

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2021/24

of 13 January 2021

amending Annex I to Regulation (EC) No 798/2008 as regards the entry for the United Kingdom in the list of third countries, territories, zones or compartments from which certain poultry commodities may be imported into and transit through the Union in relation to highly pathogenic avian influenza

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

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 ⁽¹⁾, and in particular the introductory phrase of Article 8, the first subparagraph of paragraph 1 of Article 8, paragraph 4 of Article 8 and Article 9(4) thereof,

Having regard to Council Directive 2009/158/EC of 30 November 2009 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs ⁽²⁾, and in particular Articles 23(1), 24(2) and 25(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 798/2008 ⁽³⁾ lays down veterinary certification requirements for imports into and transit, including storage during transit, through the Union of poultry and poultry products ('the commodities'). It provides that the commodities are only to be imported into and transit through the Union from the third countries, territories, zones or compartments listed in columns 1 and 3 of the table in Part 1 of Annex I thereto.
- (2) Regulation (EC) No 798/2008 also lays down the conditions for a third country, territory, zone or compartment to be considered as free from highly pathogenic avian influenza (HPAI).
- (3) The United Kingdom is listed in the table in Part 1 of Annex I to Regulation (EC) No 798/2008 as a third country from which imports into and transit through the Union of certain poultry commodities are authorised from certain parts of its territory depending on the presence of HPAI. The regionalisation of the United Kingdom was set out in Part 1 of Annex I to Regulation (EC) No 798/2008, as amended by Commission Implementing Regulation (EU) 2020/2205 ⁽⁴⁾.

⁽¹⁾ OJ L 18, 23.1.2003, p. 11.

⁽²⁾ OJ L 343, 22.12.2009, p. 74.

⁽³⁾ Commission Regulation (EC) No 798/2008 of 8 August 2008 laying down a list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Community and the veterinary certification requirements (OJ L 226, 23.8.2008, p. 1).

⁽⁴⁾ Commission Implementing Regulation (EU) 2020/2205 of 22 December 2020 amending Annex I to Regulation (EC) No 798/2008 as regards the entry for the United Kingdom and the Crown Dependency of Guernsey in the lists of third countries, territories, zones or compartments from which consignments of poultry and poultry products may be imported into or transit through the Union (OJ L 438, 28.12.2020, p. 11).

- (4) However, in December 2020 the United Kingdom has confirmed further HPAI outbreaks of subtypes H5N8 and H5N1 in poultry holdings on its territory. Due to those outbreaks, further regionalisation of the country was set out in the Annex to Commission Implementing Decision (EU) 2020/1742 ⁽⁵⁾, as amended by Implementing Decision (EU) 2020/2240 ⁽⁶⁾, and Commission Implementing Decision (EU) 2020/2242 ⁽⁷⁾ in accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (Withdrawal Agreement), without prejudice to the application of Union law to and in the United Kingdom in respect of Northern Ireland in accordance with Article 5(4) of the Protocol on Ireland/Northern Ireland to the Withdrawal Agreement in conjunction with Annex 2 to that Protocol. As the measures for the control and eradication of those outbreaks continue after 31 December 2020, that regionalisation should be reflected in Regulation (EC) No 798/2008.
- (5) Moreover, after the publication of Implementing Decisions (EU) 2020/2240 and (EU) 2020/2242, the United Kingdom has confirmed further HPAI outbreaks within the zones established therein, which should also be reflected in Regulation (EC) No 798/2008.
- (6) The entry for the United Kingdom in the table in Part 1 of Annex I to Regulation (EC) No 798/2008 should, therefore, be amended to take account of the current epidemiological situation in that third country.
- (7) Furthermore, as the regionalisation of the United Kingdom for those outbreaks was set out when Union law applied to that country in accordance with the Withdrawal Agreement, the protective measures in relation to the HPAI outbreaks confirmed in 2020 would have been lifted 30 days after the date of confirmation. It is appropriate, therefore, to indicate those dates as the dates as of when the areas under restriction due to the outbreaks confirmed in 2020 may again be considered as free from HPAI and imports into and transit through the Union of certain poultry commodities originating in those areas should be authorised again.
- (8) Annex I to Regulation (EC) No 798/2008 should therefore be amended accordingly.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Part 1 of Annex I to Regulation (EC) No 798/2008 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

⁽⁵⁾ Commission Implementing Decision (EU) 2020/1742 of 20 November 2020 concerning certain protective measures in relation to highly pathogenic avian influenza of subtype H5N8 in the United Kingdom (OJ L 392, 23.11.2020, p. 60).

⁽⁶⁾ Commission Implementing Decision (EU) 2020/2240 of 23 December 2020 amending the Annex to Implementing Decision (EU) 2020/1742 concerning certain protective measures in relation to highly pathogenic avian influenza of subtype H5N8 in the United Kingdom (OJ L 436, 28.12.2020, p. 34).

⁽⁷⁾ Commission Implementing Decision (EU) 2020/2242 of 23 December 2020 concerning certain protective measures in relation to highly pathogenic avian influenza of subtype H5N1 in the United Kingdom (OJ L 436, 28.12.2020, p. 69).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 January 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In Part 1 of Annex I to Regulation (EC) No 798/2008, the entry for the United Kingdom is replaced by the following:

‘GB - United Kingdom (*)	GB-0	Whole country	SPF								
			EP, E								
	GB-1	The whole country of the United Kingdom, excluding area GB-2	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		N				A		
			WGM								
			POU, RAT		N						
	GB-2	The territory of the United Kingdom corresponding to:									
	GB-2.1	North Yorkshire County: The area contained within a circle of a radius of 10 km, centered on WGS84 dec. coordinates N54.30 and W1.47	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		N P2	1.1.2021	6.1.2021		A		
			WGM		P2	1.1.2021	6.1.2021				
			POU, RAT		N P2	1.1.2021	6.1.2021				
	GB-2.2	North Yorkshire County: The area contained within a circle of a radius of 10 km, centered on WGS84 dec. coordinates N54.29 and W1.45	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		N P2	1.1.2021	8.1.2021		A		
			WGM		P2	1.1.2021	8.1.2021				
			POU, RAT		N P2	1.1.2021	8.1.2021				
	GB-2.3	Norfolk County: The area contained within a circle of a radius of 10 km, centered on WGS84 dec. coordinates N52.49 and E0.95	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		N P2	1.1.2021	10.1.2021		A		
			WGM		P2	1.1.2021	10.1.2021				
			POU, RAT		N P2	1.1.2021	10.1.2021				

GB-2.4	Norfolk County: The area contained within a circle of a radius of 10 km, centered on WGS84 dec. coordinates N52.72 and E0.15	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20	N P2	1.1.2021	11.1.2021	A		
		WGM	P2	1.1.2021	11.1.2021			
		POU, RAT	N P2	1.1.2021	11.1.2021			
GB-2.5	Derbyshire County: The area contained within a circle of a radius of 10 km, centered on WGS84 dec. coordinates N52.93 and W1.57	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20	N P2	1.1.2021	17.1.2021	A		
		WGM	P2	1.1.2021	17.1.2021			
		POU, RAT	N P2	1.1.2021	17.1.2021			
GB-2.6	North Yorkshire County: The area contained within a circle of a radius of 10 km, centered on WGS84 dec. coordinates N54.37 and W2.16	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20	N P2	1.1.2021	19.1.2021	A		
		WGM	P2	1.1.2021	19.1.2021			
		POU, RAT	N P2	1.1.2021	19.1.2021			
GB-2.7	Orkney Islands: The area contained within a circle of a radius of 10 km, centered on WGS84 dec. coordinates N59.28 and W2.44	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20	N P2	1.1.2021	20.1.2021	A		
		WGM	P2	1.1.2021	20.1.2021			
		POU, RAT	N P2	1.1.2021	20.1.2021			
GB-2.8	Dorset County: The area contained within a circle of a radius of 10 km, centered on WGS84 dec. coordinates N51.06 and W2.27	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20	N P2	1.1.2021	20.1.2021	A		
		WGM	P2	1.1.2021	20.1.2021			
		POU, RAT	N P2	1.1.2021	20.1.2021			
GB-2.9	Norfolk County: The area contained within a circle of a radius of 10 km, centered on WGS84 dec. coordinates N52.52 and E0.96	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20	N P2	1.1.2021	23.1.2021	A		
		WGM	P2	1.1.2021	23.1.2021			
		POU, RAT	N P2	1.1.2021	23.1.2021			

GB-2.10	Norfolk County: The area contained within a circle of a radius of 10 km, centered on WGS84 dec. coordinates N52.52 and E0.95	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		N P2	1.1.2021	28.1.2021	A		
		WGM		P2	1.1.2021	28.1.2021			
		POU, RAT		N P2	1.1.2021	28.1.2021			
GB-2.11	Norfolk Country: The area contained within a circle of a radius of 10.4 km, centered on WGS84 dec. coordinates N52.53 and E0.66	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		N P2	1.1.2021	7.2.2021	A		
		WGM		P2	1.1.2021	7.2.2021			
		POU, RAT		N P2	1.1.2021	7.2.2021			
GB-2.12	Devon County: The area contained within a circle of a radius of 10 km, centred on WGS84 dec. coordinates N50.70 and W3.36	BPP, BPR, DOC, DOR, HEP, HER, SRP, SRA, LT20		N P2	1.1.2021	31.1.2021	A		
		WGM		P2	1.1.2021	31.1.2021			
		POU, RAT		N P2	1.1.2021	31.1.2021			

(*) In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, and in particular Article 5(4) of the Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, for the purposes of this Annex references to the United Kingdom do not include Northern Ireland.†