

**COMMISSION IMPLEMENTING DECISION (EU) 2021/260****of 11 February 2021****approving national measures designed to limit the impact of certain diseases of aquatic animals in accordance with Article 226(3) of Regulation (EU) 2016/429 of the European Parliament and of the Council and repealing Commission Decision 2010/221/EU***(notified under document C(2021) 773)***(Text with EEA relevance)***Article 1***Subject matter and scope**

This Decision approves the national measures which have been adopted by those Member States or parts of those Member States which are listed in Annexes I and II in order to limit the impact of certain diseases affecting aquatic animals in accordance with Article 226(3) of Regulation (EU) 2016/429, and lays down:

- (a) conditions for the initial and continued approval of those measures;
- (b) restrictions on the movement of aquatic animals between Member States;
- (c) reporting obligations of Member States.

*Article 2***Approval of national measures in disease-free areas**

The Member States or parts thereof, which are listed in the second and fourth column of the table in Annex I, are considered free from the diseases listed in the first column of that table and are granted approval to adopt national measures in accordance with Article 226(3) of Regulation (EU) 2016/429.

*Article 3***Approval of eradication programmes for diseases which are subject to national measures**

1. The eradication programmes adopted by the Member States listed in the second column of the table in Annex II for the diseases which are subject to national measures and which are listed in the first column of that table, in respect of the areas listed in the fourth column thereof, are approved.

2. The period of application of an eradication programme shall not exceed 6 years from the date of its initial approval by the Commission. In duly justified cases, the Commission may, at the request of the Member State concerned, extend the period of application of the eradication programme for an additional 6-year period.

▼ **M1***Article 4***Movements between Member States or parts thereof, of aquatic animals of susceptible species which are subject to national measures including eradication programmes**

1. Aquatic animals of susceptible species for a particular disease which are listed in the second column of Annex III shall only be moved to Member States or parts thereof which are listed in the second and fourth columns of the tables in Annexes I or II if they:

- (a) originate from a Member State or part thereof, which is listed in the second and fourth columns of the table in Annex I as being free from the disease in question;
- (b) are accompanied by an official certificate issued by the competent authority of the Member State of origin, drawn up in accordance with an appropriate model animal health certificate set out in Chapters 1, 2, 3 or 5 of Annex I to Commission Implementing Regulation (EU) 2020/2236 ⁽¹⁾, specifying the guarantees relevant for the specific national measures in question.

2. By way of derogation from paragraph 1, point (a), aquatic animals of susceptible species for a particular disease which are listed in the second column of Annex III, may be moved to Member States or parts thereof which are listed in the second and fourth columns of the tables in Annexes I or II if:

- (a) in the case of wild aquatic animals, they have undergone quarantine in an aquaculture establishment which has been approved in accordance with Article 15 of Delegated Regulation (EU) 2020/691 ⁽²⁾;
- (b) in the case of Member States or parts thereof subject to national measures for infection with *Gyrodactylus salaris*:
 - (i) immediately prior to the movement, the aquatic animals have been held under the conditions, set out in Chapter 10.3, Article 10.3.8, point (2) of the World Organisation for Animal Health (OIE) Aquatic Animal Health Code ⁽³⁾;
 - (ii) the fish eggs have been disinfected and subsequently kept under the conditions, set out in Chapter 10.3, Article 10.3.8, point (3) of the OIE Aquatic Animal Health Code.

⁽¹⁾ Commission Implementing Regulation (EU) 2020/2236 of 16 December 2020 laying down rules for the application of Regulations (EU) 2016/429 and (EU) 2017/625 of the European Parliament and of the Council as regards model animal health certificates for the entry into the Union and the movements within the Union of consignments of aquatic animals and of certain products of animal origin from aquatic animals, official certification regarding such certificates and repealing Regulation (EC) No 1251/2008 (OJ L 442, 30.12.2020, p. 410).

⁽²⁾ Commission Delegated Regulation (EU) 2020/691 of 30 January 2020 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for aquaculture establishments and transporters of aquatic animals (OJ L 174, 3.6.2020, p. 345).

⁽³⁾ OIE Aquatic Animal Health Code, 2021, 23rd Edition.

*Article 5***Annual reporting by Member States**

1. By 30 April each year at the latest, the Member States listed in the second column of the tables in Annexes I and II shall submit a report to the Commission on the approved national measures for the disease-free status of those Member States and parts thereof referred to in Article 2, or for the eradication programmes referred to in Article 3, as appropriate.
2. The report referred to in paragraph 1 shall include:
 - (a) information on the measures which have been taken in the previous calendar year to maintain the disease-free status, including at least the information set out in Annex III to Implementing Regulation (EU) 2020/2002; or
 - (b) information on the evolution of the eradication programme, including details of the testing which has been carried out in the previous calendar year and at least the information set out in Section 4 of Annex V to Implementing Regulation (EU) 2020/2002.
3. The report referred to in paragraph 1 shall outline the reasons why the disease-free status or the eradication programme as appropriate, should continue to apply for a further calendar year. Particular reference shall be made to the availability of treatments, vaccines, disease resistant stocks, or other relevant developments should one or more of these have become a viable option for the prevention and control of the disease in question since the submission of the previous report.

*Article 6***Amendment of approved national measures**

The national measures set out in Annexes I and II may be amended by the Commission should the information referred to in Article 5(3), or other such information relating to developments in animal health, indicate that the establishment of movement restrictions between Member States is no longer necessary or justified in order to prevent the introduction, or to control the spread, of a particular disease.

*Article 7***Repeal**

Commission Decision 2010/221/EU is repealed with effect from 21 April 2021.

*Article 8***Application**

This Decision shall apply from 21 April 2021.

*Article 9***Addressees**

This Decision is addressed to the Member States.



ANNEX I

Member States ⁽¹⁾ or parts thereof regarded as being free from certain diseases affecting aquatic animals and for which the national measures are approved in accordance with Article 226(3) of Regulation (EU) 2016/429

Disease	Member State	Code	Geographical demarcation of the area for which the national measures are approved
Koi herpes virus disease (KHV)	Ireland	IE	Whole territory
	United Kingdom (Northern Ireland)	UK(NI)	Northern Ireland
Spring viraemia of carp (SVC)	Denmark	DK	Whole territory
	Finland	FI	Whole territory
	Hungary	HU	Whole territory
	Ireland	IE	Whole territory
	Sweden	SE	Whole territory
	United Kingdom (Northern Ireland)	UK(NI)	Northern Ireland
Bacterial kidney disease (BKD)	Ireland	IE	Whole territory
	United Kingdom (Northern Ireland)	UK(NI)	Northern Ireland
Infectious pancreatic necrosis (IPN)	Finland	FI	Continental parts of the territory
	Sweden	SE	Continental parts of the territory
Infection with <i>Gyrodactylus salaris</i> (GS)	Finland	FI	Water catchment areas of the Tenojoki and Näätäinjoki; the water catchment areas of the Paatsjoki, Tuulomajoki, and Uutuanjoki are considered as buffer zones
	Ireland	IE	Whole territory
	United Kingdom (Northern Ireland)	UK(NI)	Northern Ireland

⁽¹⁾ In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, and in particular Article 5(4) of the Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, for the purposes of this Annex, references to Member States include the United Kingdom in respect of Northern Ireland.

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Disease	Member State	Code	Geographical demarcation of the area for which the national measures are approved
Ostreid herpesvirus -1 μ var (OsHV-1 μ var)	Ireland	IE	Compartment 1: Sheephaven Bay Compartment 3: Killala, Broadhaven and Blacksod Bays Compartment 4: Streamstown Bay Compartment A: Tralee Bay Hatchery
	United Kingdom (Northern Ireland)	UK(NI)	Territory of Northern Ireland except Dundrum Bay, Killough Bay, Lough Foyle, Carlingford Lough, Larne Lough and Strangford Lough
Infection with salmonid alphavirus (SAV)	Finland	FI	Continental parts of the territory

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▼ B*ANNEX II***Member States ⁽¹⁾ or parts thereof with eradication programmes for certain diseases affecting aquatic animals and for which the national measures are approved in accordance with Article 226(3) of Regulation (EU) 2016/429**

Disease	Member State	Code	Geographical demarcation of the area for which the national measures are approved
Bacterial kidney disease (BKD)	Sweden	SE	Continental parts of the territory
Infectious pancreatic necrosis (IPN)	Sweden	SE	Coastal parts of the territory

⁽¹⁾ In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, and in particular Article 5(4) of the Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, for the purposes of this Annex, references to Member States include the United Kingdom in respect of Northern Ireland.



ANNEX III

Species of aquatic animals which are susceptible to diseases for which certain Member States ⁽¹⁾ have adopted national measures in accordance with Article 226(3) of Regulation (EU) 2016/429

Disease	Susceptible species
Koi herpes virus disease (KHV)	As set out in column 3 of the table in the Annex to Implementing Regulation (EU) 2018/1882
Spring viraemia of carp (SVC)	Bighead carp (<i>Aristichthys nobilis</i>), goldfish (<i>Carassius auratus</i>), crucian carp (<i>Carassius carassius</i>), grass carp (<i>Ctenopharyngodon idellus</i>), common carp and koi carp (<i>Cyprinus carpio</i>), silver carp (<i>Hypophthalmichthys molitrix</i>), sheatfish (<i>Silurus glanis</i>), tench (<i>Tinca tinca</i>), orfe (<i>Leuciscus idus</i>)
Bacterial kidney disease (BKD)	All species of <i>Salmonidae</i>
Infectious pancreatic necrosis (IPN)	Brook trout (<i>Salvelinus fontinalis</i>), brown trout (<i>Salmo trutta</i>), Atlantic salmon (<i>Salmo salar</i>), (<i>Oncorhynchus spp.</i>) whitefish (<i>Coregonus lavaretus</i>)
Infection with <i>Gyrodactylus salaris</i> (GS)	Atlantic salmon (<i>Salmo salar</i>), rainbow trout (<i>Oncorhynchus mykiss</i>), Arctic char (<i>Salvelinus alpinus</i>), North American brook trout (<i>Salvelinus fontinalis</i>), grayling (<i>Thymallus thymallus</i>), North American lake trout (<i>Salvelinus namaycush</i>), brown trout (<i>Salmo trutta</i>) and any species which has been in contact with these species
Ostreid herpes virus 1 μ var (OsHV-1 μ var)	Pacific oyster (<i>Crassostrea gigas</i>)
Infection with salmonid alphavirus (SAV)	Atlantic salmon (<i>Salmo salar</i>), rainbow trout (<i>Oncorhynchus mykiss</i>), brown trout (<i>Salmo trutta</i>)

⁽¹⁾ In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, and in particular Article 5(4) of the Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, for the purposes of this Annex, references to Member States include the United Kingdom in respect of Northern Ireland.