DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2016/1452

of 2 September 2016

concerning certain interim protective measures relating to African swine fever in Poland

(notified under document C(2016) 5708)

(Only the Polish text is authentic)

(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 ([1]), and in particular Article 9(3) 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(3) thereof,

Whereas:

(1) African swine fever is an infectious viral disease affecting domestic and feral pig populations and can have a severe impact on the profitability of pig farming causing disturbance to trade within the Union and exports to third countries.

(2) In the event of an outbreak of African swine fever, there is a risk that the disease agent may spread to other pig holdings and to feral pigs. As a result, it may spread from one Member State to another Member State and to third countries through trade in live pigs or their products.

(3) Council Directive 2002/60/EC ([3]) lays down minimum measures to be applied within the Union for the control of African swine fever. Article 9 of Directive 2002/60/EC provides for the establishment of protection and surveillance zones in the event of outbreaks of that disease where the measures laid down in Articles 10 and 11 of that Directive are to apply.

(4) Poland has informed the Commission of the current African swine fever situation on its territory, and in accordance with Article 9 of Directive 2002/60/EC, it has established protection and surveillance zones where the measures referred to in Articles 10 and 11 of that Directive are applied.

(5) In order to prevent any unnecessary disturbance to trade within the Union and to avoid unjustified barriers to trade being imposed by third countries, it is necessary to describe at Union level the areas established as protection and surveillance zones for African swine fever in Poland in collaboration with that Member State.

(6) In August 2016, one outbreak occurred in domestic pigs in the powiat moniecki in Poland. Given that Poland provides preliminary evidence that this outbreak is linked to human activity and that there are indications that African swine fever is not circulating in the feral pig population in the areas concerned, specific measures in addition to those laid down by Commission Implementing Decision 2014/709/EU ([4]) are required taking into account that this is the fifteenth outbreak of this disease in pigs, this year and that these outbreaks occurred in different areas of Poland which were already under restriction.

([1]) OJ L 395, 30.12.1989, p. 13.
([2]) OJ L 224, 18.8.1990, p. 29.
([3]) Council Directive 2002/60/EC of 27 June 2002 laying down specific provisions for the control of African swine fever and amending Directive 92/119/EEC as regards Teschen disease and African swine fever (OJ L 192, 20.7.2002, p. 27).
([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).

(7) In order to adequately respond to this situation in a precautionary and efficient manner, it is important to lay down, specific measures restricting the movement of animals and their products in the areas described in the Annex to this Decision. These measures are justified because of the typology of outbreaks reported in domestic pigs and their underlying causes.

(8) Given the relatively large distances between the most recent outbreaks which are provisionally ascribed by Poland to the human factor as well as recent epidemiological data and in order to prevent further outbreaks, it is now necessary and proportionate to now cover significantly larger regions.

(9) The measures laid down in this Decision should consist in the application of the measures provided for by Directive 2002/60/EC, in particular with respect to the strict limitations of the movement and transport of pigs as provided for by Articles 10 and 11 of that Directive in areas as described in the Annex to this Decision.

(10) In order to respond in a coherent and proportionate manner to this new epidemiological scenario, the measures provided for in this Decision need to be reviewed together with Implementing Decision 2014/709/EU at the next Standing Committee on Plants, Animals, Food and Feed. The review will need to take into account, in particular, the result of the investigations relating to the preliminary information on several of the outbreaks in domestic pigs notified by Poland in 2016, which indicates that they are not linked to wild boar but rather to human activity, as well as the result of further surveillance and other relevant epidemiological information.

(11) Accordingly, pending the next meeting of the Standing Committee on Plants, Animals, Food and Feed, the areas identified as protection and surveillance zones in Poland should be set out in the Annex to this Decision and the duration of that regionalisation fixed.

(12) This Decision is to be reviewed at the next meeting of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

Poland shall ensure that the protection and surveillance zones established in accordance with Article 9 of Directive 2002/60/EC comprise at least the areas listed as the protection and surveillance zones in the Annex to this Decision.

Article 2

This Decision shall apply until 15 October 2016.

Article 3

This Decision is addressed to the Republic of Poland.

Done at Brussels, 2 September 2016.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

ANNEX

Poland	Areas as referred to in Article 1	Date until applicable
Protection zone	The borders of this protection zone are as follows: (a) from the east — from the northern border of the village of Sanie-Dąb to the south on the road linking the village Sanie-Dąb with the village Kołaki Kościelne to the intersection with the river Dąb, continued along the river Dąb to the south-east, then along the edge of the forest at the western border of the village Tybory-Olszewo, then along the road linking the village Tybory-Olszewo with the village Tybory-Kamianka, then along the western side of the village Tybory-Kamianka to the road linking the village Tybory-Kamianka with the village Jabłonka Kościelna, then south to the watercourse connecting the pond Kamianka with the river Jabłonka, then along the watercourse to its estuary to the river Jabłonka, then in a straight line south to the junction of the road no. 66 with the road linking the village Jabłonka Kościelna with the village Miodusy-Litwa; (b) from the south — along the road no. 66 in the western direction to the intersection with the river Jabłonka with the road no. 66, then along the southern border of the village of Faszcze to the river Jablonka, further west along the river Jabłonka to the border between the village Wdziękoń Pierwszy and the village Wdziękoń Drugi, and then in a straight line north to the road no. 66, then along road no. 66 west to the intersection of the watercourse with the road no. 66 in a line of the village Wdziękoń Pierwszy; (c) from the west — to the north along the watercourse to the edge of the forest, continued along the eastern border of the reserve 'Grabówka' and then along the eastern border of the forest to the road connecting the village Grabówka with the village of Wróble-Arciszewo; (d) from the north — in a straight line to the east to the river Dąb below the village of Czarnowo Dąb, then in a straight line to the east along the northern border of the village of Sanie-Dąb to the road linking the village Sanie-Dąb to the village Kołaki Kościelne. The borders of this protection zone are as follows: (a) from the north — from the village Konowały along the municipal road to the intersection with the road Szosa Kruszewska, then the road Szosa Kruszewska along the southern border of the forest to the exit to the village Kruszewo; (b) from the west — across the village Kruszewo along the eastern border of the valley of the river Narew in a line of the village Waniewo to the border with the powiat wysokomazowiecki; (c) rom the south — from the border with the powiat wysokomazowiecki along the west bank of the valley of the river Narew; (d) from the east — from the west bank of the valley of the river Narew in a straight line to Topilec-Kolonia, and then in a straight line to the village Konowały.	15 October 2016

Poland	Areas as referred to in Article 1	Date until applicable
	The borders of this protection zone are as follows: (a) from the north — from the intersection of the road no. 63 with the road leading to the prison in Czerwony Bór, on a curve in the direction of the village Polki-Teklin then above this village to the intersection with the river Gać to the eastern border of the fish ponds around the village Poryte-Jabłoń; (b) from the east — along the eastern border of the fish ponds around the village Poryte-Jabłoń in the direction of the road connecting the village Poryte-Jabłoń with the road no. 66, along the western border of this village in the direction of the road no. 63; (c) from the south — from the road no. 63 above the village of Stare Zakrzewo along the road linking this village with the village Tabędz, then along the western and northern border of this village; (d) from the west — a straight line towards the north to the western border of the village of Bacze Mokre, then from the western border of the village of Bacze Mokre in a straight line to the north — east reaching to the road leading to the prison in Czerwony Bór, then along this road to the road no. 63. The borders of this protection zone are as follows: (a) from the north — from the border of the powiat wysokomazowiecki, along the watercourse Brok Mały to the village Miodusy-Litwa, along its south — west side; then from the border of the powiat zambrowski in the direction of the village Krajewo Białe, along the southern border of this village, then along the road in the direction of the village Stary Skarżyn; (b) from the west — along the western border of the village Stary Skarżyn to the intersection with the watercourse Brok Mały, in the south — eastern direction below the village Zaręby-Krztęki to the borders of the powiat zambrowski; (c) from the south — from the borders of the powiat zambrowski along the watercourse running towards the village Kaczyn-Herbasy; (d) from the east — along the road running from the village Miodusy-Litwa through the village Święck-Nowiny. The borders of this protection zone are as follows: (a) from the north — from the southern side of the village Kierzki in the eastern direction to the road no. 671 above the northern border of the village Czajki; (b) from the east — from the road no. 671 to the village of Jabłonowo-Kąty, then in a southern direction along the west bank of the river Awissa; then to the road Idźki Średnie — Kruszewo-Brodowo from the western side of the village Kruszewo-Brodowo; (c) from the south — from the road no. 671 in a line of the village of Idźki-Wykno along the road connecting the village Sokoły with the village Jamiołki-Godzieby; (d) from the west — from the village Jamiołki-Godzieby along the east bank of the river Ślina to the village of Jamiołki-Kowale, then to the north through the village Stypułki-Borki to the road Kierzki — Czajki on the eastern side of the village Kierzki.	

Poland	Areas as referred to in Article 1	Date until applicable
	The borders of this protection zone are as follows: (a) from the east — from the border of the town of Bielsk Podlaski, Adam Mickiewicz street, along the eastern outskirts of the town Bielsk Podlaski; (b) from the south — along the southern outskirts of the town Bielsk Podlaski to the village Piliki, including the village Piliki, and continued in a straight line to the road no. 66; (c) from the west — from the road no. 66 in the direction of the western outskirts of the village Augustowo, including the village Augustowo, from the village Augustowo in a straight line to the intersection of the railway and the local road no. 1575B; (d) from the north — from the intersection of the railway and the local road no. 1575B along the northern outskirts of the town Bielsk Podlaski to the border of the town of Bielsk Podlaski, Adam Mickiewicz street. The borders of this protection zone are as follows: (a) from the east -from the river Bug along the border with województwo lubelskie down to the district road no. 2007W; (b) from the south — along the district road no. 2007W together with the whole village Borsuki and the forestry area in the bend of the river Bug; (c) from the north and west — the river Bug. The borders of this protection zone are as follows: (a) from the east — along the state border with Belarussia from the river Bug to the line of the forestry area; (b) from the north — along the line of the forestry area from the state border to the road connecting villages Sutno and Niemirów, then along this road to the intersection with the local road directing south; (c) from the west — along the local road directing south from the intersection with the road connecting villages Sutno and Niemirów to the line of the river Bug; (d) from the south — along the line of the river Bug from the end of the local road which begins at the intersection with the road Sutno — Niemirów up to the state border. The borders of this protection zone are as follows: (a) from the east — from the estuary of the river Czyżówka in a straight line to the river Bug in the northern direction; (b) from the north — along the river Bug to the border with województwo mazowieckie;	

Poland	Areas as referred to in Article 1	Date until applicable
	(c) from the west — from the river Bug in the southern direction along the dirt Road down to the northern end of the forest Las Konstantynowski, then down to the road Gnojno — Konstantynów and along this road in the southern Direktion to the southern end of the forest, then along the dirt road in the eastern direction to the village Witoldów and then to the road Konstantynów — Janów Podlaski; (d) from the south — along the road Konstantynów — Janów Podlaski in the eastern direction to the river Czyżówka. The borders of this protection zone are as follows: (a) from the east — from the village Stara Bordziłówka along the local road directing north, up to the intersection of the district roads no. 1022 and 1025, and then along the road no. 1025 to the village Nosów; (b) from the north — from the village Nosów along the district road no. 1024 in the western direction to the border with the województwo mazowieckie; (c) from the west — along the border with the województwo mazowieckie to the local road in a line of the village Wygnanki; (d) from the south — from the border with the województwo mazowieckie in a line of the village Wygnanki to the local road directing to the west end of the forest, then along the local road at northern border of the forest to the local road directing to the village Stara Bordziłówka. The borders of this protection zone are as follows: (a) from the east and south — from the border with the województwo lubelskie from the local road connecting the villages Makarówka and Celujki, along the border with the województwo lubelskie to the district road no. 2020W, and then along this road no. 2020W to the intersection with the regional road no. 698 in the village Wólka Nosowska, including the whole village of Wólka Nosowska; (b) from the west — from the border with the województwo lubelskie along the local road connecting the villages Celujki and Makarówka to the village of Makarówka, including the whole village of Makarówka, then further in the north-western direction along the district road no. 2037W to the village Huszlew, including the whole village of Huszlew, then from the village Huszlew along the district road no. 2034W to the end of the forest, then in the eastern direction along the northern border of the forest, to the eastern border of the gmina Huszlew, then in the northern direction along the western border of the forest up to the regional road no. 698; (c) from the north — along the regional road no. 698 through the village Rudka to the village Stara Kornica, including the villages Rudka, Stara Kornica and Nowa Kornica, then along the regional road no. 698 to the intersection with the district road no. 2020W in the village Wólka Nosowska.	

Poland	Areas as referred to in Article 1	Date until applicable
	The borders of this protection zone are as follows: (a) from the east — along the state border: from the road no 640 to the line of the village Kolonia Klukowicze, (b) from the north — from the state border along the road Kolonia Klukowicze — Witoszczyzna, to the road Wilanowo — Werpol, (c) from the west — along the road Werpol– Wilanowo to the road no. 640 in a line of the intersection with the road Koterka — Tokary, (d) from the south — from the village Koterka along the road no. 640 to the state border. The borders of this protection zone are as follows: (a) from the east — from the village Wólka Nurzecka in a straight line in the direction of the border of the powiat siemiatycki, then along the border of the powiat siemiatycki to the river Pulwa, (b) from the south — along the northern bank of the river Pulwa in the direction of the village Litwinowicze, then from the village Litwinowicze along the road directing to the village Anusin to the source of the river Pulwa, (c) from the west — from the road Litwinowicze — Anusin (in a line of the source of the river Pulwa) straight in the north-western direction to the village Siemichocze, then from the intersection of the roads Anusin — Siemichocze in the northern direction to the road Tymianka — Nurzec, crossing the road 1 km from the village Nurzec Kolonia, (d) form the north — from the road Tymianka — Nurzec in a straight line to the village Wólka Nurzecka, The borders of this protection zone are as follows: (a) from the east — from the village Kolonia Budy in a straight line to the village Sokoli Gród, then in the southern direction to the local road connecting the villages Kulesze and Wilamówka; (b) from the south — along the local road to the village Wilamówka, then in a straight line in the western direction, to the village Olszowa Droga; (c) from the west — along the eastern bank of the river Biebrza in the northern direction up to the southern border of the complex Osowiec Twierdza; (d) from the north — from the southern border of the complex Osowiec Twierdza along the road Carska Droga, then in the south-eastern direction to the village of Kolonia Budy.	
Surveillance zone	The area indicated below: In the województwo podlaskie: — the powiat hajnowski, — the powiat białostocki,	15 October 2016

Poland	Areas as referred to in Article 1	Date until applicable
	— the powiat bielski, — the powiat grajewski, — the powiat łomżyński, — the powiat M. Białystok, — the powiat M. Łomża, — the powiat moniecki, — the powiat wysokomazowiecki, — the powiat zambrowski. In the województwo mazowieckie: — the gminy of Rzekuń, Troszyn, Czerwin and Goworowo in the powiat ostrołęcki, — the gminy of Korczew, Przesmyki, Paprotnia, Suchożebry, Mordy, Siedlce and Zbuczyn in the powiat siedlecki, — the powiat M. Siedlce, — the gminy of Ceranów, Jabłonna Lacka, Sterdyń and Repki in the powiat sokołowski, — the powiat łosicki, — the powiat ostrowski. In the województwo lubelskie: — the powiat bialski.	