

Commission Implementing Decision (EU) 2017/1178 of 2 June 2017 amending Implementing Decision (EU) 2016/2008 concerning animal health control measures relating to lumpy skin disease in certain Member States (notified under document C(2017) 3624) (Text with EEA relevance)

COMMISSION IMPLEMENTING DECISION (EU) 2017/1178

of 2 June 2017

amending Implementing Decision (EU) 2016/2008 concerning animal health control measures relating to lumpy skin disease in certain Member States

(notified under document C(2017) 3624)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks 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 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease⁽³⁾, and in particular Article 19(1)(a) and (3)(a) and Article 19(6) thereof,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption⁽⁴⁾, and in particular Article 4(3) thereof,

Whereas:

- (1) Directive 92/119/EEC lays down general control measures to be applied in the event of an outbreak of certain animal diseases, including lumpy skin disease (LSD). These control measures include the establishment of protection and surveillance zones around the infected holding, and they also provide for emergency vaccination in the event of an outbreak of LSD.
- (2) Commission Implementing Decision (EU) 2016/2008⁽⁵⁾ lays down animal health control measures in relation to the occurrence of LSD in the Member States or parts thereof as listed in Annex I thereto, including the minimum requirements for vaccination programmes against that disease submitted by the Member States to the Commission for approval.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2017/1178, Introductory Text. (See end of Document for details)

- (3) Article 2 of Implementing Decision (EU) 2016/2008 defines an ‘infected zone’ as being the part of the territory of a Member State listed in Part II of Annex I thereto, which includes the area where LSD was confirmed, and where vaccination against LSD may be implemented following the approval of vaccination programmes by the Commission. Article 2 of that Implementing Decision also defines a ‘free zone with vaccination’ as being the part of the territory of a Member State listed in Part I of Annex I thereto, which includes the areas outside the infected zones, where vaccination against LSD is implemented following the approval of vaccination programmes by the Commission.
- (4) Article 3 of Implementing Decision (EU) 2016/2008 lays down restrictions on the dispatch of bovine animals and captive wild ruminants and certain animal products from the areas listed in Annex I thereto, with a view to minimise any risk of the spread of LSD.
- (5) Article 7 of Implementing Decision (EU) 2016/2008 provides for derogations from the restrictions laid down in Article 3 of that Implementing Decision relating to the dispatch of semen, ova and embryos of bovine animals and captive wild ruminants from the areas listed as free zones with vaccination in Part I of Annex I thereto.
- (6) It is appropriate to differentiate the level of risk for the spread of LSD through consignments of semen, ova and embryos when such germinal products are dispatched from a free zone with vaccination to another free zone with vaccination or to an infected zone located within the same Member State. It is therefore necessary to establish separate conditions, which are proportionate to the risks involved, for derogations that apply to such consignments that remain within the same Member State provided that such conditions are in place for the safe dispatch of such germinal products within the free zone with vaccination or the infected zone of the same Member State. Article 7 of Implementing Decision (EU) 2016/2008 should therefore be amended accordingly.
- (7) On 2 March 2017, Greece reported a new outbreak of LSD in the regional unit of Kerkyra, an island in the Ionian Sea, at the most North West part of Greece, where no outbreaks of LSD have previously been reported. For this reason, the infected zones of Greece, in relation to LSD, listed in Part II of Annex I to Implementing Decision (EU) 2016/2008, should be expanded to include the regional unit of Kerkyra. Part II of Annex I to Implementing Decision (EU) 2016/2008 should therefore be amended accordingly.
- (8) On 14 March 2017, Greece informed the Commission of its decision to expand vaccination against LSD in the regions of the Ionian Islands, the North and South Aegean and Crete, areas where LSD has not occurred to date, except for the regional unit of Kerkyra where the disease was confirmed on 2 March 2017, and the regional unit of Limnos where the disease has been present since 2015. For this reason, those regions of Greece should be included in the free zones with vaccination, listed in Part I of Annex I to Implementing Decision (EU) 2016/2008. Part I of Annex I to Implementing Decision (EU) 2016/2008 should therefore be amended accordingly.
- (9) 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:

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2017/1178, Introductory Text. (See end of Document for details)

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- (1) [OJ L 395, 30.12.1989, p. 13.](#)
- (2) [OJ L 224, 18.8.1990, p. 29.](#)
- (3) [OJ L 62, 15.3.1993, p. 69.](#)
- (4) [OJ L 18, 23.1.2003, p. 11.](#)
- (5) Commission Implementing Decision (EU) 2016/2008 of 15 November 2016 concerning animal health control measures relating to lumpy skin disease in certain Member States ([OJ L 310, 17.11.2016, p. 51](#)).

Changes to legislation:

There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2017/1178, Introductory Text.