685, a 46.440443 és a 19.857895, a 46.423886 és a 19.854827, a 46.44449 és 19.8483, 46.455321 és 19.852898, a 46.45030 és 19.84853, a 46.40299 és 19.87998, a 46.44957 és 19.87544, a 46.42564 és 19.86214, a 46.44133 és 19.85725, a 46.40685 és 19.86369, a 46.45601 és 19.87579, a 46.45869 és 19.87283, a 46.41407 és 19.88379, a 46.45798081 és 19.86121049, a 46.40755246 és 19.85871844, a 46.47455783 és 19.86788239, a 46.41085 és 19.85558, a 46.5253 és 19.7569, a 46.34363 és a 19.88657, a 46.38582 és 19.87797, a 46.426789 és 19.4482121, a 46.55212 és 19.97079, a46.54135 és 19.83184, a 46.3996 és 19.87582, a a 46.2541 és 46.2541, a 46.54013 és a 19.84689, a 46.51653 és 19.88925, a 46.5951638 és 19.8779228, a 46.71642 és 19.94316, a 46.5305 és 19.81879, a 46.5429337 és 19.9725232, a 46.4723 és 19.9973 valamint a 46.5332 és 19.8118 GPS-koordináták által meghatározott pontok körüli 3 km sugarú körökön belül eső területei.	From 1.6.2020 until 15.6.2020
Az alábbiak által határolt terület védőkörzeten kívüli területei: Kunbaja nyugati közigazgatási határa, majd Bácsalmás, Mátételke, Felsőszentiván, Baja közigazgatási határai, majd Bács-Kiskun és Tolna megye határa, majd Fajsz keleti és Dusnok nyugati közigazgatási határa, majd Miske és Drágszél nyugati közigazgatási határai, majd Homokmégy, Öregcsertő, Kecel, Kiskőrös, Tabdi, Csengőd, Izsák nyugati közigazgatási határai, majd Ágasegyháza, Fülöpháza és Kerekegyháza északi közigazgatási határa, majd a 46.8941508 és 19.575034 GPS koordináták által meghatározott pont körüli 10 km sugarú kör, majd Kecskemét északi közigazgatási határa, majd a 46.86495 és 19.848759 GPS koordináták által meghatározott pont körüli 10 km sugarú kör, majd Tiszaalpár északi és keleti közigazgatási határa, majd a 46.71642 és 19.94316 GPS koordináták által	15.6.2020