

Commission Implementing Decision (EU) 2020/2241 of 23 December 2020 amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States (notified under document C(2020) 9626) (Text with EEA relevance)

COMMISSION IMPLEMENTING DECISION (EU) 2020/2241

of 23 December 2020

amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States

*(notified under document C(2020) 9626)*

*(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(4) thereof,

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(4) 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<sup>(3)</sup>, and in particular Article 4(3) thereof,

Whereas:

- (1) Commission Implementing Decision 2014/709/EU<sup>(4)</sup> lays down animal health control measures in relation to African swine fever in certain Member States, where there have been confirmed cases of that disease in domestic or feral pigs (the Member States concerned). The Annex to that Implementing Decision demarcates and lists certain areas of the Member States concerned in Parts I to IV thereof, differentiated by the level of risk based on the epidemiological situation as regards that disease. The Annex to Implementing Decision 2014/709/EU has been amended several times to take account of changes in the epidemiological situation in the Union as regards African swine fever that need to be reflected in that Annex. The Annex to Implementing Decision 2014/709/EU was last amended by Commission Implementing Decision (EU) 2020/2128<sup>(5)</sup>, following changes in the epidemiological situation as regards that disease in Poland, Slovakia and Germany.

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2020/2241, Introductory Text. (See end of Document for details)

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- (2) Since the date of adoption of Implementing Decision (EU) 2020/2128, there have been new occurrences of African swine fever in feral pigs in Lithuania, Poland, Slovakia and Germany.
- (3) In December 2020, several cases of African swine fever in feral pigs were observed in the counties of Klaipėda and Telšiai in Lithuania in areas currently listed in Part I of the Annex to Implementing Decision 2014/709/EU. These cases of African swine fever in feral pigs constitute an increased level of risk, which should be reflected in that Annex. Accordingly, these areas of Lithuania currently listed in Part I of the Annex to Implementing Decision 2014/709/EU, affected by these recent cases of African swine fever, should now be listed in Part II of that Annex instead of in Part I thereof, and the current boundaries of Part I also need to be redefined and enlarged to take account of these recent cases.
- (4) Also, in December 2020, several cases of African swine fever in feral pigs were observed in the gryfiński district in Poland in an area currently listed in Part I of the Annex to Implementing Decision 2014/709/EU. These cases of African swine fever in feral pigs constitute an increased level of risk, which should be reflected in that Annex. Accordingly, this area of Poland currently listed in Part I of the Annex to Implementing Decision 2014/709/EU, affected by these recent cases of African swine fever, should now be listed in Part II of that Annex instead of in Part I thereof, and the current boundaries of Part I also need to be redefined and enlarged to take account of these recent cases.
- (5) In addition, in December 2020, one case of African swine fever in a feral pig was observed in the Rožňava district in Slovakia in an area listed in Part II of the Annex to Implementing Decision 2014/709/EU, located in close proximity to an area currently listed in Part I thereof. This new case of African swine fever in a feral pig constitutes an increased level of risk, which should be reflected in that Annex. Accordingly, this area of Slovakia currently listed in Part I of that Annex, that is in close proximity to the area listed in Part II affected by this recent case of African swine fever, should now be listed in Part II of that Annex instead of in Part I thereof, and the current boundaries of Part I also need to be redefined and enlarged to take account of this recent case.
- (6) Also, in December 2020, one case of African swine fever in a feral pig was observed in the Veľký Krtíš district in Slovakia in an area currently listed in Part I of the Annex to Implementing Decision 2014/709/EU. This case of African swine fever in a feral pig constitutes an increased level of risk, which should be reflected in that Annex. Accordingly, this area of Slovakia currently listed in Part I of the Annex to Implementing Decision 2014/709/EU, affected by this recent case of African swine fever, should now be listed in Part II of that Annex instead of in Part I thereof, and the current boundaries of Part I also need to be redefined and enlarged to take account of this recent case.
- (7) In addition, in December 2020 several cases of African swine in fever in feral pigs were observed in the district of Gorlitz in the state of Saxony of the federal state of Germany in an area listed in Part II of the Annex to Implementing Decision 2014/709/EU, located in close proximity to areas listed in Part I in the state of Saxony and to an area in the

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state of Brandenburg of that federal state not listed in the Annex thereto. These cases of African swine fever in feral pigs in the state of Saxony constitute an increased level of risk, which should be reflected in that Annex. Accordingly, this area of the state of Brandenburg in Germany not listed in the Annex to Implementing Decision 2014/709/EU that is in close proximity to the area in the state of Saxony in Germany affected by these recent cases of African swine fever should now be listed in Part I of that Annex.

- (8) Following the recent cases of African swine fever in feral pigs in Lithuania, Slovakia, Poland and Germany and taking into account the current epidemiological situation in the Union, regionalisation in these Member States has been reassessed and updated. In addition, the risk management measures in place have also been reassessed and updated. These changes need to be reflected in the Annex to Implementing Decision 2014/709/EU.
- (9) In order to take account of recent developments in the epidemiological situation of African swine fever in the Union, and in order to combat the risks associated with the spread of that disease in a proactive manner, new high-risk areas of a sufficient size should be demarcated for Lithuania, Poland, Slovakia and Germany, and duly listed in Parts I and II of the Annex to Implementing Decision 2014/709/EU.
- (10) Given the urgency of the epidemiological situation in the Union as regards the spread of African swine fever, it is important that the amendments to be made to the Annex to Implementing Decision 2014/709/EU by this Decision take effect as soon as possible.
- (11) 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:

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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 18, 23.1.2003, p. 11.](#)
- (4) Commission Implementing Decision 2014/709/EU of 9 October 2014 concerning animal health control measures relating to African swine fever in certain Member States and repealing Implementing Decision 2014/178/EU ([OJ L 295, 11.10.2014, p. 63](#)).
- (5) Commission Implementing Decision (EU) 2020/2128 of 16 December 2020 amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States ([OJ L 426, 17.12.2020, p. 68](#)).

**Changes to legislation:**

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