

COMMISSION IMPLEMENTING DECISION (EU) 2023/985**of 15 May 2023****concerning certain interim emergency measures relating to African swine fever in Italy***(notified under document C(2023) 3325)***(Only the Italian 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(2) thereof,

Whereas:

- (1) African swine fever is an infectious viral disease affecting kept and wild porcine 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.
- (2) In the event of outbreaks of African swine fever in kept and wild porcine animals, there is a serious risk of the spread of that disease to other establishments of kept porcine animals and to wild porcine animals.
- (3) Commission Delegated Regulation (EU) 2020/687 ⁽²⁾ 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 Commission Implementing Regulation (EU) 2018/1882 ⁽³⁾. 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 African swine fever, and for certain 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, a surveillance zone, and if necessary further restricted zones around or adjacent to the protection and surveillance zones.
- (4) Also, Articles 63 to 66 of Delegated Regulation (EU) 2020/687 provide for certain measures to be taken in the event of an official confirmation of an outbreak of a category A disease in wild animals, including African swine fever in wild porcine animals. Notably, those provisions provide for the establishment of an infected zone and prohibitions on movements of wild animals of listed species and products of animal origin thereof.
- (5) Commission Implementing Regulation (EU) 2023/594 ⁽⁴⁾ lays down special disease control measures regarding African swine fever. In particular, Article 3, point (a), of that Implementing Regulation provides for the establishment of a restricted zone in the case of an outbreak of African swine fever in kept porcine animals, in accordance with Article 21(1) of Delegated Regulation (EU) 2020/687.

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ 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.

⁽³⁾ 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).

⁽⁴⁾ Commission Implementing Regulation (EU) 2023/594 of 16 March 2023 laying down special disease control measures for African swine fever and repealing Implementing Regulation (EU) 2021/605 (OJ L 79, 17.3.2023, p. 65).

- (6) Also, in the event of an outbreak of that disease in wild porcine animals in an area of a Member State, Article 3, point (b), of Implementing Regulation (EU) 2023/594 provides for the establishment of an infected zone in accordance with Article 63 of Delegated Regulation (EU) 2020/687. In addition, Article 6 of that Implementing Regulation provides that that area is to be listed as a restricted zone II in Part II of Annex I thereto and that the infected zone, established in accordance with Article 63 of Delegated Regulation (EU) 2020/687, is to be adjusted without delay to comprise at least the restricted zone II. The special control measures for African swine fever laid down in Implementing Regulation (EU) 2023/594 include, inter alia, prohibitions on movements of consignments of porcine animals kept in restricted zones II and products thereof outside those restricted zones.
- (7) Italy has informed the Commission of the current African swine fever situation on its territory, following the confirmation of one outbreak of that disease in kept porcine animals in the Calabria region on 12 May 2023, and, in accordance with Delegated Regulation (EU) 2020/687 and Implementing Regulation (EU) 2023/594, it has established a restricted zone, which comprises protection and surveillance zones, where the general disease control measures laid down in Delegated Regulation (EU) 2020/687 are applied, in order to prevent the further spread of that disease.
- (8) Also, Italy has as informed the Commission of the confirmation of several outbreaks of African swine fever in wild porcine animals in the Calabria region on 11 May 2023. Accordingly, the competent authority of that Member State established an infected zone in accordance with Delegated Regulation (EU) 2020/687 and Implementing Regulation (EU) 2023/594.
- (9) In order to prevent any unnecessary disturbance to trade within the Union and to avoid unjustified barriers to trade by third countries, it is necessary to identify at Union level the restricted zone, which comprises protection and surveillance zones, and the infected zone for African swine fever in Italy in collaboration with that Member State.
- (10) In order to prevent the further spread of African swine fever, pending the listing of the area of Italy affected by the recent outbreaks in wild porcine animals as a restricted zone II in Part II of Annex I to Implementing Regulation (EU) 2023/594, the special control measures for African swine fever laid down therein, that apply to movements of consignments of porcine animals kept in restricted zones II and products thereof outside those zones, should also apply to movements of those consignments from the infected zone established by Italy following that recent outbreak, in addition to the measures laid down in Articles 63 to 66 of Delegated Regulation (EU) 2020/687.
- (11) Accordingly, that infected zone should be listed in the Annex to this Decision and it should be subject to the special control measures for African swine fever that apply to restricted zones II laid down in Implementing Regulation (EU) 2023/594. However, due to this new epidemiological situation of African swine fever and taking account of the increased immediate risk of the further spread of the disease, movements of consignments of kept porcine animals and products thereof to other Member States and to third countries should not be authorised from the infected zone in accordance with that Implementing Regulation. The duration of that zoning should be also laid down in this Decision.
- (12) Therefore, in order to mitigate the risks arising from the recent outbreak of African swine fever in wild porcine animals in Italy, the movements to other Member States and third countries of consignments of porcine animals kept in the infected zone and products thereof should not be authorised by Italy until the expiry date of this Decision.
- (13) Given the urgency of the epidemiological situation in the Union as regards the spread of African swine fever, it is important that the measures laid down in this Implementing Decision apply as soon as possible.
- (14) Accordingly, pending the opinion of the Standing Committee on Plants, Animals, Food and Feed, the infected zone in Italy should be established immediately and listed in the Annex to this Decision and the duration of that zoning fixed.
- (15) 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

Italy shall ensure that:

- (a) a restricted zone which comprises a protection zone and a surveillance zone is established immediately by Italy in accordance with Article 21(1) of Delegated Regulation (EU) 2020/687 and under conditions set out in that Article;
- (b) the protection and surveillance zones referred to in paragraph (a) comprise at least the areas listed in the Annex to this Implementing Decision;
- (c) an infected zone for African swine fever is established immediately by Italy in accordance with Article 63 of Delegated Regulation (EU) 2020/687 and Article 3, point (b) of Implementing Regulation (EU) 2023/594, and that it comprises at least the areas listed in the Annex to this Decision

Article 2

Italy shall ensure that the special control measures for African swine fever applicable to restricted zones II laid down in Implementing Regulation (EU) 2023/594 apply in the areas listed as an infected zone in the Annex to this Decision, in addition to the measures laid down in Articles 63 to 66 of Delegated Regulation (EU) 2020/687.

Article 3

Italy shall ensure that consignments of porcine animals kept in the areas listed as an infected zone in the Annex and products thereof are not authorised for movements to other Member States and to third countries.

Article 4

This Decision shall apply until 12 August 2023.

Article 5

This Decision is addressed to Italy.

Done at Brussels, 15 May 2023.

For the Commission
Stella KYRIAKIDES
Member of the Commission

ANNEX

Areas established as the restricted zone in Italy as referred to in Article 1	Date until applicable
<p style="text-align: center;">Protection zone</p> <p>The part of Calabria Region contained within a circle of radius of three kilometres, centred on Lat 38.070938. Long 15.946858</p>	12.8.2023
<p style="text-align: center;">Surveillance zone</p> <p>The part of Calabria Region contained within a circle of radius of ten kilometres, centred on Lat 38.070938. Long 15.946858 Lat. Long.</p>	
Areas established as the infected zone in Italy as referred to in Article 1	Date until applicable
<p style="text-align: center;">Calabria Region:</p> <p>in the province of Reggio Calabria: Cardeto, Motta San Giovanni, Montebello Ionico, Sant'Eufemia d'Aspromonte, Sant'Alessio in Aspromonte, Sinopoli, San Roberto, San Lorenzo, San Procopio, Roghudi, Palmi, Melito di Porto Salvo, Laganadi, Calanna, Roccaforte di Greco, Melicucco, Santo Stefano in Aspromonte, Seminara, Reggio Calabria, Scilla, Cosoleto, Delianuova, Condofuri, Bagaladi, Bagnara Calabra.</p>	12.8.2023