

COMMISSION IMPLEMENTING REGULATION (EU) 2021/1692**of 21 September 2021****amending Annexes V, XIV and XV to Implementing Regulation (EU) 2021/404 as regards the entries for Botswana in the lists of third countries authorised for the entry into the Union of consignments of poultry, germinal products of poultry, and fresh meat and meat products from poultry and game birds****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') ⁽¹⁾, and in particular Article 230(1) thereof,

Whereas:

- (1) Regulation (EU) 2016/429 lays down, inter alia, the animal health requirements for the entry into the Union of consignments of animals, germinal products and products of animal origin, and it applies from 21 April 2021. One of those animal health requirements is that those consignments must come from a third country or territory, or zone or compartment thereof, listed in accordance with Article 230(1) of that Regulation.
- (2) Commission Delegated Regulation (EU) 2020/692 ⁽²⁾ supplements Regulation (EU) 2016/429 as regards the animal health requirements for the entry into the Union of consignments of certain species and categories of animals, germinal products and products of animal origin from third countries or territories or zones thereof, or compartments thereof in the case of aquaculture animals. Delegated Regulation (EU) 2020/692 provides that consignments of animals, germinal products and products of animal origin falling within its scope may only be permitted to enter into the Union if they come from a third country or territory or zone or compartment thereof, listed for the particular species and categories of animals, germinal products and products of animal origin in accordance with the animal health requirements laid down in that Delegated Regulation.
- (3) Commission Implementing Regulation (EU) 2021/404 ⁽³⁾ establishes the lists of third countries, territories, or zones or compartments thereof, from which the entry into the Union of those species and categories of animals, germinal products and products of animal origin, that fall within the scope of Delegated Regulation (EU) 2020/692, is permitted.
- (4) More particularly, Annexes V, XIV and XV to Implementing Regulation (EU) 2021/404 set out the lists of third countries, territories, or zones thereof authorised for the entry into the Union respectively of consignments of poultry, germinal products of poultry, and fresh meat and meat products from poultry and game birds.
- (5) On 6 September 2021, Botswana notified an outbreak of highly pathogenic avian influenza (HPAI) to the World Organisation for Animal Health (OIE). That outbreak is located in Kgatleng district of that third country, and was confirmed on 27 August 2021 by laboratory analysis (RT-PCR).

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ Commission Delegated Regulation (EU) 2020/692 of 30 January 2020 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for entry into the Union, and the movement and handling after entry of consignments of certain animals, germinal products and products of animal origin (OJ L 174, 3.6.2020, p. 379).

⁽³⁾ Commission Implementing Regulation (EU) 2021/404 of 24 March 2021 laying down the lists of third countries, territories or zones thereof from which the entry into the Union of animals, germinal products and products of animal origin is permitted in accordance with Regulation (EU) 2016/429 of the European Parliament and the Council (OJ L 114, 31.3.2021, p. 1).

- (6) The lists of third countries, territories, or zones thereof set out in Parts 1 of Annexes V and XIV and in Section A of Part 1 of Annex XV to Implementing Regulation (EU) 2021/404 specify that the entry into the Union from Botswana of consignments of poultry, germinal products of poultry, and fresh meat and meat products of poultry and game birds are authorised. In addition, Section A of Part 1 of Annex XV to Implementing Regulation (EU) 2021/404 does not currently require any risk-mitigating treatments for the entry into the Union of consignments of meat products of raptines from that third country.
- (7) Due to the risk of the introduction of HPAI into the Union linked with the entry of consignments of poultry, germinal products of poultry, and fresh meat and meat products of poultry and game birds from Botswana, and in the absence of guarantees allowing for regionalisation of that third country, the entry into the Union of such consignments should no longer be authorised. In addition, the risk mitigating treatment D, in accordance with Annex XXVI to Delegated Regulation (EU) 2020/692, should be required for the entry into the Union of consignments of meat products of raptines from that third country.
- (8) The entries for Botswana in the lists of third countries, territories, or zones thereof set out in the tables in Parts 1 of Annexes V and XIV and in the table in Section A of Part 1 of Annex XV to Implementing Regulation (EU) 2021/404 should therefore be amended to take account of the current epidemiological situation in that third country.
- (9) Annexes V, XIV and XV to Implementing Regulation (EU) 2021/404 should be therefore amended accordingly.
- (10) Taking into account the current epidemiological situation in Botswana as regards HPAI, the amendments to be made to Implementing Regulation (EU) 2021/404 by this Regulation should take effect as a matter of urgency.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes V, XIV and XV to Implementing Regulation (EU) 2021/404 are amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 September 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Annexes V, XIV and XV to the Implementing Regulation (EU) 2021/404 are amended as follows:

(1) In Annex V, in Part 1, the entry for Botswana is replaced by the following:

BW Botswana	BW-0	Breeding ratites and productive ratites	BPR	P1	C	27.8.2021	
		Day-old-chicks of ratites	DOR	P1	C	27.8.2021	
		Specified pathogen-free eggs	SPF				
		Hatching eggs of ratites	HER	P1	C	27.8.2021'	

(2) In Annex XIV, in Part 1, the entry for Botswana is replaced by the following:

BW Botswana	BW-0	Fresh meat of ratites	RAT	P1	C	27.8.2021'	
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(3) In Annex XV, in Part 1, in Section A, the entry for Botswana is replaced by the following:

BW Botswana	BW-0	B	B	B	B	B	B	B	Not authorised	D	Not authorised	MPST	
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