

COMMISSION DECISION

of 22 January 2008

amending Decision 2006/415/EC concerning certain protection measures in relation to highly pathogenic avian influenza of the subtype H5N1 in poultry in Germany, Poland and Romania*(notified under document number C(2008) 55)***(Text with EEA relevance)**

(2008/70/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks applicable in intra-Community trade with a view to the completion of the internal market ⁽¹⁾, and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽²⁾, and in particular Article 10(4) thereof,

Having regard to Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC ⁽³⁾, and in particular Article 63(3) thereof,

Whereas:

(1) Commission Decision 2006/415/EC of 14 June 2006 concerning certain protection measures in relation to highly pathogenic avian influenza of the subtype H5N1 in poultry in the Community and repealing Decision 2006/135/EC ⁽⁴⁾ lays down certain protection measures to be applied in order to prevent the spread of that disease, including the establishment of areas A and B following a suspected or confirmed outbreak of the disease.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13. Directive as last amended by Directive 2004/41/EC of the European Parliament and of the Council (OJ L 157, 30.4.2004, p. 33); corrected version (OJ L 195, 2.6.2004, p. 12).

⁽²⁾ OJ L 224, 18.8.1990, p. 29. Directive as last amended by Directive 2002/33/EC of the European Parliament and of the Council (OJ L 315, 19.11.2002, p. 14).

⁽³⁾ OJ L 10, 14.1.2006, p. 16.

⁽⁴⁾ OJ L 164, 16.6.2006, p. 51. Decision as last amended by Decision 2007/885/EC (OJ L 346, 29.12.2007, p. 23).

(2) Following outbreaks of highly pathogenic avian influenza of H5N1 subtype in Germany and Poland, Decision 2006/415/EC was last amended by Commission Decisions 2007/878/EC ⁽⁵⁾ and 2007/885/EC ⁽⁶⁾.

(3) The protection measures taken by Germany pursuant to Decision 2006/415/EC, including the establishment of areas A and B, as provided for in Article 4 of that Decision, have now been reviewed within the framework of the Standing Committee on the Food Chain and Animal Health and can be confirmed.

(4) As a further outbreak of the disease has occurred in Poland within the restricted area the duration of the measures should be modified to take account of the epidemiological situation.

(5) Romania has notified to the Commission that due to the favourable disease situation in that Member State all control measures in relation to outbreaks of highly pathogenic avian influenza of the subtype H5N1 on their territory have been lifted by 31 December 2007 and therefore the establishment of areas A and B in that Member State in accordance with Article 4(2) of Decision 2006/415/EC is no longer necessary.

(6) For reasons of clarity the Annex to Decision 2006/415/EC should be replaced in whole.

(7) Decision 2006/415/EC should therefore be amended accordingly.

(8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

⁽⁵⁾ OJ L 344, 28.12.2007, p. 54.

⁽⁶⁾ OJ L 346, 29.12.2007, p. 23.

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2006/415/EC is replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 January 2008.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

'ANNEX

PART A

Area A as established in accordance with Article 4(2):

ISO country code	Member State	Area A		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
DE	GERMANY		The 10 km zone established around the outbreak in the commune of Großwoltersdorf including all or parts of the communes of: Landkreis Oberhavel: Fürstenberg/Havel, Gransee, Großwoltersdorf, Sonnenberg, Stechlin Landkreis Ostprignitz-Ruppin: Lindow (Mark), Rheinsberg Landkreis Mecklenburg-Strelitz: Priepert, Wesenberg	15.1.2008
			The 10 km zone established around the outbreak in the commune of Bensdorf including all or parts of the communes of: Kreisfreie Stadt Brandenburg an der Havel Landkreis Havelland: Milower Land Landkreis Potsdam-Mittelmark: Bensdorf, Havelsee, Rosenau, Wusterwitz Landkreis Jerichower Land: Brettin, Demsin, Genthin, Kade, Karow, Klitsche, Roßdorf, Schlagenthin, Zabakuck	21.1.2008
			The 10 km zone established around the outbreak in the commune of Heiligengrabe including all or parts of the communes of: im Landkreis Ostprignitz-Ruppin: Heiligengrabe, Kyritz, Wittstock/Dosse, Wusterhausen/Dosse im Landkreis Prignitz: Groß Pankow, Gumtow, Pritzwalk	25.1.2008
PL	POLAND	MAZOWIECKIE VOIVODSHIP 01400 PŁOCKI 01419	Protection zone: Municipality of Brudzeń Duży: Główina Gorzechówko Gorzechowo Myśliborzyce Rembielin Rokicie Siecień Siecień Rumunki Strupczewo Duże Uniejewo Więclawice Municipality of Nowy Duninów: Karolewo Nowa Wieś Nowy Duninów	21.1.2008

ISO country code	Member State	Area A		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
		MAZOWIECKIE VOIVODSHIP 01400 ŻUROMIŃSKI 01437	Protection zone: Municipality of Biezuń: Biezuń Dźwierzno Karniszyn Karniszyn Parcele Kobyła Łąka Kocewo Myślin Sadłowo Sadłowo Parcele Strzeszewo	31.1.2008
		KUJAWSKO-POMORSKIE VOIVODSHIP 00400 WŁOCŁAWSKI 00418	Protection zone: Municipality of Włocławek: Skoki Duże Skoki Małe	21.1.2008
		WARMIŃSKO-MAZURSKIE VOIVODSHIP 02800 ELBLĄSKI 02804	Protection zone: Municipality of Godkowo: Dąbkowo Krykajny Łęпно Nowe Wikrowo Olkowo Piskajny	
		WARMIŃSKO-MAZURSKIE VOIVODSHIP 02800 OSTRÓDZKI 02815	Protection zone: Municipality of Miłakowo: Głodówko Pawełki Biernatki Rycerzewo Polkajny Stolno Klugajny	
		MAZOWIECKIE VOIVODSHIP 01400 PŁOCKI 01419	Surveillance zone: Municipality of Brudzeń Duży: Bądkowo Bądkowo Jeziorne Bądkowo Kościelne Bądkowo Podlasie Bądkowo Rochny Biskupice Brudzeń Duży Brudzeń Mały Cegielnia Cierszewo Izabelin Janoszyce Karwosieki Cholewice Kłobukowo Krzyżanowo Lasotki Murzynowo Noskowice Parzeń Parzeń Janówek Patrze Radotki Robertowo Sikórz	

ISO country code	Member State	Area A		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
			Sobowo Suchodół Turza Mała Turza Wielka Wincentowo Winnica Zdziębórz Żerniki Municipality of Stara Biała: Brwilno Górne Kobierniki Kowalewko Ludwikowo Mańkowo Maszewo Duże Srebrna Ułaszewo Wyszyna Municipality of Nowy Duninów: Brwilno Dolne Brzezina Góra Duninów Duży Grodziska Jeżowo Kamion Kobyla Góra Środoń Stary Duninów Studzianka Wola Brwileńska	
		MAZOWIECKIE VOIVODSHIP 01400 SIERPECKI 01427	Surveillance zone: Municipality of Mochowo: Będorzyn Grodnia Łukoszyn Łukoszyno Biki Municipality of Rościszewo: Lipniki Ostrów Polik Rzeszotary Nowe Rzeszotary Zawady Września Municipality of Zawidz: Jaworowo Kolonia Jaworowo Kłódź Jaworowo Lipa Jaworowo Próchniatka	31.1.2008
		MAZOWIECKIE VOIVODSHIP 01400 ŻUROMIŃSKI 01437	Surveillance zone: Municipality of Biezuń: Adamowo Bielawy Gołuskie Dąbrówki Gołuszyn Mak Małocin Pełki Pozga Sławęcin	

ISO country code	Member State	Area A		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
			Stanisławowo Stawiszyn Łaziska Stawiszyn Zwalewo Trzaski Wilewo Władysławowo Municipality of Żuromin: Będzimin Chamsk Dębsk Franciszkowo Kruszewo Młudzyno Olszew Poniatowo Żuromin Municipality of Lutocin: Chromakowo Elźbiecin Felcyn Jonne Lutocin Mojnowo Nowy Przeradz Obręb Parlin Przeradz Mały Przeradz Wielki Seroki Swojęcín Zimolza Municipality of Siemiątkowo: Antoniewo Dzieczewo Nowa Wieś Nowopole Siciarz Sokołowy Kąt	
		MAZOWIECKIE VOIVODSHIP 01400 MŁAWSKI 01413	Surveillance zone: Municipality of Radzanów: Zgliczyn Glinki Zgliczyn Kościelny Zgliczyn Witowy	
		KUJAWSKO- POMORSKIE VOIVODSHIP 00400 WŁOCLAWSKI 00418	Surveillance zone: Municipality of Włocławek: Dąb Mały Dąb Polski Dąb Wielki Dobiegniewo Jazy	21.1.2008
		KUJAWSKO- POMORSKIE VOIVODSHIP 00400 LIPNOWSKI 00408	Surveillance zone: Municipality of Dobrzyń nad Wisłą: Chalin Chudzewo Dobrzyń Nad Wisłą Kamienica Łagiewniki Lenie Wielkie	

ISO country code	Member State	Area A		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
			<p>Michałkowo Mokówko Mokowo Płomiany Ruszkowo Wierznica Wierzniczka Municipality of Tuchowo: Trzcianka</p>	
		<p>WARMIŃSKO-MAZURSKIE VOIVODSHIP 02800 ELBLĄSKI 02804</p>	<p>Surveillance zone: Municipality of Godkowo: Burdajny Dobry Godkowo Gwiździny Klekotki Kwitajny Wielkie Lesiska Nawty Osiek Plajny Podągi Skowrony Swędkowo Szybory Ząbrowiec Zimnochy</p>	
		<p>WARMIŃSKO-MAZURSKIE VOIVODSHIP 02800 LIDZBARSKI 02809</p>	<p>Surveillance zone: Municipality of Orneta: Augustyny Bażyny Biały Dwór Bogatyńskie Chwałęcin Dąbrówka Drwęczno Gieduty Karbowo Karbówka Karkajny Klusajny Krzykały Lejławki Małe Lejławki Wielkie Orneta Osetnik Ostry Kamień Wojciechowo Municipality of Lubomino: Biała Wola Ełdyty Małe Ełdyty Wielkie Lubomino Piotrowo Świękity Wapnik Wójtowo Zajęczki</p>	

ISO country code	Member State	Area A		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
		WARMIŃSKO-MAZURSKIE VOIVODSHIP 02800 OSTRÓDZKI 02815	Surveillance zone: Municipality of Miłakowo: Bieniasze Gilginie Gudniki Henrykowo Książnic Miejski Dwór Miłakowo Mysłaki Niegładki Naryjski Młyn Nowe Mieczysławy Pityny Rożnowo Raciszewo Wojciechy Stare Bolity Nowe Bolity Trokajny Warkałki Warkały Warny	
		WARMIŃSKO-MAZURSKIE VOIVODSHIP 02800 BRANIEWSKI 02802	Surveillance zone: Municipality of Wilczęta: Bardyny Gładysze Jankówko Kolonja Wilczęta Spędy Tatarki Municipality of Płoskinia: Stygajny	

PART B

Area B as established in accordance with Article 4(2):

ISO country code	Member State	Area B		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
DE	GERMANY		The communes of: Landkreis Oberhavel: Fürstenberg/Havel, Gransee, Großwoltersdorf, Schönermark, Sonnenberg, Stechlin, Zehdenick Landkreis Ostprignitz-Ruppin: Lindow (Mark), Rheinsberg Landkreis Uckermark: Lychen, Templin Landkreis Mecklenburg-Strelitz: Godendorf, Priepert, Wesenberg, Wokuhl-Dabenow, Wustrow	15.1.2008

ISO country code	Member State	Area B		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
			The communes of: Kreisfreie Stadt Brandenburg an der Havel Landkreis Havelland: Milower Land, Premnitz Landkreis Potsdam-Mittelmark: Beetzsee, Bensdorf, Havelsee, Rosenau, Wenzlow, Wusterwitz, Ziesar Landkreis Jerichower Land: Brettin, Demsin, Genthin, Kade, Karow, Klitsche, Mützel, Paplitz, Parchen, Roßdorf, Schlagenthin, Wulkow, Zabakuck	21.1.2008
			The communes of: im Landkreis Ostprignitz-Ruppin: Heiligengrabe, Kyritz, Wittstock/Dosse, Wusterhausen/Dosse im Landkreis Prignitz: Groß Pankow, Gumtow, Pritzwalk	25.1.2008
PL	POLAND	MAZOWIECKIE VOIVODSHIP 01400 PŁOCKI 01419	Areas others than listed in Area A	21.1.2008
		MAZOWIECKIE VOIVODSHIP 01400 PŁOCK 01462		
		MAZOWIECKIE VOIVODSHIP 01400 PŁOŃSKI 01420		
		MAZOWIECKIE VOIVODSHIP 01400 CIECHA-NOWSKI 01402		
		MAZOWIECKIE VOIVODSHIP 01400 MŁAWSKI 01413	Areas others than listed in Area A	31.1.2008
		MAZOWIECKIE VOIVODSHIP 01400 GOSTYNIŃSKI 01404		21.1.2008
		MAZOWIECKIE VOIVODSHIP 01400 SIERPECKI 01427	Areas others than listed in Area A	31.1.2008
		MAZOWIECKIE VOIVODSHIP 01400 ŻUROMIŃSKI 01437	Areas others than listed in Area A	

ISO country code	Member State	Area B		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
		KUJAWSKO-POMORSKIE VOIVODSHIP 00400 WŁOCLAWSKI 00418		21.1.2008
		KUJAWSKO-POMORSKIE VOIVODSHIP 00400 LIPNOWSKI 00408		
		KUJAWSKO-POMORSKIE VOIVODSHIP 00400 WŁOCLAWEK 00464		
		KUJAWSKO-POMORSKIE VOIVODSHIP 00400 BRODNICKI 00402	Municipality of: Górzno Świedziebnia	
		KUJAWSKO-POMORSKIE VOIVODSHIP 00400 RYPIŃSKI 00412	Municipalities of: Rogowo Rypin Skrwilno	
		WARMIŃSKO-MAZURSKIE VOIVODSHIP 02800 DZIAŁDOWSKI 02803	Municipalities of: Działdowo Działdowo city Iłowo-Osada Lidzbark Płońnica	
		WARMIŃSKO-MAZURSKIE VOIVODSHIP 02800 ELBLĄSKI 02804	Municipalities of: Godkowo (areas other than listed in Area A) Młynary Pasłęk	
		WARMIŃSKO-MAZURSKIE VOIVODSHIP 02800 BRANIEWSKI 02802	Municipalities of: Pieniężno Płoskinia (areas other than listed in Area A) Wilczęta (areas other than listed in Area A)	

ISO country code	Member State	Area B		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
		WARMIŃSKO-MAZURSKIE VOIVODSHIP 02800 LIDZBARSKI 02809	Municipalities of: Lidzbark Warmiński Lubomino (areas other than listed in Area A) Orneta (areas other than listed in Area A)	
		WARMIŃSKO-MAZURSKIE VOIVODSHIP 02800 OLSZTYŃSKI 02814	Municipalities of: Barczewo Dobre Miasto Dywity Gierzwałt Jonkowo Olsztynek Purda Stawiguda Świątki	
		WARMIŃSKO-MAZURSKIE VOIVODSHIP 02800 OLSZTYN 02862		
		WARMIŃSKO-MAZURSKIE VOIVODSHIP 02800 OSTRÓDZKI 02815	Municipalities of: Dąbrówno Gietrzwałd Małdyty Miłakowo (areas other than listed in Area A) Morąg	
		WARMIŃSKO-MAZURSKIE VOIVODSHIP 02800 NIDZICKI 02811'		