

COMMISSION IMPLEMENTING DECISION (EU) 2022/2333**of 23 November 2022****concerning certain emergency measures relating to sheep pox and goat pox in Spain and repealing
Implementing Decision (EU) 2022/1913***(notified under document C(2022) 8629)***(Only the Spanish 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 Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') ⁽¹⁾, and in particular Article 259(1) thereof,

Whereas:

- (1) Sheep pox and goat pox is an infectious viral disease affecting caprine and ovine animals and can have a severe impact on the concerned animal population and the profitability of farming causing disturbance to movements of consignments of those animals and products thereof within the Union and exports to third countries. In the event of an outbreak of that disease in caprine and ovine animals, there is a serious risk that it may spread to other establishments keeping those animals.
- (2) Sheep pox and goat pox is defined as a category A disease in Commission Implementing Regulation (EU) 2018/1882 ⁽²⁾. In addition, Commission Delegated Regulation (EU) 2020/687 ⁽³⁾ supplements the rules for the control of the listed diseases referred to in Article 9(1)(a), (b) and (c) of Regulation (EU) 2016/429, and defined as category A, B and C diseases in Implementing Regulation (EU) 2018/1882. In particular, Articles 21 and 22 of Delegated Regulation (EU) 2020/687 provide for the establishment of a restricted zone in the event of an outbreak of a category A disease, including sheep pox and goat pox, and for certain disease control measures to be applied therein. In addition, Article 21(1) of that Delegated Regulation provides that the restricted zone is to comprise a protection zone and a surveillance zone, and if necessary further restricted zones around or adjacent to the protection and surveillance zones.
- (3) Commission Implementing Decision (EU) 2022/1913 ⁽⁴⁾ was adopted within the framework of Regulation (EU) 2016/429 and it lays down emergency measures for Spain in relation to outbreaks of sheep pox and goat pox.
- (4) More particularly, Implementing Decision (EU) 2022/1913 provides that the protection and surveillance zones to be established by the Member State following outbreaks of sheep pox and goat pox, in accordance with Delegated Regulation (EU) 2020/687, are to comprise at least the areas listed in the Annex to that Implementing Decision.

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) 2018/1882 of 3 December 2018 on the application of certain disease prevention and control rules to categories of listed diseases and establishing a list of species and groups of species posing a considerable risk for the spread of those listed diseases (OJ L 308, 4.12.2018, p. 21).

⁽³⁾ Commission Delegated Regulation (EU) 2020/687 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and the Council, as regards rules for the prevention and control of certain listed diseases, OJ L 174, 3.6.2020, p. 64.

⁽⁴⁾ Commission Implementing Decision (EU) 2022/1913 of 4 October 2022 concerning certain emergency measures relating to sheep pox and goat pox in Spain (OJ L 261, 7.10.2022, p. 53).

- (5) Since the date of adoption of Implementing Decision (EU) 2022/1913, Spain notified the Commission of seven further outbreaks of sheep pox and goat pox in establishments where ovine and/or caprine animals were kept, located in the regions of Andalusia and Castilla – La Mancha. As a result the areas listed as protection and surveillance zones for Spain in the Annex to this Decision were amended by Commission Implementing Decision (EU) 2022/2004 ⁽⁵⁾.
- (6) Since the date of adoption of Implementing Decision (EU) 2022/2004, Spain notified the Commission of three additional outbreaks of sheep pox and goat pox, in establishments where ovine and/or caprine animals were kept, located in the region of Andalusia. All these outbreaks are located within the restricted zones already established in the province of Granada, in line with Implementing Decision (EU) 2022/1913, except for one which is located in the province of Almeria. This outbreak is the first ever outbreak in the province of Almeria and is located outside the already existing protection and surveillance zones.
- (7) In total, Spain has notified 19 outbreaks of sheep pox and goat pox to date, distributed in two separate clusters, one located in the region of Andalusia and the other in the region of Castilla – La Mancha. In most cases outbreaks of the same cluster are epidemiologically connected and share one or more common features.
- (8) The competent authority of Spain has taken the necessary disease control measures required in accordance with Delegated Regulation (EU) 2020/687, including the establishment of protection and surveillance zones around these outbreaks.
- (9) Spain has been providing the Commission with regular updates on the epidemiological situation of sheep pox and goat pox. These updates include the disease control measures taken by Spain that the Commission reviews, to assess their effectiveness, taking into account the evolution of the disease.
- (10) In addition, Spain has informed the Commission and the Standing Committee on Plants, Animals, Food and Feed that in the absence of risk mitigation measures specially aimed at sheep pox and goat pox in Annex VII to Delegated Regulation (EU) 2020/687, and awaiting an amendment to that Annex, it will apply the risk mitigation measures set out in that Annex for lumpy skin disease, to meat and milk from caprine and ovine animals originating from the protection and surveillance zones established in accordance with that Delegated Regulation. Spain has stated it needs to take these risk mitigating measures which take into account the similarity between sheep pox and goat pox virus and lumpy skin disease virus, both belonging to the family Poxviridae and genus Capripoxvirus.
- (11) Therefore, the areas listed as protection and surveillance zones for Spain in the Annex to Implementing Decision (EU) 2022/1913, should be further adjusted, spatially and/or temporally, and a further restricted zone should be established, in order to prevent further spread of the disease in Spain and the rest of the Union. This adjustment should take into account the differential evolution of the disease in the regions of Andalusia and Castilla-La Mancha.
- (12) Furthermore, the areas listed as protection and surveillance zones, should be grouped and a common date, until which these are applicable, should be established, for each cluster, taking into account the date when the last preliminary cleaning and disinfection has been completed so that all outbreaks within the same area have been subjected to preliminary cleaning and disinfection, both in Andalusia and Castilla – La Mancha.
- (13) In addition to the protection and surveillance zones a further restricted zone, should be established, in line with article 21(1) point (c) of Delegated Regulation (EU) 2020/687, in the region of Andalusia, where the evolution of the disease is less favourable and where Spain should apply certain measures, regarding the movements of sheep and goats outside this zone, with a view to prevent spread of the disease to the rest of its territory.

⁽⁵⁾ Commission Implementing Decision (EU) 2022/2004 of 18 October 2022 amending the Annex to Implementing Decision (EU) 2022/1913 concerning certain emergency measures relating to sheep pox and goat pox in Spain (OJ L 274, 24.10.2022, p. 69).

- (14) Taking into account the evolution of the epidemiological situation as regards sheep pox and goat pox in Spain, and in order to prevent any unnecessary disturbance to movements of consignments of ovine and caprine animals within the Union, and to avoid unjustified barriers to trade by third countries, it is necessary to continue to rapidly identify at Union level the restricted zones for sheep pox and goat pox. These restricted zones should comprise protection and surveillance zones, as well as a further restricted zone in that Member State. Accordingly, the areas identified as protection zones, surveillance zones, and further restricted zone, in accordance with Delegated Regulation (EU) 2020/687, in Spain, should be listed in the Annex to this Decision and the duration of that regionalisation fixed. In addition, Implementing Decision (EU) 2022/1913 should be repealed and replaced by this Decision.
- (15) Given the urgency of the epidemiological situation in the Union as regards the spread of sheep pox and goat pox, it is important that the measures laid down in this Decision apply as soon as possible.
- (16) In addition, taking into account the current epidemiological situation in the Union as regards sheep pox and goat pox, this Decision should apply until 31 March 2023.
- (17) 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

Subject matter and scope

This Decision establishes at Union level:

- (a) the restricted zones which comprise protection and surveillance zones to be established by Spain, following an outbreak or outbreaks of sheep pox and goat pox in Spain, as well as a further restricted zone in accordance with Article 21 of Delegated Regulation (EU) 2020/687;
- (b) the duration of the disease control measures to be applied in the protection zones, in accordance with Article 39 of Delegated Regulation (EU) 2020/687, in the surveillance zones in accordance with Article 55 of Delegated Regulation (EU) 2020/687 and in the further restricted zone in accordance with Article 21 of that Delegated Regulation.

Article 2

Establishment of restricted zones

Spain shall ensure that:

- (a) restricted zones which comprise protection and surveillance zones and the further restricted zone are established immediately by the competent authority of that Member State in accordance with Article 21(1) of Delegated Regulation (EU) 2020/687 and under the conditions laid down in that Article and in Article 23 point (a) of Delegated Regulation (EU) 2020/687;
- (b) the protection and surveillance zones and the further restricted zone referred to in point (a) comprise at least the areas listed in the Annex to this Decision;
- (c) the measures in each restricted zone shall apply at least until the dates listed in the Annex to this Decision.

Article 3

Measures in the further restricted zone

1. Movements of sheep and goats from the further restricted zone to a destination outside that further restricted zone shall only be possible if they are authorized by the competent authority and they comply with the conditions set out in paragraph 2 of this Article.

2. The following movements of sheep and goats kept in the further restricted zone outside that zone within the territory of Spain may be authorised:

- (a) Movements of sheep and goats directly to a slaughterhouse for immediate slaughter;
- (b) Movements of sheep and goats directly to an establishment located outside the further restricted zone, under the following conditions:
 - (i) the animals destined for movement were kept in the establishment of origin for at least 30 days before the date of movement, or since birth if younger than 30 days;
 - (ii) the sheep and goats shall remain in the establishment of destination, for at least 30 days after arrival, unless these are moved directly to a slaughterhouse for immediate slaughter;
 - (iii) the means of transport used for the movement of the sheep and goats:
 - shall comply with the requirements laid down in Article 24(1) of Delegated Regulation (EU) 2020/687;
 - shall be cleaned and disinfected in accordance with Article 24(2) of Delegated Regulation (EU) 2020/687 under the control or supervision of the competent authority;
 - shall only include sheep and goats of the same health status;
 - (iv) the sheep and goats destined for movement comply with one of the following requirements:
 - within 48 hours preceding loading, the sheep and goats on the establishment of origin have been subjected to a clinical examination and have not shown clinical signs or lesions of sheep pox and goat pox;
 - or
 - the sheep and goats destined for movement comply with any other similar animal health guarantees, based on the favourable outcome of a risk assessment of the measures against the spread of sheep pox and goat pox required by the competent authority at the place of origin.

Article 4

Repeal of Implementing Decision (EU) 2022/1913

Implementing Decision (EU) 2022/1913 is repealed.

Article 5

Application

This Decision shall apply until 31 March 2023.

Article 6

Addressee

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 23 November 2022.

For the Commission
Stella KYRIAKIDES
Member of the Commission

ANNEX

ANNEX

A. Protection and surveillance zones established around confirmed outbreaks

Region and ADIS reference number of the outbreak	Areas established as protection and surveillance zones, part of the restricted zones in Spain as referred to in Article 1	Date until applicable
Region of Andalusia ES-CAPRIPOX-2022-00001 ES-CAPRIPOX-2022-00002 ES-CAPRIPOX-2022-00005 ES-CAPRIPOX-2022-00010 ES-CAPRIPOX-2022-00011 ES-CAPRIPOX-2022-00012 ES-CAPRIPOX-2022-00013 ES-CAPRIPOX-2022-00014 ES-CAPRIPOX-2022-00017 ES-CAPRIPOX-2022-00018 ES-CAPRIPOX-2022-00019 ES-CAPRIPOX-2022-00020 ES-CAPRIPOX-2022-00021	<p>Protection zone:</p> <p>Those parts of the province of Granada, contained within a circle of a radius of 3 kilometres, centred on UTM 30, ETRS89 coordinates Lat. 37.6035642, Long. -2.6936342 (2022/1); Lat. 37.5863689, Long. -2.6521595 (2022/2); Lat. 37.6160813, Long. -2.7256039 (2022/5); Lat. 37.5918176, Long. -2.7417097 (2022/10); Lat. 37.5911331, Long. -2.7418932 (2022/11); Lat. 37.6138680, Long. -2.6847572 (2022/12); Lat. 37.5736795, Long. -2.5279898 (2022/13); Lat. 37.5733174, Long. -2.5275844 (2022/14); Lat. 37.5812026, Long. -2.7483923 (2022/17); Lat. 37.6283137, Long. -2.6993772 (2022/19), Lat. 37.6616591, Long. -2.682593 (2022/20), Lat. 37.6108408, Long. -2.6912363 (2022/21)</p> <p>Those parts of the province of Almeria, contained within a circle of a radius of 3 kilometres, centred on UTM 30, ETRS89 coordinates Lat. 37.4808816, Long. -2.3875457 (2022/18)</p>	5.12.2022
	<p>Surveillance zone:</p> <p>Those parts of the province of Granada, beyond the area described in the protection zone and contained within a circle of a radius of 10 kilometers centred on UTM 30, ETRS89 coordinates Lat. 37.6035642, Long. -2.6936342 (2022/1); Lat. 37.5863689, Long. -2.6521595 (2022/2); Lat. 37.6160813, Long. -2.7256039 (2022/5); Lat. 37.5918176, Long. -2.7417097 (2022/10); Lat. 37.5911331, Long. -2.7418932 (2022/11); Lat. 37.6138680, Long. -2.6847572 (2022/12); Lat. 37.5736795, Long. -2.5279898 (2022/13); Lat. 37.5733174, Long. -2.5275844 (2022/14); Lat. 37.5812026, Long. -2.7483923 (2022/17); Lat. 37.6283137, Long. -2.6993772 (2022/19), Lat. 37.6616591, Long. -2.682593 (2022/20), Lat. 37.6108408, Long. -2.6912363 (2022/21)</p> <p>Those parts of the province of Almeria, contained within a circle of a radius of 3 kilometres, centred on UTM 30, ETRS89 coordinates Lat. 37.4808816, Long. -2.3875457 (2022/18)</p>	14.12.2022

	<p>Surveillance zone: Those parts of the province of Granada, contained within a circle of a radius of 3 kilometers, centred on UTM 30, ETRS89 coordinates Lat. 37.6035642, Long. -2.6936342 (2022/1); Lat. 37.5863689, Long. -2.6521595 (2022/2); Lat. 37.6160813, Long. -2.7256039 (2022/5); Lat. 37.5918176, Long. -2.7417097 (2022/10); Lat. 37.5911331, Long. -2.7418932 (2022/11); Lat. 37.6138680, Long. -2.6847572 (2022/12); Lat. 37.5736795, Long. -2.5279898 (2022/13); Lat. 37.5733174, Long. -2.5275844 (2022/14); Lat. 37.5812026, Long. -2.7483923 (2022/17); Lat. 37.6283137, Long. -2.6993772 (2022/19), Lat. 37.6616591, Long. -2.682593 (2022/20), Lat. 37.6108408, Long. -2.6912363 (2022/21)</p> <p>Those parts of the province of Almeria, contained within a circle of a radius of 3 kilometres, centred on UTM 30, ETRS89 coordinates Lat. 37.4808816, Long. -2.3875457 (2022/18)</p>	6.12.2022 – 14.12.2022
<p>Region of Castilla – La Mancha ES-CAPRIPOX-2022-00003 ES-CAPRIPOX-2022-00004 ES-CAPRIPOX-2022-00006 ES-CAPRIPOX-2022-00007 ES-CAPRIPOX-2022-00008 ES-CAPRIPOX-2022-00009 ES-CAPRIPOX-2022-00015 ES-CAPRIPOX-2022-00016</p>	<p>Protection zone: Those parts of the province of Cuenca, contained within a circle of a radius of 3 kilometres, centred on UTM 30, ETRS89 coordinates Lat. 39.5900156, Long. -2,6593263 (2022/3); Lat. 39.5928739, Long. -2,6693747 (2022/4); Lat. 39.6168798, Long. -2.6208532 (2022/6); Lat. 39.5855338, Long. -2.6638083 (2022/7); Lat. 39.5852137, Long. -2.6648247 (2022/8); Lat. 39.5941535, Long. -2.6691450 (2022/9); Lat. 39.5929735, Long. -2.6707458 (2022/15); Lat. 39.5947196, Long. -2.6688651 (2022/16)</p>	14.11.2022
	<p>Surveillance zone: Those parts of the province of Cuenca, beyond the area described in the protection zone and contained within a circle of a radius of 10 kilometers centred on UTM 30, ETRS89 coordinates Lat. 39.5900156, Long. -2,6593263 (2022/3); Lat. 39.5928739, Long. -2,6693747 (2022/4); Lat. 39.6168798, Long. -2.6208532 (2022/6); Lat. 39.5855338, Long. -2.6638083 (2022/7); Lat. 39.5852137, Long. -2.6648247 (2022/8); Lat. 39.5941535, Long. -2.6691450 (2022/9); Lat. 39.5929735, Long. -2.6707458 (2022/15); Lat. 39.5947196, Long. -2.6688651 (2022/16)</p>	23.11.2022

	<p>Surveillance zone: Those parts of the province of Cuenca, contained within a circle of a radius of 3 kilometers, centred on UTM 30, ETRS89 coordinates Lat. 39.5900156, Long. -2,6593263 (2022/3); Lat. 39.5928739, Long. -2,6693747 (2022/4); Lat. 39.6168798, Long. -2.6208532 (2022/6); Lat. 39.5855338, Long. -2.6638083 (2022/7); Lat. 39.5852137, Long. -2.6648247 (2022/8); Lat. 39.5941535, Long. -2.6691450 (2022/9); Lat. 39.5929735, Long. -2.6707458 (2022/15); Lat. 39.5947196, Long. -2.6688651 (2022/16)</p>	15.11.2022 – 23.11.2022
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B. Further restricted zones

Region	Areas established as further restricted zones, part of the restricted zones in Spain as referred to in Article 1	Date until applicable
Region of Andalusia	<p>A further restricted zone that comprises the following areas.</p> <p>In the province of Granada the municipalities of:</p> <ul style="list-style-type: none"> — Castelléjar — Castril — Galera — Huéscar — Orce — Puebla de Don Fadrique — Baza — Benamaurel — Caniles — Cortes de Baza — Cuevas del Campo — Cúllar — Freila — Zújar <p>In the province of Almeria the municipalities of:</p> <ul style="list-style-type: none"> — Chirivel — Maria — Velez-Blanco — Velez-Rubio — Albanchez — Albox — Alcóntar — Arboleas — Armuña de Almanzora — Bacares — Bayarque — Cantoria — Chercos — Cóbдар — Fines — Laroya — Líjar 	16.1.2023'

	<ul style="list-style-type: none">— Lúcar— Macael— Olula del Río— Oria— Partaloa— Purchena— Serón— Sierro— Somontín— Suflí— Taberno— Tíjola— Urrácal	
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