

**COMMISSION IMPLEMENTING DECISION (EU) 2020/1724****of 17 November 2020****amending the Annex to Implementing Decision (EU) 2020/1654 concerning certain interim protective measures in relation to highly pathogenic avian influenza of subtype H5N8 in the United Kingdom***(notified under document C(2020) 8126)***(Only the English text is authentic)****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to 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 <sup>(1)</sup>, and in particular Article 9(3) thereof, in conjunction with Article 131 of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community ('Withdrawal Agreement'),

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary checks applicable in intra-Union trade in certain live animals and products with a view to the completion of the internal market <sup>(2)</sup>, and in particular Article 10(3) thereof, in conjunction with Article 131 of the Withdrawal Agreement,

Whereas:

- (1) Commission Implementing Decision (EU) 2020/1654 <sup>(3)</sup> was adopted following an outbreak of highly pathogenic avian influenza (HPAI) of subtype H5N8 in one holding where poultry or other captive birds are kept in the county of Cheshire in the United Kingdom, and the establishment of protection and surveillance zones by the competent authority of the United Kingdom in accordance with Council Directive 2005/94/EC <sup>(4)</sup>.
- (2) Implementing Decision (EU) 2020/1654 provides that the protection and surveillance zones established by the United Kingdom in accordance with Directive 2005/94/EC are to comprise at least the areas listed as protection and surveillance zones in the Annex to that Implementing Decision.
- (3) Since the date of adoption of Implementing Decision (EU) 2020/1654, the United Kingdom has notified the Commission of a new outbreak of HPAI of subtype H5N8 in a holding where poultry or other captive birds are kept in the county of Herefordshire, and it has taken the necessary measures required in accordance with Directive 2005/94/EC, including the establishment of protection and surveillance zones around this new outbreak.
- (4) The Commission has examined those measures in collaboration with the United Kingdom, and it is satisfied that the borders of the protection and surveillance zones, established by the competent authority of the United Kingdom, are at a sufficient distance to the holding where the new outbreak of HPAI of subtype H5N8 has been confirmed.
- (5) 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 the United Kingdom the new protection and surveillance zones established by the United Kingdom in accordance with Directive 2005/94/EC. Therefore, the protection and surveillance zones listed for the United Kingdom in the Annex to Implementing Decision (EU) 2020/1654 should be amended.

<sup>(1)</sup> OJ L 395, 30.12.1989, p. 13.

<sup>(2)</sup> OJ L 224, 18.8.1990, p. 29.

<sup>(3)</sup> Commission Implementing Decision (EU) 2020/1654 of 6 November 2020 concerning certain interim protective measures in relation to highly pathogenic avian influenza of subtype H5N8 in the United Kingdom (OJ L 372, 9.11.2020, p. 52).

<sup>(4)</sup> Council Directive 2005/94/EC of 20 December 2005 on Community measures for the control of avian influenza and repealing Directive 92/40/EEC (OJ L 10, 14.1.2006, p. 16).

- (6) Accordingly, pending the next meeting of the Standing Committee on Plants, Animals, Food and Feed, the Annex to Implementing Decision (EU) 2020/1654 should be amended to update regionalisation at Union level to take account of the new protection and surveillance zones established in accordance with Directive 2005/94/EC by the United Kingdom and the duration of the restrictions applicable therein.
- (7) Implementing Decision (EU) 2020/1654 should therefore be amended accordingly.
- (8) Given the urgency of the epidemiological situation in the Union as regards the spread of HPAI of subtype H5N8, it is important that the amendments to be made to the Annex to Implementing Decision (EU) 2020/1654 by this Decision take effect as soon as possible.
- (9) This Decision is to be reviewed at the next meeting of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

*Article 1*

The Annex to Implementing Decision (EU) 2020/1654 is replaced by the text set out in the Annex to this Decision.

*Article 2*

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 17 November 2020.

*For the Commission*  
Stella KYRIAKIDES  
*Member of the Commission*

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ANNEX

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PART A

Protection zone as referred to in Article 1:

**United Kingdom**

Area comprising:	Date until applicable in accordance with Article 29(1) of Directive 2005/94/EC
Those parts of the county of Cheshire (ADNS code 00140) contained within a circle of a radius of three kilometres, centred on WGS84 dec. coordinates N53.25 and W2.81	27.11.2020
Those parts of the county of Herefordshire (ADNS code 00051) contained within a circle of a radius of three kilometres, centred on WGS84 dec. coordinates N52.17 and W2.81	8.12.2020

PART B

Surveillance zone as referred to in Article 1:

**United Kingdom**

Area comprising:	Date until applicable in accordance with Article 31 of Directive 2005/94/EC
Those parts of the county of Cheshire (ADNS code 00140) extending beyond the area described in the protection zone and within the circle of a radius of ten kilometres, centred on WGS84 dec. coordinates N53.25 and W2.81	6.12.2020
Those parts of the county of Cheshire (ADNS code 00140) contained within a circle of a radius of three kilometres, centred on WGS84 dec. coordinates N53.25 and W2.81	From 28.11.2020 until 6.12.2020
Those parts of the county of Herefordshire (ADNS code 00051) extending beyond the area described in the protection zone and within the circle of a radius of ten kilometres, centred on WGS84 dec. coordinates N52.17 and W2.81	17.12.2020
Those parts of the county of Herefordshire (ADNS code 00051) contained within a circle of a radius of three kilometres, centred on WGS84 dec. coordinates N52.17 and W2.81	From 9.12.2020 until 17.12.2020'