

COMMISSION IMPLEMENTING DECISION (EU) 2020/1606**of 30 October 2020****concerning certain interim protective measures in relation to highly pathogenic avian influenza of subtype H5N8 in the Netherlands***(notified under document C(2020) 7633)***(Only the Dutch text is authentic)****(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(3) 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(3) thereof,

Whereas:

- (1) Avian influenza is an infectious viral disease in birds, including poultry. Infections with avian influenza viruses in domestic poultry cause two main forms of that disease that are distinguished by their virulence. The low pathogenic form generally only causes mild symptoms, while the highly pathogenic form results in very high mortality rates in most poultry species. The disease may have a severe impact on the profitability of poultry farming causing disturbance to trade within the Union and exports to third countries.
- (2) Since 2005, highly pathogenic avian influenza (HPAI) viruses of the H5 subtype have shown to be able to infect migratory birds, which can then spread these viruses over long distances during their autumn and spring migrations.
- (3) The presence of HPAI viruses in wild birds poses a continuous threat for the direct and indirect introduction of these viruses into holdings where poultry or other captive birds are kept.
- (4) In the event of an outbreak of HPAI, there is a risk that the disease agent may spread to other holdings where poultry or other captive birds are kept.
- (5) Council Directive 2005/94/EC ⁽³⁾ sets out certain preventive measures relating to the surveillance and the early detection of avian influenza and the minimum control measures to be applied in the event of an outbreak of that disease in poultry or other captive birds. That Directive provides for the establishment of protection and surveillance zones in the event of an outbreak of HPAI. This regionalisation is applied in particular to preserve the health status of birds in the remainder of the territory of the Member State by preventing the introduction of the pathogenic agent and ensuring the early detection of the disease.
- (6) The Netherlands recently confirmed the presence of HPAI of subtype H5N8 virus in migratory and non-migratory wild birds on its territory.
- (7) Also, the Netherlands recently notified the Commission of an outbreak of HPAI of subtype H5N8 on its territory, in one holding where poultry or other captive birds are kept in the province of Gelderland, and it immediately took the measures required pursuant to Directive 2005/94/EC, including the establishment of protection and surveillance zones.
- (8) The Commission has examined those measures in collaboration with the Netherlands, and it is satisfied that the borders of the protection and surveillance zones, established by the competent authority in that Member State, are at a sufficient distance to the holdings where the outbreak was confirmed.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.

⁽²⁾ OJ L 224, 18.8.1990, p. 29.

⁽³⁾ Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC (OJ L 10, 14.1.2006, p. 16).

- (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 the protection and surveillance zones established in relation to HPAI in the Netherlands at Union level.
- (10) Accordingly, pending the next meeting of the Standing Committee on Plants, Animals, Food and Feed, the protection and surveillance zones in the Netherlands where the animal health control measures as laid down in Directive 2005/94/EC are applied, should be defined in the Annex to this Decision and the duration of that regionalisation fixed.
- (11) This Decision is to be reviewed at the next meeting of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

The Netherlands shall ensure that the protection and surveillance zones established in accordance with Article 16(1) of Directive 2005/94/EC comprise at least the areas listed in Parts A and B of the Annex to this Decision.

Article 2

This Decision shall apply until 28 February 2021.

Article 3

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 30 October 2020.

For the Commission
Stella KYRIAKIDES
Member of the Commission

ANNEX

PART A

Protection zone as referred to in Article 1:

Member State: The Netherlands

Area comprising:	Date until applicable in accordance with Article 29(1) of Directive 2005/94/EC
Province: Gelderland	
<ol style="list-style-type: none"> 1. From the crossing with N322 and Zandstraat, follow Zandstraat in eastern direction until tram line. 2. Follow tramline in south-eastern direction until Molenstraat. 3. Follow Molenstraat in north-eastern direction until Meidoornstraat. 4. Follow Meidoornstraat in eastern direction until Korenbloemstraat. 5. Follow Korenbloemstraat in eastern direction until Florastraat. 6. Follow Florastraat in southern direction until Vogelzang. 7. Follow Vogelzang in eastern direction until Kamstraat. 8. Follow Kamstraat in southern direction until Van Heemstraweg. 9. Follow van Heemstraweg in north-eastern direction until North-South (N329). 10. Follow North-South (N329) in southern direction until Neersteindsestraat. 11. Follow Neersteindsestraat in south-eastern direction until Altforstestraat. 12. Follow Altforstestraat in south-west direction until Middenweg. 13. Follow Middenweg in south-eastern direction until Mekkersteeg. 14. Follow Mekkersteeg in southern direction until Zuidweg. 15. Follow Zuidweg in western direction until Veerweg. 16. Follow Veerweg in northern direction until Raadhuisdijk. 17. Follow Raadhuisdijk in western direction until Veerweg. 18. Follow Veerweg in northern direction until Raadhuisdijk. 19. Follow Raadhuisdijk in western direction turning into Berghuizen until Nieuweweg. 20. Follow Nieuweweg in western direction until Wamelseweg. 21. Follow Wamelseweg in northern direction turning into Zijvond until Liesbroekstraat. 22. Follow Liesbroekstraat in eastern direction until Nieuweweg. 23. Follow Nieuweweg in northern direction until Liesterstraat. 24. Follow Liesterstraat in eastern direction until Maas en Waalweg (N322). 25. Follow Maas en Waalweg in northern direction until crossing with Zandstraat. 	20.11.2020

PART B

Surveillance zone as referred to in Article 1:

Member State: The Netherlands

Area comprising:	Date until applicable in accordance with Article 31 of Directive 2005/94/EC
Province: Gelderland	
<ol style="list-style-type: none"> 1. From the crossing Beldertseweg with Amsterdam-Rijnkanaal, follow Beldertseweg (N835) in eastern direction until Ommerenwal. 2. Follow Ommerenwal in eastern direction turning into Voorburgtseweg turning into Ooievaar turning into Dokter Guepinlaan turning into Voorstraat turning into Dokter van Noorstraat until Oudsmidsestraat. 3. Follow Oudsmidsestraat in eastern direction until Dorpstraat. 4. Follow Dorpstraat in northern direction until Papestraat. 5. Follow Papestraat in eastern direction turning into Remstraat turning into Hogeweg until Cuneraweg. 	29.11.2020

6. Follow Cuneraweg in northern direction until Nederrijn.
7. Follow Nederrijn in south-eastern direction until Veerweg.
8. Follow Veerweg in southern direction until aan Rijnbandijk.
9. Follow Rijnbandijk in eastern direction until Dorpsstraat.
10. Follow Dorpsstraat in southern direction until Burg Lodderstaat.
11. Follow Burg Lodderstraat in eastern direction until Dalwagenseweg.
12. Follow Dalwagenseweg in southern direction turning into Dodewaardsestraat until Matensestraat.
13. Follow Matensestraat in eastern direction until Dalwagen.
14. Follow Dalwagen in southern direction until Pluimenburgsestraat.
15. Follow Pluimenburgsestraat in eastern direction, turning into Waalbandijk, crossing a river "de Waal" until Waalbandijk.
16. Follow Waalbandijk in eastern direction allong "pad langs ganzenkuil" until Deest.
17. Follow Deest in southern direction until Heemstraweg.
18. Follow Van Heemstraweg in eastern direction until Geerstraat.
19. Follow Geerstraat in southern direction until Koningstraat.
20. Follow Koningstraat in eastern direction until Betenlaan.
21. Follow Betenlaan in southern direction until Broeksche Leigraaf Winsen (water).
22. Follow Broeksche Leigraaf Winsen in eastern direction until A50.
23. Follow A50 in southern direction until Graafsebaan.
24. Follow Graafsebaan in Northern direction until Julianasingel.
25. Follow Julianasingel in western direction until Dr Saal v. Zwanenbergsingel.
26. Follow Dr Saal v. Zwanenbergsingel in northern direction until railway-track Nijmegen-'s-Hertogenbosch.
27. Follow railway-track Nijmegen-'s-Hertogenbosch in western direction until Klompstraat.
28. Follow Klompstraat in northern direction turning into Kepkensdonk turning into Weisstraat until Gewandeweg.
29. Follow Gewandeweg in western direction until Kesselsegraaf
30. Follow Kesselsegraaf in northern direction until De Lithse Ham.
31. From Lithse Ham crossing the rivers "Maas" and "Waal" at Heerwaarden until Waalbandijk.
32. Follow Waalbandijk in northern direction turning into Molenstraat until Dreef.
33. Follow Dreef volgen in northern direction until Pippertsestraat.
34. Follow Pippertsestraat in northern direction turning into Zijvelingsestraat until Vuadapad.
35. Follow Vuadapad in eastern direction until Groenestraat.
36. Follow Groenestraat in northern direction until Linge (water).
37. Follow Linge in north-eastern direction until Beldertseweg (N835).
38. Follow Beldertseweg in northern direction until crossing with the river "Amsterdam-Rijnkanaal".

1. From the crossing with N322 and Zandstraat, follow Zandstraat in eastern direction until tram line.
2. Follow tramline in south-eastern direction until Molenstraat.
3. Follow Molenstraat in north-eastern direction until Meidoornstraat.
4. Follow Meidoornstraat in eastern direction until Korenbloemstraat.
5. Follow Korenbloemstraat in eastern direction until Florastraat
6. Follow Florastraat in southern direction until Vogelzang.
7. Follow Vogelzang in eastern direction until Kamstraat.
8. Follow Kamstraat in southern direction until Van Heemstraweg.
9. Follow van Heemstraweg in north-eastern direction until North-South (N329)
10. Follow North-South (N329) in southern direction until Neersteindsestraat.
11. Follow Neersteindsestraat in south-eastern direction until Altforstestraat.
12. Follow Altforstestraat in south-west direction until Middenweg.
13. Follow Middenweg in south-eastern direction until Mekkersteeg.
14. Follow Mekkersteeg in southern direction until Zuidweg.
15. Follow Zuidweg in western direction until Veerweg.
16. Follow Veerweg in northern direction until Raadhuisdijk.
17. Follow Raadhuisdijk in western direction until Veerweg.
18. Follow Veerweg in northern direction until Raadhuisdijk.
19. Follow Raadhuisdijk in western direction turning into Berghuizen until Nieuweweg.
20. Follow Nieuweweg in western direction until Wamelseweg.

From 21.11.2020 until
29.11.2020

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| <ol style="list-style-type: none">21. Follow Wamelseweg in northern direction turning into Zijvond until Liesbroekstraat.22. Follow Liesbroekstraat in eastern direction until Nieuweweg.23. Follow Nieuweweg in northern direction until Liesterstraat.24. Follow Liesterstraat in eastern direction until Maas en Waalweg (N322).25. Follow Maas en Waalweg in northern direction until crossing with Zandstraat. | |
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