Changes to legislation: *Commission Implementing Decision (EU) 2020/175 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) 2020/175 of 6 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) 762) (Text with EEA relevance)

COMMISSION IMPLEMENTING DECISION (EU) 2020/175

of 6 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) 762)

(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 2020/47 was recently amended by Commission Implementing Decision (EU) 2020/134[(5)], following instances of highly pathogenic avian influenza of subtype H5N8 in poultry in Poland and Slovakia that needed to be reflected in that Annex.

(4) Since the date of adoption of Implementing Decision (EU) 2020/134, Poland has notified the Commission of additional outbreaks of highly pathogenic avian influenza of subtype H5N8 in holdings where poultry are kept, in the Wolsztynski and Raciborski districts, outside the areas currently listed in the Annex to Implementing Decision

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(EU) 2020/47, and the competent authorities of that Member State have taken the necessary measures required in accordance with Directive 2005/94/EC, including the establishment of protection and surveillance zones around those new outbreaks.

(5) The Commission has examined the measures taken by 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 Poland, are at a sufficient distance to the holdings where the recent outbreaks of highly pathogenic avian influenza of subtype H5N8 have 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 Poland, the new protection and surveillance zones established by that Member State in accordance with Directive 2005/94/EC. Therefore, the protection and surveillance zones listed for Poland, in the Annex to Implementing Decision (EU) 2020/47, should be amended.

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

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

(9) 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.

(10) 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.

Done at Brussels, 6 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: Czechia
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: Czechia

Area comprising:	**Date until applicable in accordance with Article 31 of Directive 2005/94/EC**
Region of Vysočina:	
Blažejovice u Rozsoch (742414), Bolešín (781037), Bor u Nedvědice (747114), Bratrušín (617008), Brťoví (733407), Bukov na Moravě (615757), Bystřice nad Pernštejnem (616958), Býšovec (617211), Čtyři Dvory (733415), Dolní Rožínka (630098), Domanín u Bystřice nad Pernštejnem (630616), Domanínek (617075), Dvořiště u Bystřice nad Pernštejnem (616982), Hluboké u Dalečína (624471), Horní Rožínka (643980), Hrdá Ves (782483), Chlébské (748498), Chlum (651605), Jabloňov (781363), Josefov u Rožné (742881), Karasín (794970), Kobylnice nad Svratkou (669580), Korouhvice (651613), Koroužné (669598), Kovářová (773549), Lesoňovice (680265), Malé Tresné (741981), Milasín (615765), Moravecké Pavlovice (698571), Pivonice u Lesoňovic (680273), Prosetín u Bystřice nad Pernštejnem (733423), Rodkov (630110), Rovečné (741990), Rozsochy (742431), Rožná (742899), Sejřek (747131), Skorotice (748501), Smrček (617229), Střítež u Bukova (615773), Věchnov (777544), Velké Tresné (742007), Věstín (781045), Věstínek (781053), Věžná na Moravě (781380), Vír (782491), Vojetín u Rozsoch (742449), Zlatkov (742902), Ždánice u Bystřice nad Pernštejnem (794988)	17.2.2020

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Borovec (763446), Dolní Čepí (773514), Horní Čepí (773522), Kozlov u Lesoňovic (680257), Lískovec u Nedvědice (773557), Olešnička (763454), Štěpánov nad Svratkou (763462), Švařec (669601), Ujčov (773565), Vrtěžíř (763471)	From 11.2.2020 until 17.2.2020
Southern Moravian region:	
Bedřichov (601373), Běleč u Lomnice (601918), Brumov u Lomnice (613053), Crhov u Olešnice (617920), Černovice u Kunštátu (620602), Černvír (620661), Doubravník (631388), Hluboké u Kunštátu (639672), Hodonín u Kunštátu (640409), Klokočí u Olší (711128), Křeptov (601926), Křížovice (676675), Křtěnov u Olešnice (676691), Lhota u Olešnice (681202), Louka (687189), Maňová (719358), Nedvědice pod Pernštejnem (702307), Ochoz u Tišnova (709441), Olešnice na Moravě (710415) – část katastrálního území západně od komunikace č. 362 (ul. Rovečínská-Generála Čápka), Olší u Tišnova (711144), Osiky (713112), Pernštejn (702315), Rakové (711152), Rozseč nad Kunštátem (742317), Strhaře (756881), Synalov (761753), Tasovice (765112)	17.2.2020

Member State: Hungary

Area comprising:	**Date until applicable in accordance with Article 31 of Directive 2005/94/EC**
Komárom-Esztergom megye:	
Bana, Bábolna, Csém, Kisigmánd, Komárom, Mocsa, Nagyigmánd és Tárkány települések közigazgatási területének a 47.687049 és a 17.989846, a 47.690195 és a 17.995825, valamint a 47.686220 és a 17.987319 GPS-koordináták által meghatározott pont körüli 10 km sugarú köráltal határolt területen belül és a védőkörzeten kívül eső területei	26.2.2020
Ács és Bábolna települések közigazgatási területeinek a 47.687049 és a 17.989846, a 47.690195 és a 17.995825, valamint a 47.686220 és a 17.987319 GPS-koordináták által meghatározott pont körüli 3 km sugarú körön belül eső területei	From 18.2.2020 until 26.2.2020
Győr-Moson-Sopron megye:	