Changes to legislation: *Commission Implementing Decision (EU) 2020/454 is up to date with all changes known to be in force on or before 28 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) 2020/454 of 27 March 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) 2013) (Text with EEA relevance)

COMMISSION IMPLEMENTING DECISION (EU) 2020/454

of 27 March 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) 2013)

(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) 2020/406[(5)], following outbreaks of highly pathogenic avian influenza of subtype H5N8 in poultry in Bulgaria and Poland that needed to be reflected in that Annex.

(4) Since the date of adoption of Implementing Decision (EU) 2020/406, Germany has notified the Commission of an outbreak of highly pathogenic avian influenza of subtype H5N8 in a holding where poultry were kept, in the Aurich district.

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(5) In addition, Poland has notified the Commission of one additional outbreak of highly pathogenic avian influenza of subtype H5N8 in a holding where poultry are kept, in the sulęciński district.

(6) Hungary has also notified the Commission of several outbreaks of highly pathogenic avian influenza of subtype H5N8 in holdings where poultry are kept, in the Bács-Kiskun county.

(7) The new outbreaks in Germany, Hungary and Poland, are located outside the boundaries of areas currently listed in the Annex to Implementing Decision (EU) 2020/47, and the competent authorities of those Member States have taken the necessary measures required, in accordance with Directive 2005/94/EC, including the establishment of protection and surveillance zones around these new outbreaks.

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

(9) 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, Hungary and Poland, the new protection and surveillance zones established by those Member States. Therefore, new protection and surveillance zones should be listed for Germany, Hungary and Poland in the Annex to Implementing Decision (EU) 2020/47.

(10) 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 Germany, Hungary and Poland, in accordance with Directive 2005/94/EC, and the duration of the restrictions applicable therein.

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

(12) 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.

(13) 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, 27 March 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: Bulgaria
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: Bulgaria

Area comprising:	**Date until applicable in accordance with Article 31 of Directive 2005/94/EC**
Plovdiv region:	
Municipality of Rakovski: — Rakovski city — Stryama — Shishmantsi — Bolyarino	From 30.3.2020 until 15.4.2020
Municipality of Brezovo: — Padarsko — Glavatar — Borets	From 22.3.2020 until 15.4.2020
Municipality of Maritsa — Trilistnik	From 6.4.2020 until 15.4.2020
The whole municipality of Brezovo The whole municipality Rakovski exept the villiages listed in Part A The whole municipality of Kaloyanovo The whole municipality of Maritsa The whole municipality of Suedinenie Sadovo municipality — Sadovo	15.4.2020
Kurdzali region:	
Municipality of Kurdzali — Perperek — Mudrets — Visoka Polyana — Kaloyantsi — Svatbare — Kokiche — Dobrinovo — Chiflik	From 6.4.2020 until 15.4.2020

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Kurdzhali municipality — Chereshitsa — Zhinzifovo — Krin — Murgovo — Bolyartsi — Zvinitsa — Zvezdelina — Shiroko pole — Zornitsa Skalishte — Gaskovo — Oreshnitsa — Zvezden — Chernyovtsi — Bashchino — Rudina — Tatkovo — Sestrinsko — Miladinovo — Lyulyakovo — Strahil voyvoda — Byala Polyana — Gorna krepost — Dolna krepost — Konevo Dolishte — Maystorovo — Zornitsa — Gnyazdovo Bialka — Most .	15.4.2020
Stara Zagora region:	
Municipality of Bratya Daskalovi — Orizovo — Opyltchenets — Granit	7.4.2020
Haskovo region:	
Haskovo municipality — Maslinovo — Gorno Voivodino s. Stambolovo municipality — Balkan — Popovets — Svetoslav — Byal kladenets — Putnikovo	15.4.2020

Member State: Germany

Area comprising:	**Date until applicable in accordance with Article 29(1) of Directive 2005/94/EC**