

# DECISIONS

## COMMISSION IMPLEMENTING DECISION (EU) 2023/836

of 11 April 2023

### amending Implementing Decision (EU) 2022/2333 concerning certain emergency measures relating to sheep pox and goat pox in Spain

(notified under document C(2023) 2534)

**(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') <sup>(1)</sup>, and in particular Article 259(1) thereof,

Whereas:

- (1) Commission Implementing Decision (EU) 2022/2333 <sup>(2)</sup> 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.
- (2) 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 Article 21 of Commission Delegated Regulation (EU) 2020/687 <sup>(3)</sup>, are to comprise at least the areas listed in the Annex to that Implementing Decision.
- (3) 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 (EU) 2020/687, in both the regions of Andalusia and Castilla-La Mancha, 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 and the rest of the Union.

<sup>(1)</sup> OJ L 84, 31.3.2016, p. 1.

<sup>(2)</sup> 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).

<sup>(3)</sup> 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) After the adoption of Implementing Decision (EU) 2022/2333, Spain 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 of Castilla – La Mancha, followed by another three additional outbreaks of sheep pox and goat pox in establishments where ovine and/or caprine animals were kept, all located in the region of Castilla – La Mancha. As a result, the areas listed as protection and surveillance zones, as well as further restricted zones for Spain, in the Annex to Implementing Decision (EU) 2022/2333, were further amended, and the last amendment to that Annex was made by Commission Implementing Decision (EU) 2023/414 (\*).
- (5) Since the date of adoption of Implementing Decision (EU) 2023/414, 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, in the region of Castilla – La Mancha, in the Province of Ciudad Real, inside the restricted zone already established in this region. 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 the new outbreaks. Spain has also maintained the previously established restricted zones, around the previous three outbreaks, recorded since the beginning of 2023 in Castilla – La Mancha.
- (6) 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, taking into account the current epidemiological situation in the region of Castilla-La Mancha.
- (7) Furthermore, in view of the current epidemiological situation, it is necessary to put in place stricter measures in relation to movements of sheep and goats kept in the protection or surveillance zones, in order to prevent the spread of the disease to the rest of the territory of Spain and the rest of the Union. To this end, movements of sheep and goats kept in the protection or surveillance zones should only be allowed to a slaughterhouse for immediate slaughter within the same protection or surveillance zone as the establishment of origin or to a slaughterhouse located in the further restricted zone, as near as possible to the establishment of origin, when it is not possible to slaughter the animals in the same protection or surveillance zone as the establishment of origin.
- (8) 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 amendments to be made to Implementing Decision (EU) 2022/2333 by this Decision take effect – as soon as possible.
- (9) In addition, taking into account the current epidemiological situation in the Union as regards sheep pox and goat pox, the period of application of Implementing Decision (EU) 2022/2333 should be prolonged until 20 September 2023.
- (10) Implementing Decision (EU) 2022/2333 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*

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 protection, surveillance and the further restricted zones**

1. Movements of sheep and goats kept in the protection or surveillance 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 5.

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(\*) Commission Implementing Decision (EU) 2023/414 of 17 February 2023 amending Implementing Decision (EU) 2022/2333 concerning certain emergency measures relating to sheep pox and goat pox in Spain (OJ L 59, 24.2.2023, p. 15).

2. The following movements of sheep and goats kept in the protection or surveillance zones may be authorised by the competent authority:

(a) movements of sheep and goats directly to a slaughterhouse located in the same protection or surveillance zone as the establishment of origin, for immediate slaughter;

or

(b) when it is not possible to slaughter the animals in the same protection or surveillance zone as the establishment of origin, movements of sheep and goats directly to a slaughterhouse located in the further restricted zone, for immediate slaughter, located as near as possible to the establishment of origin.

3. 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 4 and 5.

4. 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 when such movements of sheep and goats are directly to a slaughterhouse for immediate slaughter:

5. The means of transport used for the movement of sheep and goats from the protection, surveillance or further restricted zones shall:

(a) comply with the requirements for the means of transport laid down in Article 24(1) of Delegated Regulation (EU) 2020/687;

(b) be cleaned and disinfected in accordance with the requirements for the means of transport laid down in 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 20 September 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, 11 April 2023.

*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
<b>Region of Castilla – La Mancha</b> ES-CAPRIPOX-2023-00001 ES-CAPRIPOX-2023-00002 ES-CAPRIPOX-2023-00003 ES-CAPRIPOX-2023-00004 ES-CAPRIPOX-2023-00005	<u>Protection zone:</u> Those parts of the province Ciudad Real, contained within a circle of a radius of 7 kilometres, centred on UTM 30, ETRS89 coordinates Lat 39.3779337, Long -3.2065384 (2023/3); Lat. 39.3799218, Long. -3.2133482 (2023/4); Lat. 39.28998, Long. -3.24795 (2023/5)	10.5.2023
	<u>Surveillance zone:</u> Those parts of the provinces of Cuenca and Albacete, contained within a circle of a radius of 20 kilometres, centred on UTM 30, ETRS89 coordinates Lat. 39.5105823, Long. -2.4881244 (2023/01); Lat. 39.4754483, Long. -2.1693509 (2023/2);	17.4.2023
	<u>Surveillance zone:</u> Those parts of the provinces of Ciudad Real and Toledo, beyond the area described in the protection zone and contained within a circle of a radius of 25 kilometers centred on UTM 30, ETRS89 coordinates Lat 39.3779337, Long -3.2065384 (2023/3); Lat. 39.3799218, Long. -3.2133482 (2023/4); Lat. 39.28998, Long. -3.24795 (2023/5)	26.5.2023
	<u>Surveillance zone:</u> Those parts of the provinces of Ciudad Real, contained within a circle of a radius of 7 kilometers, centred on UTM 30, ETRS89 coordinates Lat 39.3779337, Long -3.2065384 (2023/3); Lat. 39.3799218, Long. -3.2133482 (2023/4); Lat. 39.28998, Long. -3.24795 (2023/5)	11.5.2023 – 26.5.2023

## 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
<b>Region of Castilla – La Mancha</b>	A further restricted zone that comprises the following provinces: — Albacete — Ciudad Real — Cuenca — Toledo	5.7.2023'