Changes to legislation: *Commission Implementing Decision (EU) 2020/240 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*

Commission Implementing Decision (EU) 2020/240 of 20 February 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) 1082) (Text with EEA relevance)

COMMISSION IMPLEMENTING DECISION (EU) 2020/240

of 20 February 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) 1082)

(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) 2020/210[(5)], following outbreaks of highly pathogenic avian influenza of subtype H5N8 in poultry in Germany and Poland that needed to be reflected in that Annex.

(4) Since the date of adoption of Implementing Decision (EU) 2020/210, Czechia has notified the Commission of one additional outbreak of highly pathogenic avian influenza of subtype H5N8 in one holding where poultry are kept in the Pardubice region.

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(5) In addition, Bulgaria has notified the Commission of an outbreak of highly pathogenic avian influenza of subtype H5N8 in a holding where poultry are kept in the Plovdiv region.

(6) Bulgaria is currently not listed in the Annex to Implementing Decision (EU) 2020/47, and the new outbreak in Czechia is outside the areas currently listed for Czechia in that Annex. Following these new outbreaks of highly pathogenic avian influenza of subtype H5N8, 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.

(7) The Commission has examined the measures taken by Bulgaria and Czechia 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.

(8) 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 Bulgaria and Czechia, the new protection and surveillance zones established by those Member States in accordance with Directive 2005/94/EC. Therefore, the protection and surveillance zones listed for Czechia, in the Annex to Implementing Decision (EU) 2020/47, should be amended, and new protection and surveillance zones should be listed for Bulgaria.

(9) 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 Bulgaria and Czechia, in accordance with Directive 2005/94/EC, and the duration of the restrictions applicable therein.

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

(11) 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 should take effect as soon as possible.

(12) 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, 20 February 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: Czechia
Member State: Germany
Member State: Hungary
Member State: Slovakia
Member State: Poland
Member State: Romania

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:	
Rakovski municipality: — Rakovski city	From 16.3.2020 until 24.3.2020
Brezovo municipality: — Otets Kirilovo — Draganovo — Borets — Pudarsko Rakovski municipality: — Momino selo — Stryama — Shishmantsi — Bolyarino Kaloyanovo municipality: — Glavatar Maritsa municipality: — Yasno pole — Manolsko Konare — Trilistnik	24.3.2020

Member State: Czechia

Area comprising:	**Date until applicable in accordance with Article 31 of Directive 2005/94/EC**
Pardubice region:	
Bělešovice (750468), Blížňovice (618322), Bořice u Hrochova Týnce (608190), Čankovice (618331), Čeradice nad Loučnou	From 14.3.2020 until 23.3.2020

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(619655), Dolní Roveň (630080) - jižní část katastrálního vymezená silnicí č. 322, Holešovice u Chroustovic (641111), Horní Roveň (643971) - jižní část katastrálního vymezená silnicí č. 322, Chroustovice (654264), Lipec u Slepotic (750476), Moravany nad Loučnou (698482), Platěnice (698491), Slepotice (750492), Turov nad Loučnou (771732)	
Blansko u Hrochova Týnce (648281), Bor u Chroustovic (761761), Brčekoly (761770), Časy (653004), Černá za Bory (619965), Dašice (624799), Dolní Bezděkov (628697), Dolní Roveň (630080) - severní část katastrálního vymezená silnicí č. 322, Dolní Ředice (630136) - jižní část katastrálního území vymezená silnicí č. 36, Dvakačovice (777617), Holice v Čechách (641146) - jižní část katastrálního území vymezené vodním tokem Ředického potoka, Honbice (641723), Horní Roveň (643971) - severní část katastrálního vymezená silnicí č. 322, Horní Ředice (644013) - jižní část katastrálního území vymezená silnicí č. 36, Hostovice u Pardubic (645991), Hrochův Týnec (648299), Chrast (653799), Janovičky u Zámrsku (790931), Jaroslav (657522), Jenišovice u Chrudimi (658448), Kočí (667633), Komárov u Holic (668699), Kostěnice (670570), Lány u Dašic (679101), Lhota u Chroustovic (681164), Libanice (641731), Litětiny (685283), Lozice (687847), Mentour (693103), Městec (693278), Mnětice (619981), Moravanský (698474), Mravín (763322), Nabočany (700983), Opočno nad Loučnou (768995), Ostrov (715981), Ostřetín (716332), Poděčely (723622), Popovec u Řepníků (745227), Prachovice u Dašic (624802), Přestavlky u Chrudimi (735159), Radhošť (737640), Radim (737798), Rosice u Chrasti (741191), Řestoky (745324), Sedlec u Vraclavi (785148), Sedlíšťka (737658), Srbce u Luže (752878), Stíčany (648311), Stradouň (755800), Synčany (761788), Štěnec (763331), Topol (667641), Trojovice (768529), Trusnov (769002), Tuněchody (771465), Týnišťko (772437), Uhersko (772976), Úhřetice (773298), Úhřetická Lhota (773301), Vejvanovice (777625), Velké Koloděje (779041), Veská (780979), Vinary u Vysokého Mýta (782190), Vraclav	23.3.2020