

COMMISSION IMPLEMENTING DECISION (EU) 2023/10**of 20 December 2022****amending Implementing Decision (EU) 2022/2333 concerning certain emergency measures relating to sheep pox and goat pox in Spain***(notified under document C(2022) 9947)***(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 2020/687 ⁽³⁾ supplements the rules for the control of the listed diseases referred to in Article 9(1), points (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) 2022/2333 ⁽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, that were detected in the regions of Andalusia and Castilla-La Mancha, where they form two distinct clusters, one in each region.
- (4) More particularly, Implementing Decision (EU) 2022/2333 provides that the protection, surveillance and further restricted zones, to be established by Spain 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) 2022/2333 of 23 November 2022 concerning certain emergency measures relating to sheep pox and goat pox in Spain and repealing Implementing Decision (EU) 2022/1913 (OJ L 308, 29.11.2022, p. 22).

- (5) Furthermore, in the Annex to Implementing Decision (EU) 2022/2333, the areas listed as protection and surveillance zones, are grouped together with the same date of duration during which the measures apply, for each cluster, which takes into account the date when the last preliminary cleaning and disinfection was completed so that all outbreaks within the same area have been subjected to preliminary cleaning and disinfection, both in Andalusia and Castilla – La Mancha.
- (6) In addition to the protection and surveillance zones, a further restricted zone was established, in accordance with Article 21(1), point (c), of Delegated Regulation 2020/687, in the region of Andalusia, where the evolution of the disease has been less favourable, and where Spain is required to apply certain measures regarding restrictions on the movements of sheep and goats outside that zone, with a view to preventing the spread of the disease to the rest of its territory.
- (7) Since the date of adoption of Implementing Decision (EU) 2022/2333, Spain has notified the Commission of two additional outbreaks of sheep pox and goat pox in establishments where ovine and/or caprine animals were kept, located in the region Castilla – La Mancha. Both outbreaks are located outside the areas already listed as protection and surveillance zones in that region in the Annex to Implementing Decision (EU) 2022/2333, and they were confirmed after the date until the measures in the protection and surveillance zone of this region were applicable.
- (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 those two new outbreaks.
- (9) Spain has also provided the Commission, with regular updates, on the epidemiological situation of sheep pox and goat pox in its territory. These updates include the disease control measures taken by Spain that the Commission reviews in order to assess their effectiveness, taking into account the evolution of the disease.
- (10) Furthermore, in response to the latest outbreaks in Castilla – La Mancha, Spain has informed the Commission that it has decided to extend the application of the measures in the protection and surveillance zones in this region, beyond the dates specified in the Annex to Implementing Decision (EU) 2022/2333.
- (11) Therefore, the areas listed as protection, surveillance and further restricted zones for Spain in the Annex to Implementing Decision (EU) 2022/2333, should be amended, spatially and/or temporally, and an additional further restricted zone should be established, in the region of Castilla-La Mancha.
- (12) In addition, with a view to further mitigate the risk of disease spread from Andalusia and Castilla – La Mancha, article 3 of Implementing Decision (EU) 2022/2333, laying down the measures to be applied in the further restricted zones, should be amended so that the measures related to the means of transport, used for the movement of sheep and goats outside the further restricted zones, apply to all such movements.
- (13) 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 Implementing Decision apply as soon as possible.
- (14) In addition, taking into account the current epidemiological situation in the Union as regards sheep pox and goat pox, this Decision should apply until 30 April 2023.
- (15) Implementing Decision (EU) 2022/2333 should therefore be amended accordingly.
- (16) 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

Implementing Decision (EU) 2022/2333 is amended as follows:

1. Article 3 is replaced by the following:

'Article 3

Measures to be applied 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 permitted if they are authorised by the competent authority, and they comply with the conditions set out in paragraphs 2 and 3.

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 by the competent authority, subject to compliance with the following conditions:

- (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 a period of at least 30 days before the date of movement, or since birth if younger than 30 days;
 - (ii) the sheep and goats must remain in the establishment of destination, for a period of at least 30 days after arrival, unless they are moved from that establishment to a slaughterhouse for immediate slaughter;
 - (iii) the sheep and goats destined for movement must comply with one of the following requirements:
 - within the period of 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.

3. The means of transport used for the movement of sheep and goats shall:

- (a) comply with the requirements laid down in Article 24(1) of Delegated Regulation (EU) 2020/687;
- (b) 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;
- (c) only include sheep and goats of the same health status.'

2. Article 5 is replaced by the following:

'Article 5

Application

This Decision shall apply until 30 April 2023.'

3. The Annex to Implementing Decision (EU) 2022/2333 is replaced by the text set out in the Annex to this Decision.

*Article 2***Addressee**

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 20 December 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 Castilla – La Mancha <u>ES-CAPRIPOX-2022-00003</u> <u>ES-CAPRIPOX-2022-00004</u> <u>ES-CAPRIPOX-2022-00006</u> <u>ES-CAPRIPOX-2022-00007</u> <u>ES-CAPRIPOX-2022-00008</u> <u>ES-CAPRIPOX-2022-00009</u> <u>ES-CAPRIPOX-2022-00015</u> <u>ES-CAPRIPOX-2022-00016</u> <u>ES-CAPRIPOX-2022-00022</u> <u>ES-CAPRIPOX-2022-00023</u>	<u>Protection zone:</u> 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); ETRS89 coordinates Lat. 39.5179330, Long. -2.4959464 (2022/22); Lat. 39.5005592, Long. -2.1285776 (2022/23)	30.12.2022
	<u>Surveillance zone:</u> 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); ETRS89 coordinates Lat. 39.5179330, Long. -2.4959464 (2022/22); Lat. 39.5005592, Long. -2.1285776 (2022/23)	8.1.2023
	<u>Surveillance zone:</u> 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); ETRS89 coordinates Lat. 39.5179330, Long. -2.4959464 (2022/22); Lat. 39.5005592, Long. -2.1285776 (2022/23)	31.12.2022 – 8.1.2023

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"> — Castilléjar — 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 — Cóbdar — Fines — Laroya — Líjar — Lúcar — Macael — Olula del Río — Oria — Partaloa — Purchena — Serón — Sierro — Somontín — Suflí — Taberno — Tijola — Urrácal 	16.1.2023
Region of Castilla – La Mancha	<p>A further restricted zone that comprises the following areas:</p> <p>In the province of Cuenca, the municipalities of:</p> <ul style="list-style-type: none"> — Belmonte — Carrascosa de Haro — Fuentelespino de Haro 	16.2.2023

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| | <ul style="list-style-type: none">— Los Hinojosos— Hontanaya— Las Mesas— Monreal del Llano— Mota del Cuervo— Osa de la Vega— El Pedernoso— Las Pedroñeras— Pozorrubio de Santiago— Puebla de Almenara— Rada de Haro— Santa María de los Llanos— Tres Juncos— Villaescusa de Haro— Villagordo del Marquesado— Villar de la Encina— Villamayor de Santiago— Alarcón— Almodóvar del Pinar— Barchín del Hoyo— Buenache de Alarcón— Campillo de Altobuey— Casasimarro— Castillejo de Iniesta— Chumillas— Enguídanos— Gabaldón— Graja de Iniesta— El Herrumblar— Hontecillas— Iniesta— Ledaña— Minglanilla— Mottilla del Palancar— Olmeda del Rey— Olmedilla de Alarcón— Paracuellos— El Peral— La Pesquera— El Picazo— Piqueras del Castillo— Pozorrubielos de la Mancha— Puebla del Salvador— Quintanar del Rey— Solera de Gabaldón— Tébar— Valhermoso de la Fuente— Valverdejo— Villagarcía del Llano— Villalpardo— Villanueva de la Jara— Villarta— La Alberca de Zánacara— Atalaya del Cañavate— Cañada Juncosa— El Cañavate— Casas de Benítez— Casas de Fernando Alonso— Casas de Guijarro— Casas de Haro— Casas de los Pinos— Pozoamargo— El Provencio | |
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	<ul style="list-style-type: none">— San Clemente— Santa María del Campo Rus— Sisante— Vara de Rey— El Acebrón— Alcázar del Rey— Alcohujate— Almendros— Barajas de Melo— Belinchón— Buendía— Campos del Paraíso— Cañaveruelas— Fuente de Pedro Naharro— Gascueña— Horcajo de Santiago— Huelves— Huete— Leganiel— Paredes— La Peraleja— Pineda de Gigüela— Portalrubio de Guadamejud— Rozalén del Monte— Saceda-Trasierra— Saelices— Tarancón— Tinajas— Torrubia del Campo— Tribaldos— Uclés— Los Valdecolmenas— El Valle de Altomir— Vellisca— Villalba del Rey— Villanueva de Guadamejud— Villar y Velasco— Villarrubio— Zarza de Tajo— Albaladejo del Cuende— Alconchel de la Estrella— La Almarcha— Almonacid del Marquesado— Altarejos— Belmontejo— Castillo de Garcimuñoz— Cervera del Llano— La Hinojosa— El Hito— Honrubia— Montalbanejo— Montalbo— Mota de Altarejos— Olivares de Júcar— Palomares del Campo— La Parra de las Vegas— Pinarejo— San Lorenzo de la Parrilla— Torrubia del Castillo— Las Valeras— Valverde de Júcar— Villar de Cañas	
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	<ul style="list-style-type: none">— Villarejo de Fuentes— Villarejo-Periesteban— Villares del Saz— Villaverde y Pasaconsol— Zafra de Záncara <p>In the province of Albacete, the municipalities of:</p> <ul style="list-style-type: none">— El Bonillo— Munera— Ossa de Montiel— Villarrobledo— Fuensanta— La Gineta— Madrigueras— Mahora— Minaya— Montalvos— Motilleja— Navas de Jorquera— La Roda— Tarazona de la Mancha— Villalgordo del Júcar <p>In the province of Ciudad Real, the municipalities of:</p> <ul style="list-style-type: none">— Alcázar de San Juan— Arenales de San Gregorio— Argamasilla de Alba— Campo de Criptana— Pedro Muñoz— Ruidera— Socuéllamos— Tomelloso	
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