

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 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;
- 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.

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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.

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:

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- 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
- 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.

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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:
 - (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.

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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.

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

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- 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.

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.

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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
 - 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.

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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.

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.

Changes to legislation:

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