COMMISSION DECISION

of 1 August 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) 3696)

(Text with EEA relevance)

(2007/556/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 Article 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 concerning protection measures in relation to highly pathogenic avian influenza of subtype H5N1 in poultry in the Community ([6]) to confirm the interim protective measures provided for in Decision 2007/434/EC as regards 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 H5 in poultry in Germany ([7]).

(5) By Commission Decision 2007/496/EC of 13 July 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 ([8]) the interim protective measures provided for in Decision 2007/483/EC as regards areas A and B in Germany were confirmed. In addition, the delineation of the restricted areas and the duration of the measures applied by the Czech Republic were modified to take into account a change in the epidemiological situation in that Member State.

(6) On 12 July 2007 the Czech Republic has reported the confirmation of two further outbreaks in poultry holdings located within area A which requires the application of the protection measures as regards the Czech Republic to be prolonged. Moreover, for reasons of clarity of Community legislation it appears appropriate to list areas under restriction in area A in that Member State in an alphabetical order without distinguishing between the protection and the surveillance zones.

([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 2007/496/EC (OJ L 184, 14.7.2007, p. 29).
([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.
([8]) OJ L 184, 14.7.2007, p. 29.

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

(8) 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, 1 August 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		BENÁTKY BĚSTOVICE BOHUŇOVICE BOROVNICE BOŠÍN BRANDÝS NAD ORLICÍ BUČINA CEREKVICE NAD LOUČNOU ČERMNÁ NAD ORLICÍ ČESKÁ TŘEBOVÁ ČESKÉ HEŘMANICE ČESKÉ LIBCHAVY (partly) CHLENY CHOCEŇ CHOTOVICE ČISTÁ (partly) DOBŘÍKOV DOLNÍ ÚJEZD (partly) DŽBÁNOV HORKY HORNÍ JELENÍ (partly) HRÁDEK HRUŠOVÁ JAVORNÍK JEHNĚDÍ KOLDÍN KOSOŘÍN KOSTELECKÉ HORKY KRCHLEBY LEŠTINA LHOTY U PODŠTEJNA LIBCHAVY (partly) LIBECINA LITOMYŠL MAKOV MORAŠICE MOSTEK NASAVRKY NĚMČICE NOVÁ SÍDLA NOVÉ HRADY ORLICKÉ PODHŮŘÍ OSÍK OUCMANICE PLCHOVICE PODLESÍ POLOM PŘÍLUKA PŘÍVRAT PRORUBY PUSTINA RADHOŠŤ ŘEPNÍKY (partly) ŘETOVÁ ŘETŮVKA ŘÍDKÝ SEČ SEDLIŠTĚ SKOŘENICE	14.8.2007

ISO Country Code	Member State	Area A		Date until applicable Article 4(4) (b)(iii)
		Code (if available)	Name	
			SLATINA SLOUPNICE SOPOTNICE (partly) SRUBY STRAKOV SUCHÁ LHOTA SUDISLAV NAD ORLICÍ SUDSLAVA SVATÝ JIŘÍ TISOVÁ TRŽEK TÝNIŠŤKO ÚJEZD U CHOCNĚ ÚJEZDEC ÚSTÍ NAD ORLICÍ (partly) VELKÁ SKROVNICE VIDLATÁ SEČ VLČKOV VODĚRADY VRACLAV VRAČOVICE-ORLOV VYSOKÉ MÝTO ZÁDOLÍ ZÁLŠÍ ZÁMRSK ZÁŘECKÁ LHOTA	
DE	GERMANY		The communes of: 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	6.8.2007

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	PARDUBICKY KRAJ: OKRES: Chrudim, Pardubice Svitavy Ústí nad Orlicí	14.8.2007
		00052	KRALOVEHRADECKY KRAJ: OKRES: Hradec Králové Rychnov nad Kněžnou	
DE	GERMANY		DRÖBISCHAU KAULSDORF KÖNIGSEE LEUTENBERG MEUSELBACH-SCHWARZMÜHLE ROTTENBACH RUDOLSTADT	6.8.2007’