

COMMISSION IMPLEMENTING DECISION (EU) 2021/1485**of 15 September 2021****amending Implementing Decision (EU) 2021/641 concerning emergency measures in relation to outbreaks of highly pathogenic avian influenza in certain Member States***(notified under document C(2021) 6765)***(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), point (c) thereof,

Whereas:

- (1) Highly pathogenic avian influenza (HPAI) is an infectious viral disease in birds and may have a severe impact on the profitability of poultry farming causing disturbance to trade within the Union and exports to third countries. HPAI viruses can infect migratory birds, which can then spread these viruses over long distances during their autumn and spring migrations. Therefore, the presence of HPAI viruses in wild birds poses a continuous threat for the direct and indirect introduction of these viruses into holdings where poultry or captive birds are kept. In the event of an outbreak of HPAI, there is a risk that the disease agent may spread to other holdings where poultry or captive birds are kept.
- (2) Regulation (EU) 2016/429 establishes a new legislative framework for the prevention and control of diseases that are transmissible to animals or humans. HPAI falls within the definition of a listed disease in that Regulation, and it is subject to the disease prevention and control rules laid down therein. In addition, Commission Delegated Regulation (EU) 2020/687 ⁽²⁾ supplements Regulation (EU) 2016/429 as regards the rules for the prevention and control of certain listed diseases, including disease control measures for HPAI.
- (3) Commission Implementing Decision (EU) 2021/641 ⁽³⁾ was adopted within the framework of Regulation (EU) 2016/429, and it lays down disease control measures in relation to outbreaks of HPAI.
- (4) More particularly, Implementing Decision (EU) 2021/641 provides that the protection and surveillance zones established by the Member States following outbreaks of HPAI, in accordance with Delegated Regulation (EU) 2020/687, are to comprise at least the areas listed as protection and surveillance zones in the Annex to that Implementing Decision.
- (5) The Annex to Implementing Decision (EU) 2021/641 was recently amended by Commission Implementing Decision (EU) 2021/1454 ⁽⁴⁾ following a new outbreak of HPAI in poultry or captive birds in the Netherlands that needed to be reflected in that Annex.
- (6) Since the date of adoption of Implementing Decision (EU) 2021/1454, Belgium has notified the Commission of an outbreak of HPAI of subtype H5N8 in a holding where poultry or captive birds were kept in the West Flanders province of that Member State.

⁽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 Decision (EU) 2021/641 of 16 April 2021 concerning emergency measures in relation to outbreaks of highly pathogenic avian influenza in certain Member States (OJ L 134, 20.4.2021, p. 166)

⁽⁴⁾ Commission Implementing Decision (EU) 2021/1454 of 6 September 2021 amending the Annex to Implementing Decision (EU) 2021/641 concerning emergency measures in relation to outbreaks of highly pathogenic avian influenza in certain Member States (OJ L 316, 7.9.2021, p. 1)

- (7) In addition, Luxembourg has notified the Commission of an outbreak of HPAI of subtype H5N8 in a holding where poultry or captive birds were kept in the canton of Grevenmacher of that Member State.
- (8) Moreover, France has notified the Commission of an outbreak of HPAI of subtype H5N8 in a holding where poultry or captive birds were kept in the Ardennes Region of that Member State.
- (9) Those outbreaks in Belgium, France and Luxembourg are located outside the areas currently listed in the Annex to Implementing Decision (EU) 2021/641 and the competent authorities of those Member States have 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.
- (10) In addition, the outbreak confirmed in Belgium is located in close proximity to the border with France. Accordingly, the competent authorities of those two Member States have duly collaborated with regard to the establishment of the necessary surveillance zone, in accordance with Delegated Regulation (EU) 2020/687, as the surveillance zone extends into the territory of France.
- (11) Moreover, the outbreak confirmed in Luxembourg is located in close proximity to the border with Germany. Accordingly, the competent authorities of those two Member States have duly collaborated with regard to the establishment of the necessary surveillance zone, in accordance with Delegated Regulation (EU) 2020/687, as the surveillance zone extends into the territory of Germany.
- (12) The Commission has examined the disease control measures taken by Belgium, Germany, France and Luxembourg in collaboration with those Member States and it is satisfied that the boundaries of the protection and surveillance zones established by the competent authorities of Belgium, France and Luxembourg and the surveillance zone established by the competent authority of Germany are at a sufficient distance from the holdings where the recent outbreaks of HPAI have been confirmed.
- (13) In order to prevent any unnecessary disturbance to trade within the Union and to avoid unjustified barriers to trade being imposed by third countries, it is necessary to rapidly describe at Union level, in collaboration with Belgium, France and Luxembourg, the protection and surveillance zones established by those Member States in accordance with Delegated Regulation (EU) 2020/687.
- (14) Moreover, it is also necessary to rapidly describe at Union level, in collaboration with Germany, the surveillance zone established by that Member State in accordance with Delegated Regulation (EU) 2020/687.
- (15) Therefore, protection and surveillance zones should be listed for Belgium, France and Luxembourg, and surveillance zone should be listed for Germany in the Annex to Implementing Decision (EU) 2021/641.
- (16) The Annex to Implementing Decision (EU) 2021/641 should therefore be amended to update regionalisation at Union level to take account of the protection and surveillance zones duly established by Belgium, France and Luxembourg and of the surveillance zone duly established by Germany, in accordance with Delegated Regulation (EU) 2020/687, and the duration of the restrictions applicable therein.
- (17) Furthermore, Implementing Decision (EU) 2021/641 applies until 30 September 2021. However, the duration of the restrictions applicable in the restricted zones established by Belgium, Germany, France and Luxembourg in accordance with Delegated Regulation (EU) 2020/687 extends beyond 30 September 2021.
- (18) In addition, due to the ongoing findings of HPAI viruses in wild birds in the Union and the risks of the spread of that disease by migratory wild birds during their autumn migration season, there is an increasing risk of further outbreaks in poultry and captive birds.

- (19) It is therefore appropriate to prolong the period of application of Implementing Decision (EU) 2021/641 until 30 September 2022, to cover the upcoming annual migration season of migratory wild birds. This prolongation also takes into account current developments in the epidemiological situation in the Union as regards HPAI and the corresponding risks to animal health resulting from possible further outbreaks of that disease.
- (20) Implementing Decision (EU) 2021/641 should therefore be amended accordingly.
- (21) Given the urgency of the epidemiological situation in the Union as regards the spread of HPAI, it is important that the amendments to be made to Implementing Decision (EU) 2021/641 by this Decision take effect as soon as possible.
- (22) 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) 2021/641 is amended as follows:

- (1) in Article 4, the date '30 September 2021' is replaced by the date '30 September 2022';
- (2) the Annex to Implementing Decision (EU) 2021/641 is replaced by the text set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 15 September 2021.

For the Commission
Stella KYRIAKIDES
Member of the Commission

ANNEX

'ANNEX

PART A

Protection zones as referred to in Articles 1 and 2:

Member State: Belgium

Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
<i>Province: West Flanders</i>	
Those parts of the municipalities of Kortrijk, Menen and Wevelgem contained within a circle of a radius of three kilometres, centered on WGS84 dec. coordinates long 3,2141 - lat 50,7990	22.9.2021

Member State: France

Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
<i>Les communes suivantes dans le département: ARDENNES (08)</i>	
BALLAY; VANDY; VOUZIERES	4.10.2021

Member State: Luxembourg

Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
Entire municipality of Betzdorf.	27.9.2021
The following localities in the municipality of Flaxweiler: Flaxweiler and Buchholz.	

Member State: The Netherlands

Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
<i>Province: Overijssel</i>	
<ol style="list-style-type: none"> 1. Vanaf kruising Zwijnenbergerweg / Raalterweg, Raalterweg volgen in noordelijke richting tot aan Groote Vloedgraven(water). 2. Groote Vloedgraven(water) volgen in oostelijke richting tot aan G.J.Kappertweg. 3. G.J.Kappertweg volgen in noordelijke richting tot aan Oosterkampweg. 4. Oosterkampweg volgen in noordelijke richting tot aan Weseperenkweg. 5. Weseperenkweg volgen in oostelijke richting tot aan Stroeksweg. 6. Stroeksweg volgen in noordelijke richting tot aan Overmeenweg. 7. Overmeenweg volgen in oostelijke richting tot aan Oosterenkweg. 8. Oosterenkweg volgen in oostelijke richting via (nr. 11a) tot aan Overijssels kanaal(water). 9. Overijssels kanaal(water) volgen in noordelijke richting tot aan Heetenseweg (nr. 9b). 10. Heetenseweg (nr. 9b) zandweg volgen in oostelijke richting tot aan Schoonhetenseweg. 11. Schoonhetenseweg volgen in zuidelijke richting, overgaand in Veldzichtweg tot aan Haarlesedijk. 12. Haarlesedijk volgen in oostelijke richting tot aan Portlanderdijk. 13. Portlanderdijk volgen in oostelijke richting tot aan Poggebeltweg. 14. Poggebeltweg volgen in westelijke richting tot aan Holterweg. 15. Holterweg volgen in zuidelijke richting tot aan Okkenbroekerstraat. 16. Okkenbroekerstraat volgen in westelijke richting, overgaand in Vlessendijk tot aan Muldersweg. 17. Muldersweg volgen in zuidelijke richting tot aan Oerdijk. 18. Oedrijk volgen in westelijke richting tot aan Bathmenseweg. 19. Bathmenseweg volgen in noordelijke richting tot aan Butersdijk. 20. Butersdijk volgen in westelijke richting tot aan Spanjaardsdijk. 21. Spanjaardsdijk volgen in westelijke richting tot aan Kanaaldijk west. 22. Kanaaldijk west volgen in noordelijke richting tot aan Zwijnenbergerweg. 23. Zwijnenbergerweg volgen in noordelijke richting tot aan Kappertsteeg. 24. Kappertsteeg volgen in westelijke richting tot aan Iwlandseweg. 25. Iwlandseweg volgen in westelijke richting tot aan Avernoorsedijk. 26. Avernoorsedijk volgen in noordelijke richting tot aan Zwijnenbergerweg. 27. Zwijnenbergerweg volgen in westelijke richting tot aan Raalterweg. 	14.9.2021

Member State: Poland

Area comprising:	Date until applicable in accordance with Article 39 of Delegated Regulation (EU) 2020/687
<i>Mazowieckie voivodship, żuromiński district</i>	
<ul style="list-style-type: none"> — The following localities in the Biezuń municipality: Karniszyn, Karniszyn-Parcele, Sadłowo, Sadłowo-Parcele, Strzeszewo; — The following localities in the Żuromin municipality: Chamsk, Młudzyn. 	3.9.2021

PART B

Surveillance zones as referred to in Articles 1 and 3:

Member State: Belgium

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
<i>Provinces: West Flanders and Hainaut</i>	
The municipalities or parts of the municipalities of Deerlijk, Estaimpuis, Harelbeke, Kortrijk, Kuurne, Ledegem, Lendeledede, Menen, Mouscron, Moorslede, Wervik, Wevelgem and Zwevegem contained within a circle of a radius of 10 kilometres, centered on WGS84 dec. coordinates long 3,2141 - lat 50,7990 and beyond the area described in the protection zone.	1.10.2021
Those parts of the municipalities of Kortrijk, Menen and Wevelgem contained within a circle of a radius of three kilometres, centered on WGS84 dec. coordinates long 3,2141 - lat 50,7990	From 23.9.2021 until 1.10.2021

Member State: Germany

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
RHEINLAND-PFALZ	
Landkreis Trier-Saarburg Gemarkungen Temmels, Wellen, Nittel (im Osten begrenzt durch die K 110), Köllig, Rehlingen, Wincheringen (im Osten begrenzt durch die K 110, in der Ortslage Trierer Straße, Warsberger Straße und Helfanter Straße) sowie Wehr (im Süden begrenzt durch die B 419).	6.10.2021

Member State: France

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
<i>Les communes suivantes dans le département: ARDENNES (08)</i>	
ATTIGNY BELLEVILLE-ET-CHÂTILLON-SUR-BAR BOULT-AUX-BOIS BOURCQ BRÉCY-BRIÈRES CHARDENY BAIRON ET SES ENVIRONS CHUFFILLY-ROCHE CONTREUVE COULOMMES-ET-MARQUENY LA CROIX-AUX-BOIS FALAISE GRIVY-LOISY LAMETZ LONGWÉ MARS-SOUS-BOURCQ MONTGON MONT-SAINT-MARTIN NEUVILLE-DAY NOIRVAL OLIZY-PRIMAT QUATRE-CHAMPS QUILLY RILLY-SUR-AISNE SAINT-LAMBERT-ET-MONT-DE-JEUX SAINTE-MARIE SAINT-MOREL SAINTE-VAUBOURG SAVIGNY-SUR-AISNE SEMUY SUGNY SUZANNE TANNAY TOGES TOURCELLES-CHAUMONT VAUX-CHAMPAGNE	13.10.2021

VONCQ	
BALLAY ; VANDY ; VOUIERS	From 5.10.2021 until 13.10.2021
<i>Les communes suivantes dans le département: NORD (59)</i>	
BOUSBECQUE ; HALLUIN ; NEUVILLE-EN-FERRAIN ; RONCQ ; TOURCOING ; WATTRELOS	1.10.2021

Member State: Luxembourg

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
The entire municipalities of Bech, Biwer, Grewenmacher, Junglinster, Lenningen, Manternach, Niederanven, Schuttrange and Wormeldange. The municipality of Flaxweiler excluding the localities covered by the protection zone (Flaxweiler and Buchholz).	6.10.2021
Entire municipality of Betzdorf. The following localities in the municipality of Flaxweiler: Flaxweiler and Buchholz.	From 28.9.2021 until 6.10.2021

Member State: The Netherlands

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
<i>Province: Overijssel</i>	
<ol style="list-style-type: none"> 1. Vanaf kruising Zwijnenbergerweg / Raalterweg, Raalterweg volgen in noordelijke richting tot aan Groote Vloedgraven(water). 2. Groote Vloedgraven(water) volgen in oostelijke richting tot aan G.J.Kappertweg. 3. G.J.Kappertweg volgen in noordelijke richting tot aan Oosterkampweg. 4. Oosterkampweg volgen in noordelijke richting tot aan Weseperenkweg. 5. Weseperenkweg volgen in oostelijke richting tot aan Stroeksweg. 6. Stroeksweg volgen in noordelijke richting tot aan Overmeenweg. 7. Overmeenweg volgen in oostelijke richting tot aan Oosterenkweg. 8. Oosterenkweg volgen in oostelijke richting via (nr. 11a) tot aan Overijssels kanaal(water). 9. Overijssels kanaal(water) volgen in noordelijke richting tot aan Heetenseweg (nr. 9b). 10. Heetenseweg (nr. 9b) zandweg volgen in oostelijke richting tot aan Schoonhetenseweg. 11. Schoonhetenseweg volgen in zuidelijke richting, overgaand in Veldzichtweg tot aan Haarlesedijk. 	From 15.9.2021 until 23.9.2021

<ol style="list-style-type: none"> 12. Haarlesedijk volgen in oostelijke richting tot aan Portlanderdijk. 13. Portlanderdijk volgen in oostelijke richting tot aan Poggebeltweg. 14. Poggebeltweg volgen in westelijke richting tot aan Holterweg. 15. Holterweg volgen in zuidelijke richting tot aan Okkenbroekerstraat. 16. Okkenbroekerstraat volgen in westelijke richting, overgaand in Vlessendijk tot aan Muldersweg. 17. Muldersweg volgen in zuidelijke richting tot aan Oerdijk. 18. Oedrijk volgen in westelijke richting tot aan Bathmenseweg. 19. Bathmenseweg volgen in noordelijke richting tot aan Butersdijk. 20. Butersdijk volgen in westelijke richting tot aan Spanjaardsdijk. 21. Spanjaardsdijk volgen in westelijke richting tot aan Kanaaldijk west. 22. Kanaaldijk west volgen in noordelijke richting tot aan Zwijnenbergerweg. 23. Zwijnenbergerweg volgen in noordelijke richting tot aan Kappertsteeg. 24. Kappertsteeg volgen in westelijke richting tot aan Iwlandseweg. 25. Iwlandseweg volgen in westelijke richting tot aan Avergoorsedijk. 26. Avergoorsedijk volgen in noordelijke richting tot aan Zwijnenbergerweg. 27. Zwijnenbergerweg volgen in westelijke richting tot aan Raalterweg. 	
<ol style="list-style-type: none"> 1. Vanaf kruising A1/ IJssel, de IJssel volgen in noordelijke richting tot aan IJsseldijk ter hoogte van nr. 39. 2. IJsseldijk volgen in noordelijke richting tot aan Rembrandkade. 3. Rembrandkade volgen in noordelijke richting tot aan Randerstraat. 4. Randerstraat volgen in noordelijke richting, overgaand in Roland Holstlaan, overgaand in Overstichtlaan tot aan spoorlijn Deventer-Zwolle. 5. Spoorlijn Deventer-Zwolle volgen in noordelijke richting tot aan Omloop. 6. Omloop volgen in oostelijke richting tot aan Raalterweg. 7. Raalterweg volgen in oostelijke richting tot aan Liederhouthuisweg. 8. Liederhouthuisweg volgen in noordelijke richting tot aan Hagenvoorde. 9. Hagenvoorde volgen in oostelijke richting tot aan Wechterhout. 10. Wechterhout volgen in noordelijke richting tot aan Raalterwetering(water). 11. Raalterwetering(water) volgen in oostelijke richting, overgaand in Oosterbroeks waterleiding(water) tot aan Hagweg. 12. Hagweg volgen in zuidelijke richting tot aan Lindertseweg. 13. Lindertseweg volgen in oostelijke richting, overgaand in Ommerweg tot aan Luttenbergerweg. 14. Luttenbergerweg volgen in zuidelijke richting tot aan Bloemenbosweg. 15. Bloemenbosweg volgen in zuidelijke richting, overgaand in Heuvelweg tot aan Hellendoornseweg. 	23.9.2021

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| <ul style="list-style-type: none"> 16. Hellendoornseweg volgen in oostelijke richting tot aan Blikweg. 17. Blikweg volgen in zuidelijke richting tot aan Almeloseweg. 18. Almeloseweg volgen in oostelijke richting tot aan Nijverdalsebergweg. 19. Nijverdalsebergweg volgen in zuidelijke richting, overgaand in Holterbergweg tot aan Molenbelterweg. 20. Molenbelterweg volgen in zuidelijke richting tot aan spoorlijn Enschede-Deventer. 21. Spoorlijn Enschede-Deventer volgen in westelijke richting tot aan Provincialeweg. 22. Provincialeweg volgen in zuidelijke richting tot aan A1. 23. A1 volgen in westelijke richting tot aan Boermark. 24. Boermark volgen in westelijke richting, overgaand in Bronsvoorderdijk tot aan Braakmanssteeg. 25. Braakmanssteeg volgen in zuidelijke richting, overgaand in Looweg tot aan Peppeldijk. 26. Peppeldijk volgen in westelijke richting tot aan Kasteelweg. 27. Kasteelweg volgen in westelijke richting tot aan Bathmenseweg. 28. Bathmenseweg volgen in zuidelijke richting tot aan Lochemseweg. 29. Lochemseweg volgen in westelijke richting tot aan spoorlijn Zutphen–Deventer. 30. Spoorlijn Zutphen-Deventer volgen in noordelijke richting tot aan A1. 31. A1 volgen in oostelijke richting tot aan de IJssel. | |
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Member State: Poland

Area comprising:	Date until applicable in accordance with Article 55 of Delegated Regulation (EU) 2020/687
<i>Mazowieckie voivodship, żuromiński district</i>	
<ul style="list-style-type: none"> — The following localities in the Biezuń municipality: Kocewo, Myślin, Dąbrówki, Mak, Władysławowo, Stanisławowo, Pozga, Bielawy Gołuskie, Gołuszyn, Dźwierzno, Kobyla Łąka, Sławęcin, Zgliczyn Pobodzy, Stawiszyn-Łaziska, Wilewo, Stawiszyn-Zwalewo, Wieluń-Zalesie, Pełki, Małocin, Trzaski; — City of Biezuń; — The following localities in the Lutocin municipality: Siemcichy, Chromakowo, Przeradz Mały, Przeradz Nowy, Przeradz Wielki, Swojęcín, Mojnowo, Obręb, Parlin, Lutocin, Seroki, Zimolza, Elźbiecin, Felcyn, Jonne; — The following localities in the Siemiątkowo municipality: Sokołowy Kąt, Siciarz; — The following localities in the in Żuromin municipality: Będzimin, Rzęzawy, Kruszewo, Brudnice, Poniatowo, Wiadrowo, Dąbrowa, Cierpigórz, Franciszkowo, Olszewo, Kosewo, Dębsk, Kliczewo Małe, Kliczewo Duże, Wólka Kliczewska, Nowe Nadratowo, Stare Nadratowo, Sadowo; — City of Żuromin. 	12.9.2021

— The following localities in the Biezuń municipality: Karniszyn, Karniszyn-Parcele, Sadłowo, Sadłowo-Parcele, Strzeszewo; — The following localities in the Żuromin municipality: Chamsk, Młudzyn.	From 4.9.2021 until 12.9.2021
<i>Mazowieckie voivodship, mławski district</i>	
— The following localities in the Radzanów municipality: Zgliczyn-Glinki, Zgliczyn Witowy; — The following localities in the Szreńsk municipality: Ługi, Słowikowo.	12.9.2021'