II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COMMISSION

COMMISSION DECISION

of 13 July 2007

amending Decision 2006/415/EC concerning certain protection measures in relation to highly pathogenic avian influenza of the subtype H5N1 in poultry in the Community

(notified under document number C(2007) 3327)

(Text with EEA relevance)

(2007/496/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 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 Articles 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.

(2) Following an outbreak of highly pathogenic avian influenza of H5N1 subtype in the Czech Republic the Commission has adopted Decision 2007/434/EC of 21 June 2007 amending Decision 2006/415/EC concerning certain protection measures in relation to highly pathogenic avian influenza of the subtype H5 in poultry in the Czech Republic ([5]).

(3) In the following days the Commission has adopted Decision 2007/454/EC of 29 June 2007 amending Decision 2006/415/EC concerning protection measures in relation to highly pathogenic avian influenza of subtype H5N1 in poultry in the Community ([6]) to confirm areas A and B in the Czech Republic and the duration of that regionalisation.

(4) Following an outbreak of highly pathogenic avian influenza of H5N1 subtype in Germany the Commission has adopted Decision 2007/483/EC of 9 July 2007 amending Decision 2006/415/EC concerning certain protection measures in relation to highly pathogenic avian influenza of the subtype H5N1 in poultry in Germany ([7]).

([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 2007/483/EC (OJ L 180, 10.7.2007, p. 43).
([5]) OJ L 161, 22.6.2007, p. 70.
([6]) OJ L 172, 30.6.2007, p. 87.
([7]) OJ L 180, 10.7.2007, p. 43.

(5) The Commission has examined those measures in collaboration with Germany, and is satisfied that the borders of areas A and B established by the competent authority in that Member State are at a sufficient distance to the actual location of the outbreak. Areas A and B in Germany can therefore be confirmed and the duration of that regionalisation fixed.

(6) The interim protective measures provided for in Decisions 2007/434/EC and 2007/483/EC need now to be confirmed. In addition, the epidemiological situation of the avian influenza outbreak in poultry in the Czech Republic requires a modification of the restricted areas and of the duration of the measures.

(7) Furthermore, Hungary and the United Kingdom have notified to the Commission that all control measures in relation to outbreaks of highly pathogenic avian influenza of the subtype H5N1 on their territories have been ceased by 12 March 2007 and therefore the measures established in accordance with Article 4(2) for areas A and B are no longer necessary.

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

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

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, 13 July 2007.

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	
CZ	Czech Republic			31.7.2007
	Protection zone		BOHUŇOVICE CEREKVICE NAD LOUČNOU ČESKÉ HEŘMANICE CHOCEŇ (partly) DŽBÁNOV HORKY HRUŠOVÁ (partly) KOSOŘÍN TISOVÁ VRAČOVICE-ORLOV (partly) VYSOKÉ MÝTO ZÁLŠÍ	
	Surveillance zone		BĚSTOVICE BOHUŇOVICE BOROVNICE BOŠÍN BRANDÝS NAD ORLICÍ BUČINA CEREKVICE NAD LOUČNOU ČESKÉ HEŘMANICE CHOCEŇ CHOTOVICE (partly) DOBŘÍKOV DOLNÍ ÚJEZD DŽBÁNOV HORKY HRÁDEK HRUŠOVÁ JAVORNÍK JEHNĚDÍ KOLDÍN KOSTELECKÉ HORKY LEŠTINA (partly) LHOTY U PODŠTEJNA LIBECINA LITOMYŠL (partly) MAKOV MORAŠICE MOSTEK NASAVRKY NĚMČICE (partly) NOVÁ SÍDLA NOVÉ HRADY ORLICKÉ PODHŮŘÍ OSÍK OUCMANICE PLCHOVICE PODLESÍ PODLESÍ (partly) PŘÍLUKA PUSTINA ŘEPNÍKY ŘETOVÁ ŘETŮVKA (partly) ŘÍDKÝ SEČ	

ISO country code	Member State	Area A		Date until applicable Article 4(4) (b)(iii)
		Code (if available)	Name	
			SEDLIŠTĚ SKOŘENICE SLATINA SLOUPNICE SRUBY SUCHÁ LHOTA SUDISLAV NAD ORLICÍ SUDSLAVA SVATÝ JIŘÍ TISOVÁ TRŽEK TÝNIŠTKO ÚJEZD U CHOCNĚ ÚJEZDEC ÚSTÍ NAD ORLICÍ VELKÁ SKROVNICE VIDLATÁ SEČ VLČKOV (partly) VODĚRADY VRACLAV VRAČOVICE-ORLOV VYSOKÉ MÝTO ZÁDOLÍ ZÁLŠÍ ZÁMRSK ZÁŘECKÁ LHOTA	
DE	Germany		The communes of:	6.8.2007
			ALLENDORF ARNSGEREUTH BAD BLANKENBURG BECHSTEDT CURSDORF DEESBACH DÖSCHNITZ GRÄFENTHAL LICHTE LICHTENHAIN MARKTGÖLITZ MELLENBACH-GLASBACH MEURA OBERHAIN OBERWEISSBACH PIESAU PROBSTZELLA REICHMANNSDORF ROHRBACH SAALFELD SAALFELDER HÖHE SCHMIEDEFELD SCHWARZBURG SITZENDORF UNTERWEISSBACH WITTGENDORF	

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	
CZ	Czech Republic	00053	PARDUBICKÝ KRAJ: OKRES: Chrudim, Pardubice Svitavy Ústí nad Orlicí	31.7.2007
		00052	KRÁLOVÉHRADECKÝ KRAJ: OKRES: Hradec Králové Rychnov nad Kněžnou	
DE	Germany		DRÖBISCHAU KAULSDORF KÖNIGSEE LEUTENBERG MEUSELBACH-SCHWARZMÜHLE ROTTENBACH RUDOLSTADT	6.8.2007’