



EUROPEAN
COMMISSION

Brussels, **XXX**
SANTE/PLAN/2022/2432
(POOL/G2/PLAN/2022/2432)
[...](2023) **XXX** draft

COMMISSION DELEGATED REGULATION (EU) .../...

of **XXX**

**amending Delegated Regulation (EU) 2020/687 supplementing Regulation (EU) 2016/429
of the European Parliament and the Council as regards rules for the prevention and
control of certain listed diseases**

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Commission Delegated Regulation (EU) 2020/687¹ lays down rules supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council ('Animal Health Law')² as regards the prevention and control of certain listed diseases, notably category A, B and C diseases. Among others, Delegated Regulation (EU) 2020/687 provides for establishment of restricted zones, for restrictions and conditions for movements of animals and products thereof within and from restricted zones as part of the measures to control the spread of category A diseases. Such measures should be proportionate to the risks involved. This Delegated Regulation therefore amends certain Articles of Delegated Regulation (EU) 2020/687 and certain Annexes thereto to align those measures with the risk involved in certain circumstances.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

The Commission held one meeting of the Expert Group on animal health (E00930) on 13 September 2023 and had further exchanges within the same Expert Group. The draft Delegated Regulation was also made available to the European Parliament and the Council neither of which submitted any comments.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

This Delegated Regulation is to be adopted within the framework of Regulation (EU) 2016/429, and in particular pursuant to Article 67 thereof.

¹ Commission Delegated Regulation (EU) 2020/687 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and the Council, as regards rules for the prevention and control of certain listed diseases (OJ L 174, 3.6.2020, p. 64).

² 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') (OJ L 84, 31.3.2016, p. 1).

COMMISSION DELEGATED REGULATION (EU) .../...

of XXX

amending Delegated Regulation (EU) 2020/687 supplementing Regulation (EU) 2016/429 of the European Parliament and the Council as regards rules for the prevention and control of certain listed diseases

(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 67 thereof,

Whereas:

- (1) Regulation (EU) 2016/429 lays down rules for the prevention and control of animal diseases which are transmissible to animals or to humans, including rules on disease awareness, preparedness and control. In particular, Regulation (EU) 2016/429 lays down disease-specific rules for the prevention and control of diseases listed in its Article 5.
- (2) Commission Delegated Regulation (EU) 2020/687² lays down rules supplementing Regulation (EU) 2016/429 as regards the prevention and control of certain listed diseases, notably category A, B and C diseases in accordance with Commission Implementing Regulation (EU) 2018/1882³. More particularly, Delegated Regulation (EU) 2020/687 provides for the establishment of a restricted zone in the event of an outbreak of a category A disease and for restrictions and conditions for movements of animals and products thereof within and from restricted zones, as part of the measures to control the spread of category A diseases.
- (3) The passage of time since the publication of Commission Delegated Regulation (EU) 2020/687 in the Official Journal of the European Union, has indicated that certain clarifications and corrections are required, to ensure that it is implemented in a coherent and harmonised way, in all Member States.
- (4)

¹ OJ L 84, 31.3.2016, p. 1.

² Commission Delegated Regulation (EU) 2020/687 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and the Council, as regards rules for the prevention and control of certain listed diseases (OJ L 174, 3.6.2020, p. 64).

³ Commission Implementing Regulation (EU) 2018/1882 of 3 December 2018 on the application of certain disease prevention and control rules to categories of listed diseases and establishing a list of species and groups of species posing a considerable risk for the spread of those listed diseases (OJ L 308, 4.12.2018, p. 21).

(5)

(6) When purification is required before molluscs can be processed from aquaculture establishments in the protection zone, such purification should be completed in a manner which does not create a risk of disease spread. In order to simplify and harmonise certain elements of this Regulation, Article 83, paragraph (1) should be amended by deleting the reference to “a bio-secure purification centre”, to ensure that molluscs from infected aquaculture establishments, should only be purified in a disease control aquatic food establishment.

(7) Article 90, point (a) of paragraph (2), provides that exchanges and discharges of water during transportation in the protection zone, must be carried out in areas, establishments or water exchange points approved by the competent authority. Such discharges and exchanges often require vehicles to stop. Such stopping is however, prohibited by point (a) of Article 90, paragraph 2. To ensure that the provisions of this Article are logistically feasible, the reference to stopping should be deleted from point (a) of Article 90, paragraph 2.

(8) Article 99, paragraph (1) prohibits movements of aquaculture animals from within the surveillance zone for slaughter, further keeping or release into the wild outside the surveillance zone. Paragraph (4) of that Article, however, allows the competent authority at the place of destination to authorise movements of aquaculture animals, provided that appropriate biosecurity measures are applied to prevent the spreading of the category A disease. While this derogation is appropriate for many types of movement, it is not appropriate for animals which are to be released into the wild, where such release may result in the infection of natural waters, from which eradication may be very difficult. The derogation set out in Article 99, paragraph (4) should therefore, be limited to movements other than for the purpose of release into the wild.

(9) Annex XII should be amended to ensure that three separate options exist concerning the types of samples that may be taken for clinical examination and sampling, rather than those options being linked with each other. In addition, the table in point 1(b), has data gaps certain inconsistencies concerning the samples to be collected from crustaceans and fish, under certain circumstances. The EURL for fish and crustacean diseases has been consulted and the table in point 1(b), has been appropriately populated.

(10) In Annex XV, in the interest of clarity, it is necessary to harmonise the terminology to ensure that the term ‘health visits’ is used throughout, rather than a combination of ‘health visits’ and ‘health inspections’.

(11) After publication in the Official Journal of the European Union, some mistakes were noticed in Part III of Delegated Regulation (EU) 2020/687. Those mistakes should be corrected.

(12)

(13) Delegated Regulation (EU) 2020/687 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Delegated Regulation (EU) 2020/687 is amended as follows:

1. in Article 7(2), point (c) is replaced by the following:

‘ (c) in case of movements of kept animals of listed species, the establishment of destination is not a slaughterhouse. ‘ ;

2. title of Article 15 is replaced by the following:

‘ Cleaning and disinfection and control of insects and rodents in the affected establishment’ ;

3. in Article 15, paragraphs 1 to 3 are replaced by the followings:

‘ 1. The competent authority shall order and supervise cleaning and disinfection and, when relevant, control of insects and rodents, in the affected establishment in order to avoid spreading of the category A disease and to eliminate as soon as possible the pathogen of the category A disease, as follows:

(a) a preliminary cleaning and disinfection, immediately after the completion of the measures provided for in Article 12, and when relevant in Article 14;

(b) a final cleaning and disinfection as provided for in Article 68 of Regulation (EU) 2016/429 and, when relevant, control of insects and rodents, after the completion of preliminary cleaning and disinfection.

2. The preliminary and final cleaning, disinfection and control, referred to in paragraph 1 shall be:

(a) performed in accordance with the general requirements as set out in point A of Annex IV and the relevant procedures set out in points B and C of that Annex using the appropriate biocidal products to ensure destruction of the relevant category A disease agent; and

(b) adequately documented.

3. When the competent authority grants one of the derogations provided for in Article 13(2) and (4), it shall order the preliminary and final cleaning, disinfection and the control referred to in paragraph 1 adapting the procedures referred to in point 2(a) to the specific situation without detriment to the control of spreading of the category A disease from the affected animals and affected establishments and locations to other unaffected animals or to humans. ‘ ;

4. title of Article 16 is replaced by the following:

‘Derogations and special rules for the cleaning and disinfection and control of vectors ’ ;

5. in Article 21, point (c) of paragraphs 1 and 2 are replaced by the followings:

‘ (c) if necessary, on the basis of the criteria set out in paragraph 1 of Article 64 of Regulation (EU) 2016/429, further restricted zones around or adjacent to the protection and surveillance zones, or independently of those zones, where the competent

authority shall apply the same measures as those provided for in Section 3 of this Chapter for the surveillance zone.’

‘ 2. The competent authority shall adapt the boundaries of the ~~initial~~ restricted zone, including the boundaries of the protection, surveillance and the further restricted zones, **in accordance with the provisions laid down in Article 64(2) of Regulation (EU) 2016/429.** ~~in the case of the overlapping of two or more restricted zones due to further outbreaks of the category A disease.~~ ‘ ;

6. Article 23 is replaced by the following:

‘ The competent authority may grant derogations from the provisions set out in this Chapter concerning the measures to be applied in restricted zones, to the extent necessary and after carrying out a risk assessment **that indicates that the risk of spread of the category A disease is negligible:**

(a) in the further restricted zones referred to in Article 21(1)(c);

(b) in the case that the competent authority decides to establish a restricted zone when an outbreak of a category A disease occurs in establishments and locations referred to in Article 21(3);

~~(c) in the case that the outbreak occurs in an establishment keeping up to 50 captive birds;~~ or

~~(d)~~ **(c)** in establishments and locations referred to in **points (a) to (f)** of Article 21(3) located in a restricted zone. ‘ ;

7. in Article 26(2), point (d) is replaced by the following:

‘ (d) **collection of samples of animals for laboratory examination in order to confirm or rule out the presence of the relevant category A disease, unless considered unnecessary based on scientific evidence that clinical examination is sufficient to rule out the presence of that disease.**’ ;

8. in Article 27(3), points (a) and (b) are replaced by the followings:

‘ (a) products of animal origin considered as safe commodities, in accordance with Annex VII, as regards the relevant **category A** disease;

(b) products of animal origin which have undergone the relevant treatment provided in ~~accordance with~~ **Annex VII for the relevant category A disease;** ‘ ;

9. in Article 28, paragraph 1 is replaced by the following:

‘1. By way of derogation from prohibitions provided for in Article 27 and under the general conditions laid down in paragraphs 2 to 7 of this Article, the competent authority may authorise movements of animals and products:

(a) in the cases covered by Articles 29 to 38 and under specific conditions provided for in those Articles; or

- (b) obtained in compartments approved in accordance with Delegated Regulation (EU) 2024/2623⁴ for the relevant category A disease and listed in Annex XI to Implementing Regulation (EU) 2021/620, **and**
- (c) **after assessing the risk deriving from that authorisation as negligible for spreading the category A disease. ‘ ;**

~~Prior to granting the authorisation, the competent authority shall assess the risks deriving from that authorisation. The assessment must indicate that the risk of spreading the category A disease is negligible.’;~~

~~2. in Article 30 a new paragraph (3) is introduced, as following:~~

~~‘3. In exceptional circumstances where as a result of movement prohibition animal welfare problems arise in an establishment where young turkeys are kept, the competent authority may, after carrying out a risk assessment, authorise movements of young turkeys from establishments located in the protection zone to establishments located in the restricted zone, or, if that is not possible, to establishments located outside the restricted zone within the territory of the same Member State, provided that:~~

- ~~(a) there is no other kept animal of listed species in the establishment of destination;~~
- ~~(b) the means of transport is sealed at the moment of loading by the competent authority or under its supervision;~~
- ~~(c) the establishment of destination is placed under official surveillance by the official veterinarians following the arrival of the animals;~~
- ~~(d) the animals remain on the establishment of destination at least for a period of 21 days, except if moved for immediate slaughter, and~~
- ~~(e) the establishment of destination belongs to the same supply chain and the young turkeys are to be moved to complete the production cycle.’~~

10. Article 35 is replaced by the following:

‘The competent authority may authorise movements of manure, including litter and used bedding, from establishments located in the protection zone for the purpose of their disposal in a designated landfill located within the same Member State only after it has been treated in accordance with the treatment set out in point (1)(a)(i) of part C of Annex IV or after processing in accordance with Article 13(c) of Regulation (EU) No 1069/2009.’ ;

11. in Article 39, point 1(b) is replaced by the following:

⁴ Commission Delegated Regulation (EU) 2024/2623 of 30 July 2024 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for approval and recognition of disease-free status of compartments keeping terrestrial animals (OJ L, 2024/2623, 4.10.2024, ELI: http://data.europa.eu/eli/reg_del/2024/2623/oj)

‘ (b) in all establishments keeping animals of listed species in the protection zone, animals of listed species have undergone, with favourable results, clinical and, ~~when necessary,~~ laboratory examinations **as necessary,** in accordance with Article 26.’ ;

12. in Article 43, paragraph 1 is replaced by the following:

‘1. By way of derogation from prohibitions provided for in Article 42 and under the general conditions laid down in paragraphs 2 to 7 of this Article, the competent authority may authorise movements of animals and products:

- (a) in the cases covered by Articles 44 to 54 and under specific conditions provided for in those Articles; or
- (b) obtained in compartments approved in accordance with Delegated Regulation (EU) 2024/2623 for the relevant category A disease and listed in Annex XI to Implementing Regulation (EU) 2021/620, **and**
- (c) **after assessing the risk deriving from that authorisation as negligible for spreading the category A disease.** ‘ ;

~~Prior to granting the authorisation, the competent authority shall assess the risks deriving from that authorisation. The assessment must indicate that the risk of spreading the category A disease is negligible.’;~~

13. in Article 46 (1), point (b) is replaced by the following:

‘(b) to any establishment, if they were hatched from eggs originating outside the restricted zone and if the hatchery of dispatch can ensure that no contact has occurred between those eggs and any other hatching eggs or day-old chicks obtained from animals kept within the restricted zone.’;

~~6. in Article 46 a new paragraph (3) is introduced, as following:~~

~~‘3. In exceptional circumstances where as a result of movement prohibition animal welfare problems arise in an establishment where young turkeys are kept, the competent authority may, after carrying out a risk assessment, authorise movements of young turkeys from establishments located in the surveillance zone to establishments located in the restricted zone, or, if that is not possible, to establishments located outside the restricted zone within the territory of the same Member State, provided that:~~

- ~~(a) there is no other kept animal of listed species in the establishment of destination;~~
- ~~(b) the means of transport is sealed at the moment of loading by the competent authority or under its supervision;~~
- ~~(c) the establishment of destination is placed under official surveillance by the official veterinarians following the arrival of the animals;~~
- ~~(d) the animals remain on the establishment of destination at least for a period of 21 days, except if moved for immediate slaughter, and~~

~~(e) — the establishment of destination belongs to the same supply chain and the young turkeys are to be moved to complete the production cycle.’~~

14. the title of Article 51 is replaced by the following:

‘Specific conditions for authorising movements of manure, including litter and used bedding, from establishments in the surveillance zone to a landfill’

15. in Article 52, point (c) is replaced by the following:

‘ (c) are intended for use within the **surveillance restricted** zone; or ‘ ;

16. in Article 55, paragraph 1 is replaced and **new paragraphs 3 and 4 are added** as by the followings:

‘1. The competent authority may lift the disease control measures applied in the surveillance zone pursuant to Sections 1 and 3 only if:

- (a) the minimum period set out in Annex XI has elapsed after the date of completion of preliminary cleaning and disinfection and, where relevant, control of insects and rodents, performed in accordance with Article 15 in the affected establishment,
- (b) the requirements provided for in Article 39(1), point (b), have been met in the protection zone,
- (c) a representative number of establishments keeping animals of listed species have undergone, with favourable results, visits carried out by official veterinarians, in accordance with Article 41, and
- (d) the final cleaning and disinfection and, when relevant, control of insects and rodents has been carried out in the affected establishment in accordance with at least the procedures set out in part A and in points 1 and 3 of part C of Annex IV, using the appropriate biocidal products to ensure destruction of the relevant category A disease agent. ‘ ;

3. After the lifting of the measures referred to in paragraph 1, and in cases when the competent authority has established a further restricted zone in accordance with Article 21(1) point (c), the measures implemented in this further restricted zone shall also apply in the surveillance zone until the lifting of the measures applied in the further restricted zone.

4. In the exceptional circumstances where the final cleaning and disinfection as referred to in point (1)(d) can be completed only with significant delays compared to the minimum period set out in Annex XI, the competent authority may, after carrying out a risk assessment, lift the disease control measures applied in the surveillance zone, provided that:

- (a) the conditions set out in points (a), (b) and (c) of paragraph (1) are fulfilled,**
- (b) appropriate biosecurity measures are applied in the affected establishment to prevent the risk of spread of the category A disease agent,**

(c) the risk assessment carried out by the competent authority indicates that the risk of spreading the category A disease is negligible.’ ;

17. the title of Chapter III of Part II is replaced by the following:

‘Repopulation with terrestrial animals of the affected establishment and lifting of disease control measures in the affected establishment ’;

18. in Article 59 (5) the introductory paragraph is replaced by the following:

‘5. Official veterinarians shall carry out at least a visit to the affected establishment on the last day of the monitoring period set out in Annex II for the relevant disease, calculated forwards from the date on which the animals were placed in the establishment, and in any case before 30 days have elapsed since that day when the monitoring period is longer than that, performing at least:’;

19. in Article 61, paragraph 2 is replaced, and a new paragraph 3 is added as by the followings:

‘2. The competent authority shall lift all the disease control measures applied in the affected establishment in accordance with this Regulation when:

- (a) the repopulation is considered finalised as provided for in paragraph 1, or
- (b) the requirements set out in Article 57 paragraphs 1 and 2 are fulfilled:

(i) in case of cessation of activities related to the keeping of animals by the operator or establishment concerned, **or**

(ii) in case a derogation in accordance with Article 13 has been granted in the affected establishment, and the animals of listed species have been subject with favourable result to the examinations laid down in points (b) and (c) of Article 59(5) carried out at the end of the monitoring period as mentioned in Article 57 paragraph 2.

3. When repopulation with kept animals of listed species is requested within three months period following lifting the disease control measures in the affected establishment in accordance with point 2(b)(i), requirements laid down in Article 59 apply.’;

20. in Article 75, point (b) is replaced by the following:

‘(b) the movement of aquatic animals in the vicinity of the suspected establishment;’;

21. in Article 78(1), point (f) is replaced by the following:

‘(f) all potentially contaminated materials or substances shall be isolated until:

- (i) cleaning and disinfection measures have been completed in accordance with the provisions in Article 80, in the case of materials and substances which are fit for cleaning and disinfection; and

- (ii) they are removed from the establishment and disposed of under the supervision of official veterinarians, in the case of feeding stuff and other materials unfit for cleaning and disinfection.’;

22. in Article 78, paragraph (5) is deleted;

23. Article 83 is replaced by the following:

‘1. When granting a derogation pursuant to Article 78(3), the competent authority may allow the placing on the market of products of animal origin from aquatic animals only if the following conditions are fulfilled:

- (a) fish must be slaughtered and eviscerated before dispatch;
- (b) molluscs and crustaceans must be fully traceable and processed to non-viable products unable to survive if returned to the water, before dispatch.

When purification is required before processing and placing on the market, it shall be conducted at a disease control aquatic food establishment.

2. The products of animal origin referred to in paragraph 1 shall be intended for:

- (a) direct supply to the final consumer; or
- (b) for further processing in a disease control aquatic food establishment.’;

24. in Article 90(2), point (a) is replaced by the following:

‘(a) all movements must be carried out exclusively via designated routes, agreed with the competent authority, without unloading;’;

25. in Article 99, paragraph (1) is replaced by the following:

‘1. The competent authority shall prohibit any movements of aquaculture animals from establishments within the surveillance zone for slaughter, further keeping or release into the wild outside the surveillance zone.’;

26. in Article 99, paragraph (4) is replaced by the following:

‘4. By way of derogation from paragraph 1, and in agreement with the competent authority at the place of destination, the competent authority may authorise movements of aquaculture animals, other than for release into the wild, provided that appropriate biosecurity measures to prevent the spread of the category A disease, are applied.’;

27. ANNEX I is replaced by Annex I to this Regulation;

28. in ANNEX II, in the second column, the following monitoring periods are amended as follows:

- (a) the period corresponding to “Infection with *Mycoplasma mycoides subsp. mycoides* SC (Contagious bovine pleuropneumonia) (CBPP)” is replaced by ‘90 days’,
- (b) the period corresponding to “Classical swine fever (CSF)” is replaced by ‘25 days’;

29. Annex IV, is amended as follows:

- (a) the title is replaced by the following:

‘PROCEDURES FOR CLEANING, DISINFECTION AND WHEN NECESSARY CONTROL OF INSECTS AND RODENTS

(as referred to in Articles 12, 15, 16, 39, 45, 55 and 57 of this Regulation) ‘;

- (b) point (i) of paragraph 2(a) of part C is replaced by the following:

- (i) undergo a steam treatment at a temperature of at least 70 °C for a minimum period of 60 minutes; ‘;

- (b) point (i) of paragraph 2(a) of part C is replaced by the following:

~~‘(e) the disinfectant must remain on the treated surface for at least 24 hours, except if the maximum required contact time as indicated by the manufacturer is shorter;’;~~

- (c) Part C is replaced by the following:

~~‘C. Final cleaning and disinfection~~

~~For final cleaning and disinfection for the purpose of Article 57:~~

~~1. Manure, including litter and used bedding, must be removed from the establishment;~~

~~2. Manure, including litter and used bedding, must be treated as follows:~~

- ~~(a) the solid phase of manure, including litter and used bedding, must either:~~

- ~~(i) undergo a steam treatment at a temperature of at least 70 °C for a minimum period of 60 minutes;~~

- ~~(ii) be destroyed by burning;~~

- ~~(iii) be buried deep enough to prevent access by animals; or~~

- ~~(iv) be stacked to heat, sprayed with disinfectant and left for at least 42 days, during which the stack must be either covered or re-stacked to ensure thermic treatment of all layers;~~

- ~~(b) the liquid phase of manure must be stored for at least 42 days, and in the case of highly pathogenic avian influenza 60 days, after the last addition of infective material.~~

~~3. 2. Buildings, surfaces and equipment must be thoroughly washed and cleaned by removing the remaining grease and dirt and sprayed with disinfectant.~~

~~4. 3. After 24 hours After 7 days the establishments must be cleaned and disinfected again.²~~

30. ANNEX V is replaced by Annex II to this Regulation;

31. ANNEX VI is replaced by Annex III to this Regulation;

32. ANNEX VII is replaced by Annex IV to this Regulation;

33. in ANNEX VIII, the treatment in the last row of the table is replaced by the following:

‘Storage in package or bales under shelter at premises situated not closer than 2 km to the nearest outbreak and releasing from the premises do not take place before at least four months have elapsed following the completion of cleaning and disinfection according to Article 15’;

34. ANNEX IX is replaced by Annex V to this Regulation;

35. ANNEX X is replaced by Annex VI to this Regulation;

36. ANNEX XI is replaced by Annex VII to this Regulation;

37. in ANNEX XII, points (a) and (b) of paragraph (1) are replaced by the following:

‘(a) the clinical examination and the sampling for laboratory examinations must include, as relevant:

- (i) aquaculture animals of listed species showing clinical signs of the relevant category A disease;
- (ii) aquaculture animals likely to have recently died from the suspected or confirmed category A disease; or
- (iii) aquaculture animals suspected of being infected due to an epidemiological link to a suspected or confirmed case of a category A disease, or based on other circumstances;

(b) the minimum number of samples to be collected is:

Type of animals	Scenario		
	Report of increased mortality	Post-mortem or clinical signs observed	Suspicion based on epidemiological link or other circumstances
Molluscs (the whole animal)	30	—	150
Crustaceans	30	10	150
Fish	30	10	150

38. in ANNEX XV, Table 2 is replaced by the table set out in Annex VIII to this Regulation.

Article 2

Delegated Regulation (EU) 2020/687 is corrected as follows:

1. the title of Section 2, Chapter I of Part III is replaced by the following:
‘Disease control measures in the event of official confirmation of a category A disease in aquaculture animals’;
2. in Article 85(2), the introductory sentence is replaced by the following:
‘2. The extent of the zones shall be set on a case-by-case basis, taking into account factors influencing the risk of spreading the disease. To that end, the competent authority shall consider the following data and criteria.’ ;
3. in Article 85(4), point (b) is replaced by the following:
‘(b) establish a restricted zone consisting of a protection zone without any adjacent surveillance zone; or’;
4. in Article 90, paragraph (1) is replaced by the following:
‘1. By way of derogation from the prohibitions provided for in Article 89(1), the competent authority may authorise the movement and transport of aquatic animals and products in the cases covered by Articles 91 to 93 under the specific conditions provided for in those Articles and the general conditions laid down in paragraph 2 of this Article.’;
5. in Article 99, paragraph (2) is replaced by the following:
‘(2) The competent authority shall ensure that any transport of aquaculture animals of listed species within or into the surveillance zone shall be conducted under conditions as set out in Article 90, paragraph 2 (a) to (e) and in Article 91.’;
6. the title of the Article 103 is replaced by the following:
‘Measures in the event of official confirmation of a category A disease in wild aquatic animals of listed species’;
7. in Article 104 (1), point (e) is replaced by the following:
‘(e) prohibit bringing into establishments keeping aquaculture animals of listed species, within the infected zone, any parts of aquatic animals of listed species whether fished, caught, collected or found dead in the infected zone, as well as any product, material or substance, which is likely to be contaminated with a category A disease.’

Article 3

This Regulation shall enter into force on the twentieth 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,

For the Commission
The President
Ursula VON DER LEYEN