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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels,
C(2006)

final

Draft

COMMISSION DECISION

of

amending Decision 2005/393/EC as regards the restricted zones in relation to bluetongue

(Memorandum from Mr. M. KYPRIANOU)

Draft

COMMISSION DECISION

of

amending Decision 2005/393/EC as regards the restricted zones in relation to bluetongue

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and eradication of bluetongue¹, and in particular the second subparagraph of Article 6 (1), Article 8 (2) (d) and (3), Article 9 (1) (c) and the third paragraph of Article 19 thereof,

Whereas:

- (1) Directive 2000/75/EC lays down control rules and measures to combat bluetongue in the Community, including the establishment of protection and surveillance zones and a ban on animals leaving those zones.
- (2) Commission Decision 2005/393/EC of 23 May 2005 on protection and surveillance zones in relation to bluetongue and conditions applying to movements from or through these zones² provides for the demarcation of the global geographic areas where protection and surveillance zones ('the restricted zones') are to be established by the Member States in relation to bluetongue.
- (3) By Decision 2006/591/EC³, the Commission has amended Decision 2005/393/EC as regards the demarcation of restricted zones established following the notification of outbreaks of bluetongue by the competent authorities of the Netherlands, Germany and Belgium.
- (4) On 31 August and 5 September 2006 respectively, France and Germany informed the Commission of new confirmed cases of bluetongue. In view of these new findings, Decision 2005/393/EC should be amended in order to amend the restricted zone including the affected area.

¹ OJ L 327, 22.12.2000, p. 74.

² OJ L 130, 24.5.2005, p. 22. Decision as last amended by Decision 2006/591/EC (OJ L 240, 2.9.2006, p. 15).

³ OJ L 240, 2.9.2006, p. 15.

- (5) Taking into account the measures taken by the affected Member States to avoid the spread of the disease, movements of susceptible animals into the surveillance zone should be allowed under the supervision of the competent authorities concerned.
- (6) On the request of the competent authority of the Netherlands, small amendments to the demarcation of the restricted zone which relates to the Netherlands are necessary.
- (7) To prevent the further spread of the disease, this Decision should apply as a matter of urgency.
- (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

Decision 2005/393/EC is amended as follows:

1. Article 2 is replaced by the following:

*'Article 2
Demarcation of restricted zones*

Restricted zones shall be demarcated within the global geographical areas listed for zones A, B, C, D, E and F in Annex I.

Exemptions from the exit ban for those restricted zones shall only take place in accordance with Articles 3, 4, 5 and 6.

In the case of restricted zone E, movements of live animals of ruminant species between Spain and Portugal shall be subject to authorisation by the competent authorities concerned on the base of a bilateral agreement.

In the case of restricted zone F, movements of live animals of species susceptible to bluetongue and their semen, ova and embryos within the zone shall be allowed. However, for Member States which have established a surveillance zone, movements into that zone can only take place after the approval of the competent authority of the place of destination.

Furthermore this Decision shall not apply to movements of semen, ova and embryos collected or produced before 1 May 2006.'

2. Article 2a is replaced by the following:

Article 2a
Derogation from the movement ban in the 20km zone

By way of derogation from Article 6 (1) (c) of Directive 2000/75/EC, the following animals shall be exempted from the ban on movement in the 20km zone:

- subject to the approval of the competent veterinary authority, animals for direct slaughter;
- animals, destined to a holding inside the 20 km zone;
- subject to the approval of and on the basis of animal health conditions to be laid down by the competent veterinary authorities of the places of origin and destination, which should at least include conditions on protection of animals from any attack by vectors, animals intended to a holding situated in the restricted zone.'

3. Annex I is amended in accordance with the Annex to this Decision.

Article 2

This Decision shall apply from the day following that of its publication in the *Official Journal of the European Union*.

Article 4

This Decision is addressed to the Member States.

Done at Brussels,

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

(1) In Annex I to Decision 2005/393/EC, the list of restricted zones in *Zone F (serotype 8)* which relates to France is replaced by the following:

‘France:

Protection zone:

- Department of Ardennes
- Department of Aisne : arrondissements of Laon, Saint-Quentin, Soissons, Vervins
- Department of Marne : arrondissements of Reims, Châlons-en-Champagne, Sainte-Menehould, Vitry-le-François
- Department of Meurthe-et-Moselle : arrondissement of Briey
- Department of Meuse
- Department of Moselle : arrondissements of Metz-ville, Metz-campagne, Thionville-est, Thionville-ouest
- Department of Nord : arrondissements of Avesnes-sur-Helpe, Cambrai, Douai, Valenciennes

Surveillance zone:

- Department of Aube
- Department of Aisne : arrondissement of Château-Thierry,
- Department of Marne : arrondissement of Epernay
- Department of Haute-Marne : arrondissements of Saint-Dizier, Chaumont
- Department of Meurthe-et-Moselle : arrondissements of Toul, Nancy, Lunéville
- Department of Moselle : arrondissements of Boulay-Moselle, Château-Salins, Forbach
- Department of Nord : arrondissements of Dunkerque, Lille
- Department of Oise : arrondissements of Clermont, Compiègne, Senlis
- Department of Pas-de-Calais : arrondissements of Arras, Béthune, Lens
- Department of Seine-et-Marne : arrondissements of Meaux, Provins
- Department of Somme : arrondissements of Amiens, Montdidier, Péronne
- Department of Vosges : arrondissement of Neufchâteau
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(2) In Annex I to Decision 2005/393/EC, the list of restricted zones in *Zone F (serotype 8)* which relates to Germany is replaced by the following:

‘Germany:

Hessen

im Landkreis Kassel die Gemeinden Breuna, Liebenau, Zierenberg, Wolfhagen, Naumburg, Bad Emstal, Schauenburg, Habichtswald, Calden, Ahnatal, Baunatal
Stadt Kassel

im Schwalm-Eder-Kreis die Gemeinden Fritzlar, Niedenstein, Gudensberg, Wabern, Borken (Hessen), Bad Zwesten, Jesberg, Gilserberg, Schwalmstadt, Neuental, Frielendorf, Homberg (Efze), Neukirchen, Schrecksbach, Willingshausen, Edermünde

Landkreis Waldeck-Frankenberg

Landkreis Marburg-Biedenkopf

Vogelsbergkreis

Lahn-Dill-Kreis

Landkreis Gießen

Landkreis Limburg-Weilburg

Wetteraukreis

Hochtaunuskreis

Stadt Frankfurt am Main

Stadt Offenbach

Landkreis Offenbach

im Main-Kinzig-Kreis die Gemeinden Hammersbach, Nidderau, Schöneck, Niederdorfelden, Maintal, Hanau, Bruchköbel, Neuberg, Erlensee, Ronneburg, Großkrotzenburg

Rheingau-Taunus-Kreis

Stadt Wiesbaden

Main-Taunus-Kreis

Landkreis Groß-Gerau

Stadt Darmstadt

im Landkreis Darmstadt-Dieburg die Gemeinden Erzhausen, Weiterstadt, Griesheim, Pfungstadt, Seeheim-Jugenheim, Alsbach-Hähnlein, Bickenbach

im Landkreis Bergstraße die Gemeinden Groß-Rohrheim, Biblis, Lampertheim, Bürstadt, Zwingenberg, Bensheim, Einhausen, Lorsch, Heppenheim

Niedersachsen

Stadt Osnabrück

Im Landkreis Grafschaft Bentheim die Gemeinden Bad Bentheim, Suddendorf, Ohne, Samern, Schüttorf, Quendorf, Isterberg, Nordhorn, Engden

Im Landkreis Emsland die Gemeinden Emsbüren, Salzbergen, Lünne, Spelle, Schapen

Im Landkreis Osnabrück die Gemeinden Glandorf, Bad Laer, Bad Rothenfelde, Dissen, Bad Iburg, Hilter, Melle, Bissendorf, Georgsmarienhütte, Hagen, Hasbergen

Nordrhein-Westfalen

Gesamtes Landesgebiet

Rheinland-Pfalz

Kreis Ahrweiler

Kreis Altenkirchen

Kreis Alzey-Worms

Im Kreis Bad Dürkheim die Verbandsgemeinden Lambrecht (Pfalz),
Hettenleidelheim, Freinsheim, Grünstadt Land

Stadt Bad Dürkheim

Kreis Bad Kreuznach

Kreis Bernkastel-Wittlich

Kreis Birkenfeld

Kreis Bitburg-Prüm

Kreis Cochem-Zell

Kreis Daun

Donnersbergkreis

Stadt Grünstadt

Kreis Kaiserslautern

Stadt Kaiserslautern

Stadt Koblenz

Kreis Kusel

Stadt Mainz

Kreis Mainz Bingen

Kreis Mayen-Koblenz

Kreis Neuwied

Im Kreis Südwestpfalz die Verbandsgemeinden Wallhalben, Waldfischbach-
Burgalben, Thaleischweiler-Fröschen, Zweibrücken-Land sowie die Ortsgemeinden
Donsieders, Clausen, Leimen aus der Verbandsgemeinde Rodalben, die verbandsfreie
Gemeinde Rodalben und die Exklave zu Wilgartswiesen in der Verbandsgemeinde
Rodalben

In der Stadt Pirmasens die Stadtteile Windsberg, Hengsberg, Fehrbach

Rhein-Hunsrück-Kreis

Rhein-Lahn-Kreis

Im Rhein-Pfalz Kreis die Verbandsgemeinde Heßheim, verbandsfreie Gemeinde
Bobenheim-Roxheim

Stadt Trier

Kreis Trier-Saarburg

Westerwaldkreis

Stadt Worms

Stadt Zweibrücken

Saarland

Gesamtes Landesgebiet'

- (3) In Annex I to Decision 2005/393/EC, the list of restricted zones in *Zone F (serotype 8)* which relates to the Netherlands is replaced by the following:

‘The Netherlands:

1. From the Belgian border following the Tractaatweg (N253) in northern direction change in Guido Gezellestraat following western direction change in Willem de Zwijgerlaan following in northern direction until the water.
2. Following the water in northeastern direction change in Veerweg N60 following in northern direction until A58 (E312).
3. A58 following in western direction until Deltaweg (A256).
4. Deltaweg (A256) following in northern direction until the water.
5. The water following in northeastern direction until Philipsdam (N257).
6. Philipsdam (N257) following the water in eastern direction until Hellegatsplein (A29/A59).
7. Hellegatsplein (A29/A59) following in northern direction change in Rijksweg (A29) following in northern direction until Ring Rotterdam (A15).
8. Ring Rotterdam (A15) following in eastern direction until A16/E19.
9. A16/E19 following in northern direction change in A20/E25 following in eastern direction change in A12/E30 following in northeastern direction until A2/E35.
10. A2/E35 following on northeastern direction until Ds Martin Luther Kingweg.
11. Ds Martin Luther Kingweg following in eastern direction until Pijperlaan.
12. Pijperlaan following in northeastern direction change in Joseph Haydnlaan following in northern direction change in Lessinglaan following in northeastern direction change in Spinozaweg following in northern direction change in Cartesiusweg following in northern direction change in St. Josephlaan following in northeastern direction change in Einsteindreef following in northeastern direction until Albert Schweitzerdreef (N 230).
13. Albert Schweitzerdreef (N230) following in south eastern direction until A27/E231.
14. A27/E231 following in northern direction until A28/E30.
15. A28/E30 following in eastern, northeastern direction until A1/E30.
16. A1/E30 following in eastern direction until the German border.
17. German border following in southern direction convert in the Belgian border following in north, northwestern direction until the Tractaatweg.’