COMMISSION DECISION

of 3 December 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 United Kingdom, Romania and Poland

(notified under document number C(2007) 6109)

(Text with EEA relevance)

(2007/785/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 United Kingdom in the county of Suffolk, Decision 2006/415/EC was amended by Decision 2007/731/EC [5], in order to amend the Annex to Decision 2006/415/EC.

(3) The protection measures taken by the United Kingdom pursuant to Decision 2006/415/EC, including the establishment of areas A and B, as provided for in Article 4 of that Decision, have now been reviewed within the framework of the Standing Committee on the Food Chain and Animal Health.

(4) As a further outbreak of the disease has occurred in the restricted area, the delineation of the area under restriction and the duration of the measures should be modified to take account of the epidemiological situation.

(5) Following an outbreak of highly pathogenic avian influenza of H5N1 subtype in a backyard flock in Romania in the county of Tulcea, Decision 2006/415/EC was amended by Decision 2007/770/EC [6], in order to amend the Annex to Decision 2006/415/EC.

(6) The protection measures taken by Romania pursuant to Decision 2006/415/EC, including the establishment of areas A and B, as provided for in Article 4 of that Decision, have now been reviewed within the framework of the Standing Committee on the Food Chain and Animal Health.

[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, as corrected by 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 2007/770/EC (OJ L 311, 29.11.2007, p. 45).
[5] OJ L 295, 14.11.2007, p. 28.
[6] OJ L 311, 29.11.2007, p. 45.

(7) Poland has notified the Commission of two outbreaks of highly pathogenic avian influenza of subtype H5N1 in poultry holdings in the county of Brudzeń Duży on its territory and has taken the appropriate measures as provided for in Decision 2006/415/EC, including the establishment of Areas A and B as provided for in Article 4 of that Decision.

(8) The Commission has examined those measures in collaboration with Poland, 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 Poland can therefore be confirmed and the duration of that regionalisation fixed.

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

(10) 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, 3 December 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	
UK	UNITED KINGDOM	SUFFOLK 00162 NORFOLK 00154	Protection zone: Area comprising that part of the counties of Suffolk and Norfolk contained within circles of radius 3 kilometres, centred on grid references TM 06178 76666 and TL 9506381001 (*).	19.12.2007
		SUFFOLK 00162 NORFOLK 00154	Surveillance zone: Area comprising that part of the counties of Suffolk and Norfolk contained within circles of radius 10 kilometres, centred on grid references TM 06178 76666 and TL 9506381001 (*).	
RO	ROMANIA	00038	Protection zone: Murighiol	31.12.2007
		00038	Surveillance zone: Dunavatu de Jos Dunavatu de Sus Colina Plopu Sarinasuf Mahmudia	
PL	POLAND	MAZOWIECKIE VOIVODSHIP 01400 Płock district	Protection zone: County of Brudzeń Duży: Główina Gorzechówko Gorzechowo Myśliborzyce Rembielin Rokicie Siecień Siecień Rumunki Strupczewo Duże Uniejewo Więcławice County of Nowy Duninów: Karolewo Nowa Wieś Nowy Duninów	31.12.2007
		KUJAWSKO-POMORSKIE VOIVODSHIP 00400 Włocławek district	Protection zone: County of Włocławek of: Skoki Duże Skoki Małe	
		MAZOWIECKIE VOIVODSHIP 01400 Płock district	Surveillance zone: County of Brudzeń Duży: Bądkowo Bądkowo Jeziorne Bądkowo Kościelne Bądkowo Podlasie Bądkowo Rochny Biskupice	

ISO Country Code	Member State	Area A		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
			Brudzeń Duży Brudzeń Mały Cegielnia Cierszewo Izabelin Janoszyce Karwosieki Cholewice Kłobukowo Krzyżanowo Lasotki Murzynowo Noskowice Parzeń Parzeń Janówek Patrze Radotki Robertowo Sikórz Sobowo Suchodół Turza Mała Turza Wielka Wincentowo Winnica Zdziębórz Żerniki County of Stara Biała: Brwilno Górne Kobierniki Kowalewko Ludwikowo Mańkowo Maszewo Duże Srebrna Ulaszewo Wyszyna County of Nowy Duninów: Brwilno Dolne Brzezinna Góra Duninów Duży Grodziska Jeżowo Kamion Kobyla Góra Środoń Stary Duninów Studzianka Wola Brwileńska	
		MAZOWIECKIE VOIVODSHIP 01400 Sierpc district	Surveillance zone: County of Mochowo: Będorzyn. Grodnia Łukoszyn Łukoszyno Biki	
		KUJAWSKO-POMORSKIE VOIVODSHIP 00400 Włocławek district	Surveillance zone: County of Włocławek: Dąb Mały Dąb Polski Dąb Wielki Dobiegniewo Jazy	

ISO Country Code	Member State	Area A		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
		KUJAWSKO-POMORSKIE VOIVODSHIP 00400 Lipno district	Surveillance zone: County of Dobrzyń nad Wisłą: Chalin Chudzewo Dobrzyń nad Wisłą Kamienica Łagiewniki Lenie Wielkie Michałkowo Mokówko Mokowo Płomiany Ruszkowo Wierznica Wierzniczka County of Tłuchowo: Trzcianka	

(*) The grid reference is a British National Grid reference.

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	
UK	UNITED KINGDOM	NORFOLK 00154 SUFFOLK 00162	The districts of: Babergh Breckland Forest Heath Ipswich Mid Suffolk Norwich St Edmundsbury South Norfolk Suffolk Coastal Waveney	19.12.2007
RO	ROMANIA	00038	County of Tulcea	31.12.2007
PL	POLAND	MAZOWIECKIE VOIVODSHIP 01400 Płock district	Counties of: Bielsk Bodzanów Brudzeń Duży Bulkowo Drobin Gąbin Łąck Mała Wieś Nowy Duninów Radzanowo Słubice Słupno Stara Biała Staroźreby Wyszogród	31.12.2007
		Płock city		

ISO Country Code	Member State	Area B		Date until applicable Article 4(4)(b)(iii)
		Code (if available)	Name	
		Gostynin district	Counties of: Gostynin Pacyna Sanniki Szczawin Kościelny	
		Sierpc district	Counties of: Gozdowo Mochowo Rościszewo Sierpc Szczutowo Zawidz	
		KUJAWSKO-POMORSKIE VOIVODSHIP 00400 Włocławek district	Counties of: Baruchowo Boniewo Brześć Kujawski Choceń Chodecz Fabianki Izbica Kujawska Kowal Lubanie Lubień Kujawski Lubraniec Włocławek	
		KUJAWSKO-POMORSKIE VOIVODSHIP 00400 Lipno district	Counties of: Bobrowniki Chrostkowo Dobrzyń nad Wisłą Kikół Lipno Skępe Tłuchowo Wielgie	
		Włocławek city'		