Commission Implementing Decision (EU) 2019/1385 of 3 September 2019 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(2019) 6432) (Text with EEA relevance)

COMMISSION IMPLEMENTING DECISION (EU) 2019/1385

of 3 September 2019

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(2019) 6432)

(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) 2019/1373[(5)], following instances of African swine fever in Bulgaria, Poland and Slovakia.

(2) Since the date of adoption of Implementing Decision (EU) 2019/1373, there have been further instances of African swine fever in feral and domestic pigs in Poland, Lithuania, Romania, Bulgaria and Hungary. Following these recent instances of that disease, and

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2019/1385. (See end of Document for details)*

taking into account the current epidemiological situation in the Union, regionalisation in those five Member States has been reassessed and updated. In addition, the risk management measures in place also have been reassessed and updated. These changes need to be reflected in the Annex to Implementing Decision 2014/709/EU.

(3) In August 2019, three cases of African swine fever in feral pigs were observed in the districts of elblaski, giżycki and radomski in Poland in areas currently listed in Part I of the Annex to Implementing Decision 2014/709/EU. These cases of African swine fever constitute an increased level of risk which should be reflected in that Annex. Accordingly, these areas of Poland affected by African swine fever should now be listed in Part II of the Annex to Implementing Decision 2014/709/EU, instead of in Part I thereof.

(4) In August 2019, one outbreak of African swine fever in domestic pigs was observed in the district of olsztyński in Poland in an area currently listed in Part II of the Annex to Implementing Decision 2014/709/EU. This outbreak of African swine fever constitutes an increased level of risk which should be reflected in that Annex. Accordingly, this area of Poland affected by African swine fever should now be listed in Part III of the Annex to Implementing Decision 2014/709/EU, instead of in Part II thereof.

(5) In August 2019, one case of African swine fever in feral pigs was observed in the municipality of Rietavas in Lithuania in an area currently listed in Part I of the Annex to Implementing Decision 2014/709/EU. This case of African swine fever constitutes an increased level of risk which should be reflected in that Annex. Accordingly, this area of Lithuania affected by African swine fever should now be listed in Part II of the Annex to Implementing Decision 2014/709/EU, instead of in Part I thereof.

(6) In August 2019, one case of African swine fever in feral pigs was observed in the municipality of Šilutė in Lithuania outside areas currently listed in the Annex to Implementing Decision 2014/709/EU. This case of African swine fever constitutes an increased level of risk which should be reflected in that Annex. Accordingly, this area of Lithuania affected by African swine fever should now be listed in Part II of the Annex to Implementing Decision 2014/709/EU.

(7) In August 2019, one outbreak of African swine fever in domestic pigs was observed in the county of Hunedoara in Romania in an area currently listed in Part I of the Annex to Implementing Decision 2014/709/EU. This outbreak of African swine fever constitutes an increased level of risk which should be reflected in that Annex. Accordingly, this area of Romania affected by African swine fever should now be listed in Part III of the Annex to Implementing Decision 2014/709/EU, instead of in Part I thereof.

(8) In August 2019, one case of African swine fever in feral pigs was observed in the region of Sofia Province in Bulgaria in an area listed in Part III, which is in close proximity to an area listed in Part I of the Annex to Implementing Decision 2014/709/EU. This case of African swine fever constitutes an increased level of risk which should be reflected in that Annex. Accordingly, this area of Bulgaria affected by African swine fever should now be listed in Part II of the Annex to Implementing Decision 2014/709/EU, instead of in Part I thereof.

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(9) In August 2019, five cases of African swine fever in feral pigs were observed in the counties of Borsod-Abaúj-Zemplén and Heves in Hungary in areas currently listed in Part I of the Annex to Implementing Decision 2014/709/EU. These cases of African swine fever constitute an increased level of risk which should be reflected in that Annex. Accordingly, these areas of Hungary affected by African swine fever should now be listed in Part II of the Annex to Implementing Decision 2014/709/EU, instead of in Part I thereof.

(10) In order to take account of recent developments in the epidemiological evolution 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, Lithuania, Romania, Bulgaria and Hungary and duly listed in Parts I, II and III of the Annex to Implementing Decision 2014/709/EU. The Annex to Implementing Decision 2014/709/EU should therefore be amended accordingly.

(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 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, 3 September 2019.

For the Commission

Vytenis ANDRIUKAITIS

Member of the Commission

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2019/1385. (See end of Document for details)*

ANNEX

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

ANNEX PART I1.Belgium
The following areas in Belgium:
in Luxembourg province:
2.Bulgaria
The following areas in Bulgaria:
3.Estonia
The following areas in Estonia:
4.Hungary
The following areas in Hungary:
5.Latvia
The following areas in Latvia:
6.Lithuania
The following areas in Lithuania:
7.Poland
The following areas in Poland:
8.Romania
The following areas in Romania:
9.Slovakia
The following areas in Slovakia:

PART II

1. **Belgium**

The following areas in Belgium:

in Luxembourg province:
— the area is delimited clockwise by:
— La frontière avec la France au niveau de Florenville,
— La N85 jusque son intersection avec la N894au niveau de Florenville,
— La N894 jusque son intersection avec larue de la Motte,
— La rue de la Motte jusque son intersection avec la rue de Neufchâteau,
— La rue de Neufchâteau,
— La rue des Bruyères jusque son intersection avec la rue de la Gaume,
— La rue de la Gaume 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,
— La rue Baillet Latour jusque son intersection avec la N88,
— La N88 jusque son intersection avec la N871,

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— La N871 jusque son intersection avec la N87 au niveau de Rouvroy,
— La N87 jusque son intersection avec la frontière avec la France.

2. **Bulgaria**

The following areas in Bulgaria:
— the whole region of Pernik,
— the whole region of Kyustendil,
— the whole region of Dobrich,
— the whole region of Plovdiv,
— the whole region of Pazardzhik,
— the whole region of Shumen,
— the whole region of Smolyan,
— the whole region of Varna,
— the whole region of Burgas excluding the areas in Part III,
— the whole region of Veliko Tarnovo 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:
— Borsod-Abaúj-Zemplén megye 650100, 650200, 650300, 650400, 650500, 650600, 650700, 650800, 650900, 651000, 651100, 651200, 651300, 651400, 651500, 651610, 651700, 651801, 651802, 651803, 651900, 652000, 652100, 652200, 652300, 652601, 652602, 652603, 652700, 652900, 653000, 653100,653200, 653300, 653401, 653403, 653500, 653600, 653700, 653800, 653900, 654000, 654201, 654202, 654301, 654302, 654400, 654501, 654502, 654600, 654700, 654800, 654900, 655000, 655100, 655200, 655300, 655400, 655500, 655600, 655700, 655800, 655901, 655902, 656000, 656100, 656200, 656300, 656400, 656600, 656701, 656702, 656800, 656900, 657010, 657100, 657300, 657400, 657500, 657600, 657700, 657800, 657900, 658000, 658100, 658201, 658202, 658310, 658401, 658402, 658403, 658404, 658500, 658600, 658700, 658801, 658802, 658901, 658902, 659000, 659100, 659210, 659220, 659300, 659400, 659500, 659601, 659602, 659701, 659800, 659901, 660000, 660100, 660200, 660400, 660501, 660502, 660600 és 660800, valamint 652400, 652500 és 652800 kódszámú vadgazdálkodási egységeinek teljes területe,
— Hajdú-Bihar megye 900150, 900250, 900350, 900450, 900550, 900650, 900660, 900670, 901850,900850, 900860, 900930, 900950, 901050, 901150, 901450, 901750, 901950, 902050, 902150, 902250, 902350, 902850, 902860, 902950, 902960, 903050, 903150, 903350, 903360, 903370, 903450, 903550, 904450, 904460, 904550 és 904650 kódszámú vadgazdálkodási egységeinek teljes területe,
— Heves megye 700150, 700250, 700260, 700350, 700450, 700460, 700550, 700650, 700750, 700850, 700860, 700950, 701050, 701111, 701150, 701250, 701350, 701550, 701560, 701650, 701750, 701850, 701950, 702050, 702150, 702250, 702260, 702350, 702450, 702750, 702850, 702950, 703050, 703150, 703250, 703350, 703370, 703450, 703550, 703610, 703750, 703850, 703950, 704050, 704850, 704950, 705050, 705150,705250, 705450, 705510 és 705610 kódszámú vadgazdálkodási egységeinek teljes területe,