

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 (Text with EEA relevance)

PART III

AQUATIC ANIMALS

CHAPTER I

*Disease control measures for category A diseases in aquaculture animals*

*Section 1*

*Preliminary disease control measures in the event of  
suspicion of a category A disease in aquaculture animals*

*Article 70*

**Obligations on operators in the event of suspicion of  
category A disease in aquaculture animals in establishments**

In the event of suspicion of a category A disease in aquaculture animals of listed species, operators shall take the following disease control measures in order to prevent the spread of the category A disease from the affected animals and aquaculture establishments under their responsibility to other unaffected aquatic animals until the competent authority rules out the presence of the category A disease:

- (a) isolate, where technically possible, all aquaculture animals in the establishment suspected of being infected with the category A disease;
- (b) prevent movements of aquaculture animals into and from the establishment;
- (c) keep records of all visits and movements from and to the establishment;
- (d) keep any product, piece of equipment, material or substance likely to be contaminated with and to transmit category A diseases isolated and as far as practicable protected from vectors and other aquatic animals;;
- (e) implement the appropriate biosecurity measures to avoid spread of the category A disease;
- (f) provide the competent authority, on its request, with any relevant information regarding the category A disease; and
- (g) follow any instructions given by the competent authority regarding the control of category A disease, in accordance with Regulation (EU) 2016/429 and this Regulation.

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### Article 71

#### **Investigation by the competent authority of the suspicion of a category A disease in aquaculture animals in an establishment**

1 In the event of the suspicion of a category A disease in aquaculture animals in an establishment in accordance with Article 9(1), (3) and (4) of Delegated Regulation (EU) 2020/689, the competent authority shall immediately conduct an investigation to confirm or rule out the presence of the suspected listed disease.

2 In the course of the investigation referred to in paragraph 1 the competent authority shall ensure that the official veterinarians perform at least:

- a clinical examinations of aquaculture animals; and
- b the collection of samples for laboratory examination.

### Article 72

#### **Preliminary restriction and biosecurity measures to be applied in the event of the suspicion of a category A disease in aquaculture animals**

1 In the event of suspicion of a category A disease in an establishment, the competent authority shall place the establishment under official surveillance and immediately impose the following preliminary restriction and biosecurity measures, in order to prevent the spread of the category A disease from the affected aquaculture animals and the establishment to unaffected aquatic animals:

- a prohibition of movements of aquaculture animals into and from the establishment;
- b prohibition of non-essential movements from the establishment of means of transport and equipment;
- c prohibition of slaughter of aquaculture animals for human consumption;
- d where technically feasible and regarded necessary, order the isolation of all aquaculture animals; and
- e when practicable, implement adequate means and measures to control birds and other predators.

2 The competent authority may order preventive killing of listed species at the affected establishment where a category A disease is suspected provided that all necessary biosecurity and other risk-mitigating measures are applied to prevent the spread of the category A disease from the establishment.

3 The competent authority shall by way of derogation from Article 10(i) of Regulation (EC) No 1069/2009 and after carrying out a risk assessment, authorise movements of aquaculture animals for the sole purpose of immediate killing in a disease control aquatic food establishment or a plant approved for processing or disposal of as animal-by-products of category 1 or category 2 in accordance with that Regulation. The authorisation may only be granted when the necessary biosecurity and other risk-mitigating measures are applied to prevent the spread of the category A disease.

4 All animal by-products from dead aquaculture animals which have died or have been killed in accordance with this Article, including molluscs shells with meat, shall by way of derogation from Article 10(i) of Regulation (EC) No 1069/2009 be processed or disposed of as category 1 or category 2 material in accordance with that Regulation to ensure that the relevant

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disease agent is inactivated and to prevent the transmission of the disease to other aquatic animals.

#### *Article 73*

### **Inventory and record analysis in the event of the suspicion of a category A disease in aquaculture animals**

1 In the event of suspicion of a category A disease, the competent authority shall order and verify that, without delay, operators of the establishments where a category A disease is suspected compile and maintain an up-to-date inventory of the following:

- a the species, categories and quantities (numbers, volume or weight) of all aquaculture animals kept in the establishment;
- b any product, material or substance likely to be contaminated with or likely to transmit the category A disease; and
- c the mortality in each epidemiological unit within the establishment, recorded on a daily basis.

2 In the framework of the epidemiological enquiry, as referred to in Article 57 of Regulation (EU) 2016/429 and carried out in establishments where the disease is suspected, the official veterinarians shall analyse at least the records listed in paragraph 1 of Article 186 of Regulation (EU) 2016/429.

#### *Article 74*

### **Extension of disease control measures in the event of the suspicion of a category A disease to other establishments**

In order to prevent the spread of a category A disease the competent authority shall conduct an investigation as provided for in Article 71 and, after carrying out a risk assessment, extend the relevant measures provided for in Articles 72 and 73 to:

- (a) establishments situated in the same compartment as the establishment where the disease is suspected, or which, due to distance, hydrodynamic conditions or topographic conditions, have an increased risk for contracting the relevant disease agent from the establishment where the disease is suspected;
- (b) any establishment other than those referred to in point (a) which has a direct epidemiological link with the establishment where the disease is suspected.

#### *Article 75*

### **Temporary restricted zones around the establishment**

The competent authority may establish a temporary restricted zone around the establishment where there is a suspicion of category A disease and where preliminary disease control measures are applied as referred to in Article 72 and Article 73 taking into account the following circumstances:

- (a) the location of the establishment in an area with other establishments keeping aquaculture animals of listed species for which a category A disease is suspected;

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- (b) the movement of animals in the vicinity of the suspected establishment;
- (c) the delay in confirming the category A disease pursuant to Article 77;
- (d) the insufficient information on the possible origin and routes of introduction of the suspected category A disease; and
- (e) the disease profile, in particular the routes and speed of transmission of the disease and the persistence of the disease in the relevant population of aquaculture animals of listed species.

#### *Article 76*

#### **Measures to apply in the event of suspicion of a category A disease in food and feed businesses, purification centre, dispatch centre, border control posts, animal by-products establishments or any other location of relevance, including means of transport**

1 In the event of suspicion of a category A disease in accordance with Article 9(1), (3) and (4) of Delegated Regulation (EU) 2020/689 in food and feed businesses, purification centres, dispatch centres, border control posts, animal by-products establishments or any other location of relevance, including means of transport, the competent authority shall apply:

- a the measures provided for in Articles 71 to 75; and
- b if needed, additional measures adapted to the specific situation in order to prevent the spread of the category A disease from the animals and establishments or locations under suspicion to unaffected animals.

2 The competent authority shall apply provisions laid down in Articles 71 to 75 also in the establishments of origin of the animals or products present in the establishments and locations referred to in paragraph 1.

#### *Section 2*

#### ***Disease control measures in the event of official confirmation of A category A disease in aquaculture animals***

#### *Article 77*

#### **Official confirmation of a category A disease in aquaculture animals**

The competent authority shall officially confirm an outbreak of a category A disease in aquaculture animals when the conditions set out in Article 9(2), (3) and (4) of Delegated Regulation (EU) 2020/689 are met.

#### *Article 78*

#### **Disease control measures in the event of official confirmation of an outbreak of category A disease in an establishment**

1 Following the official confirmation of an outbreak of a category A disease in accordance with Article 77, the competent authority shall in addition to the measures provided for Article 72 and Article 73, order that the following disease control measures are immediately

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applied under the supervision of the official veterinarians, to the establishment where the official confirmation of an outbreak of a category A disease has occurred:

- a fish and crustaceans of listed species shall be killed as soon as possible and molluscs of listed species shall be removed from water as soon as possible;
  - b animals referred to in (a) shall by way of derogation from Article 10(i) of Regulation (EC) No 1069/2009 be disposed of as category 1 or category 2 material in accordance with that Regulation;
  - c the measures provided for in point (a) and (b) shall be carried out either:
    - (i) in the establishment where the official confirmation of an outbreak of a category A disease has occurred with subsequent processing on site; or
    - (ii) in a disease control aquatic food establishment, or in a plant approved in accordance with Regulation (EC) No 1069/2009 for processing or disposal in a way that prevents risk of spreading the category A disease;
  - d aquaculture animals of non-listed species shall, as soon as possible, be killed or slaughtered for human consumption or, in case of molluscs, removed from water in accordance with paragraph 1(b);
  - e appropriate measures shall be applied to limit any possible spread of the category A disease to and from any wild aquatic animals that might be in epidemiological contact with the establishment;
  - f all potentially contaminated products, materials or substances shall be isolated until:
    - (i) they are disposed of in accordance with Regulation (EC) No 1069/2009, in the case of animal by-products;
    - (ii) by way of derogation from Article 10(i) of Regulation (EC) No 1069/2009 they are disposed of or processed as category 1 or category 2 material in accordance with that Regulation, in the case of products of animal origin;
    - (iii) cleaning and disinfection measures have been completed in accordance with the provisions in Article 80, in the case of materials and substances which are fit for cleaning and disinfection; and
    - (iv) they are removed from the establishment and disposed of under the supervision of official veterinarians, in the case of feeding stuff and other materials unfit for cleaning and disinfection.
- 2 The competent authority shall order and supervise:
- a the transport from the affected establishment of animal by-products referred to in paragraph 1(f)(i) and of the products of animal origin referred to in paragraph 1(f)(ii) being in compliance with the provisions of Regulation (EC) No 1069/2009; and
  - b the transport from the affected establishment of materials or substances referred to in paragraph 1(f)(iv) being in compliance with its instructions regarding biosecurity and biosafety conditions to prevent the spread of category A disease agent.
- 3 By way of derogation from paragraph 1(a), the competent authority may, after carrying out a risk assessment, allow slaughter of fish or crustaceans or in case of molluscs removal from water, for human consumption, at the establishment or in a disease aquatic control food establishment, provided that appropriate biosecurity and other necessary risk-mitigating measures to prevent the spread of the category A disease are taken. All animal by-products resulting from that derogation shall, by way of derogation from Article 10(i) of Regulation (EC) No 1069/2009, be processed or disposed of as category 1 or category 2 material in accordance with that Regulation.

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4 By way of derogation from paragraph 1(d), the competent authority may, after carrying out a risk assessment, decide not to kill, slaughter or remove from water aquaculture animals of non-listed species provided that appropriate risk-mitigating measures are applied to prevent any risk of spreading of the relevant category A disease from the establishment.

5 By way of derogation from paragraph 1(f)(ii), the competent authority may, after carrying out a risk assessment, allow the placing on the market of products of animal origin in accordance with Article 83.

#### Article 79

### **Specific derogations from control measures in establishments where listed species are kept for scientific purposes or purposes related to conservation of endangered species**

1 The competent authority may grant derogations from the measures provided for in Article 78(1)(a) and (c) in the event of an official confirmation of a category A disease in establishments where listed species are kept for scientific purposes or purposes related to conservation of endangered species, provided that:

- a the animal health status of the concerned Member State, or of other Member States, is not jeopardised; and
- b all appropriate biosecurity measures as listed in Article 78 are taken to prevent any risk of spreading of the category A disease agent.

2 Where a derogation is granted pursuant to paragraph 1, the competent authority shall ensure that aquaculture animals of listed species covered by the derogation are:

- a kept in premises where appropriate biosecurity measures to avoid spread of the relevant category A disease are implemented; and
- b subjected to further surveillance and laboratory examination and are not moved from the establishment until the laboratory tests have indicated that they do not pose a risk of further spread of the relevant category A disease.

#### Article 80

### **Cleaning and disinfection**

1 The competent authority shall order the operators to carry out, immediately after the completion of the disease control measures provided for in Article 78, the cleaning and disinfection of:

- a the establishment, as far as the competent authority considers it is technically possible;
- b any husbandry-related equipment including but not limited to feeding, grading, treatment, vaccination and workboats;
- c any production-related equipment including but not limited to cages, netting, trestles, bags and long-lines;
- d any protective clothing or safety equipment used by operators and visitors; and
- e all means of transport including tanks and other equipment used to move infected animals or personnel who have been in contact with infected animals.

2 The cleaning and disinfection as provided for in paragraph 1 shall be carried out:

- a in accordance to a protocol previously agreed between the competent authority and the operator; and
- b under the supervision of official veterinarians.

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### Article 81

#### **Fallowing of the affected establishment**

The competent authority shall order operators to carry out, after the completion of the cleaning and disinfection provided for in Article 80, the fallowing of the affected establishment for the period of time laid down in Annex XIII.

### Article 82

#### **Extension of disease control measures in the event of confirmation of a category A disease**

In order to prevent the spread of a category A disease the competent authority shall conduct an investigation provided for in Article 71 and after carrying out a risk assessment, extend some or all of the measures provided for in Articles 78, 80 and 81 to:

- (a) establishments of the same compartment or which due to distance, hydrodynamic conditions or topographic conditions, have an increased risk for contracting the relevant disease agent from the suspected establishment where the disease is confirmed;
- (b) any establishment which as a result of the enquiry provided for in Article 57 of Regulation (EU) 2016/429, has shown a direct epidemiological link with the establishment where the disease is confirmed.

### Article 83

#### **Placing on the market of products of animal origin from aquaculture animals of listed species produced in infected establishments**

1 When granting a derogation pursuant Article 78(5), the competent authority may allow the placing on the market of products of animal origin only if the following conditions are fulfilled:

- a fish must be slaughtered and eviscerated before dispatch;
- b molluscs and crustaceans must be fully traceable and processed to non-viable products unable to survive if returned to the water, before dispatch.

When purification is required before processing and placing on the market, it shall be conducted at a disease control aquatic food establishment or in a bio-secure purification centre.

- 2 The products of animal origin referred to in paragraph 1 shall be intended for:
- a to the final consumer directly; or
  - b for further processing in a disease control aquatic food establishment.

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#### *Article 84*

### **Measures to be applied in the event of confirmation of category A diseases in, food and feed businesses, purification centre, dispatch centre, border control posts or any other location of relevance, including means of transport**

- 1 In the event of confirmation of a category A disease in food and feed businesses, purification centre, dispatch centre, border control posts or any other location of relevance, including means of transport, in accordance with Article 77, the competent authority shall apply:
  - a the measures provided for in Articles 78, Article 80 and Article 81; and
  - b if needed, additional measures adapted to the specific situation in order to prevent the spread of the category A disease from the affected animals and establishments or locations to unaffected animals.
- 2 The competent authority shall apply provisions laid down in Articles 78, Article 80 and Article 81 also in the establishments of origin of the animals or products present in the establishments and locations referred to in paragraph 1.

#### *CHAPTER II*

### ***Disease control measures for category A diseases of aquaculture animals in the restricted zone***

#### *Section 1*

### ***General disease control measures in the restricted zone***

#### *Article 85*

### **Establishment of a restricted zone**

- 1 In the event of the official confirmation of an outbreak of a category A disease in an establishment, food and feed business, animal by-products establishment or any other location of relevance, including means of transport, the competent authority shall immediately establish a restricted zone around the affected establishment or location, including:
  - a a protection zone around the establishment or location where the category A disease is confirmed;
  - b a surveillance zone around the protection zone; and
  - c if necessary, on the basis of the criteria set out in Article 64(1) of Regulation (EU) 2016/429, further restricted zones around or adjacent to the protection and surveillance zones.
- 2 The extent of the zones shall be set on a case-to-case basis, taking into account factors influencing the risk of spreading the disease. To that end, the the competent authority shall consider the following data and criteria:
  - a data from the epidemiological enquiry in accordance with Article 57 in Regulation (EU) 2016/429;
  - b relevant hydrodynamic data;



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- c criteria listed in Article 64(1) of Regulation (EU) 2016/429; and
- d criteria provided for in Annex XIV to this Regulation.

3 The competent authority shall adapt the boundaries of the initial restricted zone, including the boundaries of the protection, surveillance and the further restricted zones, in the case of the overlapping of two or more restricted zones due to further outbreaks of the category A disease.

4 By way of derogation from paragraph 1, the competent authority may due to specific geographical, hydrodynamic and epidemiological circumstances, and after carrying out a risk assessment taking into account the disease profile:

- a not establish the restricted zone as provided for in paragraph 1 around the infected establishment or location;
- b establish a restricted zone consisting of a protection zone without any adjacent surveillance zone; and
- c not establish a restricted zone when a category A disease is confirmed in food and feed businesses, purification centre, dispatch centre, border control posts, animal by-products establishments or any other location of relevance, including means of transport.

5 The competent authority may derogate, to the extent necessary and after carrying out a risk assessment taking into account geographical, hydrodynamic, epidemiological circumstances and the disease profile, from the provisions of this Chapter:

- a in the further restricted zones; and
- b in the case that the competent authority decides to establish the restricted zone when an outbreak of a category A disease occurs in establishments or any other locations of relevance referred to in paragraph 4(c).

#### *Article 86*

#### **Measures to be applied in the restricted zone**

1 The competent authority shall without delay compile and keep an up-to-date inventory of all establishments keeping aquaculture animals of listed species located in the restricted zone, including the species, categories and the estimated number of animals in each establishment.

2 In the establishments located within the restricted zone, the competent authority may, on the basis of epidemiological information or other relevant evidence and after carrying out a risk assessment, implement preventive killing or, slaughtering for human consumption or, in the case of molluscs, removal from water, of aquaculture animals of listed species pursuant to Article 78(1)(a) and (2).

3 Any collection of samples, in establishments in the restricted zone keeping aquaculture animals of listed species, for purposes other than to confirm or rule out the presence of the relevant category A disease, shall be authorised by the competent authority.

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## Section 2

### **Disease control measures in the protection zone**

#### Article 87

#### **Measures to be applied in establishments keeping aquaculture animals in the protection zone**

1 The competent authority shall order operators of establishments keeping aquaculture animals of any species in the protection zone, other than the establishment in which the category A disease has been confirmed, to carry out at least the following measures in order to prevent and control the spread of the disease:

- a without delay update the records of the inventory provided for in Article 73(1);
- b when practicable, implement appropriate measures to limit any possible spread of the category A disease to and from any wild aquatic animals that might be in epidemiological contact with the establishment;
- c prevent aquaculture animals from being removed from the establishment in which they are kept unless authorised by the competent authority;
- d implement appropriate biosecurity measures to any product, piece of equipment, material or substance likely to spread the relevant category A disease;
- e reduce the number of visitors to those which are strictly necessary to operate the establishment in a proper manner; and
- f where practicable, implement appropriate means of cleaning and disinfection at the entry and exit of the establishment.

2 The competent authority shall order and supervise that the operator has processed or disposed of as the relevant category material in accordance with Regulation (EC) No 1069/2009 animal by-products from aquaculture animals of listed species that have died or have been killed, including molluscs shells with meat, in establishments keeping listed species within the protection zone.

3 The competent authority may decide after carrying out a risk assessment that Articles 87 and 88 only apply to aquaculture animals of listed species.

#### Article 88

#### **Visits by official veterinarians in establishments in the protection zone**

1 The competent authority shall ensure that official veterinarians carry out at least one visit to all the establishments referred to in Article 87 as soon as possible and without delay after the official confirmation of an outbreak of category A disease, with priority directed to establishments that the competent authority has assessed as posing a high risk as regards contracting or spreading disease.

2 When carrying out the visits referred to in paragraph 1, official veterinarians shall perform at least the following activities:

- a documentary checks and record analysis;
- b verification of the implementation of the measures intended to prevent the introduction or spread of the relevant category A disease in accordance with to Article 87;
- c clinical examination of aquaculture animals of listed species; and

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- d if necessary, collection of samples for laboratory examination in order to confirm or rule out the presence of the relevant category A disease.
- 3 The competent authority may require further veterinary visits to the establishments to follow up on the situation.
- 4 The competent authority shall keep a record of activities and visits referred to in paragraph 1, 2 and 3, and the findings thereof.

#### *Article 89*

### **Prohibitions in relation to movements of aquaculture animals, products from aquaculture animals, other substances and material within, from or to the protection zone**

- 1 The competent authority shall prohibit the following movements within the protection zone:
- a movement of aquaculture animals of listed species between establishments in the protection zone;
  - b movement of aquaculture animals of listed species from or to the protection zone;
  - c any movements from the establishments within the protection zone of means of transport and any equipment, product, material or substance likely to transmit the relevant category A disease;
  - d transport of aquaculture animals by well-boats through the protection zone; and
  - e dispatch of unprocessed animal by-products from aquaculture animals of any species from establishments in the protection zone.
- 2 The competent authority may, after carrying out a risk assessment, extend the prohibitions provided for in paragraph 1(a) to 1(d) to animals of non-listed species and their products.

#### *Article 90*

### **General conditions to grant derogations from prohibitions of movement and transport concerning aquatic animals and products in the protection zone**

- 1 By way of derogation from prohibitions provided for in Article 89(1), the competent authority may authorise the movement and transport of aquatic animals and products in the cases covered by Articles 91 to 94 under the specific conditions provided for in those Articles and the general conditions laid down in paragraph 2 of this Article.
- 2 When granting the authorisations provided for in paragraph 1, the competent authority shall ensure that the following conditions are met:
- a all movements must be carried out exclusively via designated routes, agreed with the competent authority, without unloading or stopping;
  - b any exchange of water and discharges of water during the transportation must be carried out in areas, establishments or water exchange points approved by the competent authority;
  - c the means of transport must be constructed and maintained in such a way that they can undergo proper cleaning and disinfection;
  - d the means of transport are cleaned and disinfected:

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- (i) prior to the transport operations; and
- (ii) after transport operations under the supervision of the official veterinarian;
- e any other supplementary biosecurity measure considered necessary by the competent authority must be taken in relation to transport operations.

#### Article 91

### **Specific conditions for slaughter, and movements for slaughter or processing of aquaculture animals from listed species from establishments in the protection zone**

1 Aquaculture animals from establishments keeping listed species in the protection zone may be:

- a slaughtered within the establishment in compliance with biosecurity measures provided for by the competent authority; or
- b moved for immediate slaughter for human consumption in a disease control aquatic food establishment; or
- c in the case of molluscs, removed from water and moved to a disease control aquatic food establishment for purification if necessary and further processing.

2 The competent authority may, after carrying out a risk assessment based on relevant epidemiological data, limit the application of the measures provided for in paragraph 1 to establishments keeping solely aquaculture animals of species listed in the third column of the Annex to Commission Implementing Regulation (EU) 2018/1882.

3 When authorising the movements of aquaculture animals referred to in paragraph 1(b), the competent authority responsible for the disease control aquatic food establishment shall:

- a be informed of the intention to send aquaculture animals of listed species to the disease control aquatic food establishment;
- b agree to receive the aquaculture animals in question;
- c supervise and confirm the slaughter of the animals to the competent authority of dispatch;
- d ensure that the aquaculture animals of listed species originating from the protection zone are kept separately from aquaculture animals of listed species originating from outside the protection zone, and slaughtered or processed separately from those animals;
- e monitor the slaughtering or processing;
- f ensure that the cleaning and disinfection of the premises is completed before aquaculture animals from establishments outside the protection zone are slaughtered or processed;
- g ensure that products of animal origin obtained from the aquaculture animals comply with the specific conditions for placing on the market provided for in Article 92; and
- h ensure that animal by-products from slaughter or other processes referred to in paragraph 1, are processed or disposed of in accordance with Regulation (EC) No 1069/2009.

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#### Article 92

### **Specific conditions for placing on the market of products of animal origin from aquaculture animals of listed species produced in non-affected establishments in the protection zone**

- 1 The competent authority may authorise placing on the market of products of animal origin obtained from aquaculture animals of listed species in non-affected establishments in the protection zone, provided that the following conditions are fulfilled:
  - a fish must be slaughtered and eviscerated before dispatch; and
  - b molluscs and crustaceans must be fully traceable and processed to non viable products unable to survive if returned to the water, before dispatch.
- 2 The products of animal origin referred to in paragraph 1 shall be intended:
  - a for direct supply to the final consumer; or
  - b for further processing in a disease control aquatic food establishment.

#### Article 93

### **Special conditions for authorising transport of unprocessed animal by-products from establishments located in the protection zone**

The competent authority may authorise the transport of unprocessed animal by-products of aquaculture animals of listed species from establishments in the protection zone to a plant for further processing in accordance with Regulation (EC) No 1069/2009.

#### Article 94

### **Risk-mitigating measures concerning certain activities related to aquatic animals within the protection zone**

- 1 The competent authority may, after carrying out a risk assessment, implement risk-mitigating measures as regards:
  - a commercial and recreational fishing activities in the protection zone;
  - b other activities that are related to aquatic animals in the protection zone and that might pose a risk of spreading the disease; and
  - c transport of service boats used for maintenance activities and treatment of aquatic animals in the protection zone.
- 2 In the framework of the measures provided for in paragraph 1, the competent authority may, as relevant, order the cleaning and disinfection of equipment, which has been used in waters covered by the protection zone.

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#### Article 95

### **Measures to be applied in food and feed businesses, purification centre, dispatch centres, border control posts, animal by-products establishments or any other location of relevance in the protection zone, including means of transport**

1 The competent authority shall apply the measures provided for in Articles 87 to 93 in food and feed businesses, purification centre, dispatch centres, border control posts, animal by-products establishments or any other location of relevance in the protection zone, including means of transport.

2 In the establishments and locations referred to in paragraph 1, the competent authority may apply additional measures adapted to the specific situation in order to prevent the spread of the category A disease within and from the protection zone.

#### Article 96

### **Removal of aquaculture animals from affected establishments and subsequent risk- mitigating measures**

1 The competent authority shall determine a point in time by which aquaculture animals in all infected establishments shall be removed.

2 The competent authority may decide, after carrying out a risk assessment, that paragraph 1 also applies to establishments in the protection zone in which the category A disease has not been confirmed in order to control and prevent the possible spread of the diseases.

3 After the removal of aquaculture animals as provided for in paragraph 1, cleaning, disinfection and fallowing shall be carried out in accordance with Articles 80 and 81.

4 The competent authority shall order synchronous fallowing of the affected establishments and the establishments selected in accordance with paragraph 2.

5 The synchronous fallowing referred to in paragraph 4 shall last for the period of time laid down in Annex XIII.

#### Article 97

### **Duration of disease control measures in the protection zone, repopulation of establishments covered by the protection zone**

1 The competent authority shall maintain the disease control measures in the protection zone provided for in Section 2 of this Chapter until:

- a the measures in Article 96 are carried out and completed; and
- b the competent authority has, based on the outcome of the investigations conducted in accordance with Article 88, ruled out any occurrence of the relevant category A disease in the other establishments within the protection zone.

2 When the conditions set out in paragraph 1 are met:

- a the competent authority shall apply the measures provided for in Section 3 of this Chapter in the protection zone for the period of time set out in Article 101; and

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- b the establishments referred to in Article 96(1) and (2) and previously covered by the protection zone may be repopulated.

### *Section 3*

#### ***Disease control measures in the surveillance zone***

##### *Article 98*

#### **Measures to be applied in establishments in the surveillance zone**

- 1 In the surveillance zone, the competent authority shall order that the measures provided for in Article 87 are applied in all establishments keeping aquaculture animals of listed species.
- 2 Official veterinarians shall visit the establishments referred to in paragraph 1 and carry out the activities provided for in Article 88(2) as appropriate.
- 3 The establishments within the surveillance zone shall undergo surveillance comprising visits and samplings as described in point 1 of Annex XV.
- 4 The surveillance provided for in paragraph 3 shall be carried out by the competent authority.

##### *Article 99*

#### **Measures in relation to the movement and transport of aquaculture animals within from or to the surveillance zone**

- 1 The competent authority shall prohibit any movements of aquaculture animals from establishments within the surveillance zone for slaughter, further farming or release into the wild outside the surveillance zone.
- 2 The competent authority shall ensure that any transport of aquaculture animals of listed species within or into the surveillance zone shall be conducted under conditions as set out in Article 90(a) to (e) and in Article 91.
- 3 The competent authority may order appropriate supplementary biosecurity measures to be applied to transport operations, including the unloading in the designated establishment of destination in order to control and prevent the possible spread of the diseases.
- 4 By way of derogation from paragraph 1, and in agreement with the competent authority of the place of destination, the competent authority may authorise movements of aquaculture animals provided that appropriate biosecurity measures to prevent the spreading of the category A disease are applied.

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*Changes to legislation: There are currently no known outstanding effects for the Commission  
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#### *Article 100*

### **Measures to be applied in food and feed businesses, purification centre, dispatch centres, border control posts, animal by-products establishments or any other location of relevance in the surveillance zone, including means of transport**

1 The competent authority shall order without delay that the measures provided for in Articles 98 and 99 be applied in food and feed businesses, purification centre, dispatch centres, border control posts, animal by-products establishments or any other location of relevance in the surveillance zone, including means of transport.

2 In the locations referred to in paragraph 1, the competent authority may apply additional measures adapted to the specific situation in order to prevent the spread of the category A disease within and from the surveillance zone.

#### *Article 101*

### **Duration of disease control measures in the surveillance zone**

The competent authority shall lift the disease control measures provided for in this Section when the period of surveillance, set out in point 2 of Annex XV, for the relevant category A disease has elapsed with favourable results.

## *CHAPTER III*

### *Disease control measures in wild aquatic animals*

#### *Article 102*

### **Measures in the event of a suspect case of a category A disease in wild aquatic animals of listed species**

In the event of a suspect case of a category A disease in wild aquatic animals of listed species in accordance with Article 9(1), (3) and (4) in Delegated Regulation (EU) 2020/689, the competent authority shall:

- (a) immediately conduct an investigation of wild aquatic animals of listed species fished, caught, collected or found dead to confirm or rule out the presence of the category A disease in accordance with Article 71(2);
- (b) ensure that all animal by-products obtained from the wild aquatic animals of listed species suspected to be infected, including molluscs shells with meat, are processed or disposed of as category 1 or category 2 material in accordance with Regulation (EC) No 1069/2009;
- (c) ensure that, where practicable any material or substance likely to be contaminated by animals suspected to be affected or by the animal by-products obtained from those animals undergoes cleaning and disinfection or is disposed of following the instructions and under the supervision of official veterinarians; and



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- (d) provide relevant information to the operators or authorities in charge of the management of the relevant animal population.

### *Article 103*

#### **Measures in the event of an outbreak of a category A disease in wild aquatic animals of listed species**

- 1 In the event of an officially confirmed case of a category A disease in wild aquatic animals of listed species, the competent authority shall determine an infected zone on the basis of:
- a relevant hydrodynamic, topographic and epidemiological conditions;
  - b the disease profile and the estimated population of aquatic animals of listed species; and
  - c the risk factors contributing to the spread of the relevant category A disease, in particular those associated with the risk of introducing the disease into establishments keeping aquatic animals of listed species.
- 2 The competent authority may adapt the boundaries of the initial infected zone:
- a in order to control the further spread of the relevant category A disease; and
  - b in the case of confirmation of further outbreaks of the category A disease in wild animals.
- 3 The competent authority shall immediately inform operators, other relevant competent authorities, relevant veterinarians, and any other natural or legal person concerned, about the outbreak of the diseases and the control measures adopted.

### *Article 104*

#### **Measures to be applied in the infected zone**

- 1 In the infected zone established in accordance with Article 103 the competent authority shall:
- a implement risk mitigation and reinforced biosecurity measures, in order to prevent the spread of the category A disease from the affected animals and infected zone to unaffected animals and areas;
  - b prohibit any movement by humans of wild aquatic animals of listed species and products of animal origin obtained from those animals from the infected zone;
  - c by way of derogation from Article 10(i) of Regulation (EC) No 1069/2009 ensure that all animal by-products obtained from the wild aquatic animals of listed species in the infected zone including molluscs shells, with meat are processed or disposed of as category 1 or category 2 material in accordance with that Regulation;
  - d ensure, where practicable, that any material or substance likely to be contaminated by wild aquatic animals of listed species in the infected zone or animal by-products obtained from those animals undergoes cleaning and disinfection or is disposed of following the instructions and under the supervision of official veterinarians; and
  - e prohibit bringing into establishments keeping aquaculture animals of listed species both within and outside the infected zone or to water catchment or coastal areas outside the infected zone any parts of aquatic animals of listed species whether, fished, caught, collected or found dead in the infected zone as well as any product, material or substance which is likely to be contaminated with a category A disease in the infected zone.

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2 By way of derogation from paragraph 1(b) and for the purpose of preserving valuable genetic material, the competent authority may authorise movements of wild aquatic animals of listed species from the infected zone to an establishment authorised by the competent authority for that purpose, provided that appropriate biosecurity measures to prevent the spread of the category A disease are applied. The establishment of destination shall be considered as an establishment located in the infected zone for the purposes of Article 108.

#### *Article 105*

##### **Additional measures to be applied in the infected zone**

1 After carrying out a risk assessment, the competent authority shall determine the additional measures necessary to control or eradicate the relevant category A disease.

2 As part of the control or eradication of the relevant category A disease the competent authority may:

- a suspend restocking, fishing, collecting and catching activities;
- b order mandatory cleaning and disinfection of fishing equipment and boats and other equipment likely to be contaminated; and
- c increase fishing, collecting and catching activities or implement other relevant measures to eradicate the disease.

3 The measures provided for in paragraph 1 shall be implemented after consultations and in cooperation with the operational expert group referred to in Article 107 and other authorities and stakeholders.

#### *Article 106*

##### **Extension of measures**

The competent authority may decide that relevant measures in Articles 102 to 105 also apply to aquatic animals of non-listed species.

#### *Article 107*

##### **Operational expert group**

1 In the event of a confirmed case of a category A disease in wild aquatic animals of listed species, the competent authority shall establish an operational expert group as referred to in Article 43(2)(d)(iii) of Regulation (EU) 2016/429.

2 The operational expert group shall assist the competent authority in:

- a assessing the epidemiological situation and its evolution;
- b determining the infected zone; and
- c establishing the appropriate measures to be applied in the infected zone and their duration.

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### *Article 108*

#### **Measures in the establishments within the infected zone**

- 1 In the establishments keeping aquaculture animals of listed species within the infected zone, the competent authority shall apply the measures provided for in Article 87.
- 2 In addition to the measures provided for in Article 87, the competent authority shall prohibit the movement of aquaculture animals kept in establishments within the infected zone:
  - a out of the infected zone; or
  - b to other establishments in the infected zone.
- 3 The competent authority may, after carrying out a risk assessment, limit the prohibition in paragraph 2 to aquaculture animals of listed species.
- 4 By way of derogation from paragraph 2, the competent authority may authorise after carrying out a risk assessment and in agreement with the competent authority of the place of destination, the movement of animals of of listed species out of the infected zone or to other establishments in the infected zone.

### *Article 109*

#### **Duration of the measures in the infected zone**

The competent authority shall maintain the measures provided for in this Chapter until the epidemiological information indicates that the relevant wild population no longer poses a risk of spreading the disease and the operational group recommends lifting the measures.

## *CHAPTER IV*

### ***Disease control measures for category B and C diseases of aquatic animals***

#### *Article 110*

##### **Preliminary disease control measures to be applied when a category B or C disease is suspected by the competent authority in Member States, zones or compartments that have been granted a disease free status**

The competent authority shall apply the measures laid down in Articles 55, Article 56 and Article 57 of Delegated Regulation (EU) 2020/689 in the event of suspicion of a category B or C disease in accordance with Article 9(1), (3) or (4) of Delegated Regulation (EU) 2020/689, in Member States, zones or compartments that have been granted a disease free status as provided for in Article 36(4) and Article 37(4) of Regulation (EU) 2016/429, or Article 83, Article 84(1)(h) to (m) or Article 84(2)(b) to (g) of Delegated Regulation (EU) 2020/689.

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2020/687, PART III. (See end of Document for details)

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### *Article III*

#### **Disease control measures to be applied when a category B or C disease is confirmed**

The competent authority shall apply the measures laid down in the Articles 58 to 65 of Delegated Regulation (EU) 2020/689 in the event of confirmation of a category B or C disease in accordance with Article 9(2), (3) or (4) of Delegated Regulation (EU) 2020/689 in Member States or zones or compartments that have been granted the disease free status as provided for in Article 36(4) and Article 37(4) of Regulation (EU) 2016/429, or Article 83, Article 84(1)(h) to (m) or Article 84(2)(b) to (g) of Delegated Regulation (EU) 2020/689:

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Delegated Regulation  
(EU) 2020/687, PART III.