

Current situation on the spread of highly pathogenic avian influenza

(05/01) According to the Ministry of Agriculture, bird flu was officially diagnosed in the **Czech Republic** at the end of January in a poultry farm near Choceň in eastern Bohemia. 70,000 hens and roosters have to be culled. The Regional Veterinary Administration in Pardubice informed the press about this.

In Germany, the responsible authorities are preparing the **use of vaccines** against highly pathogenic avian influenza (HPAI) in a working group of the Federal Government and the German states. The Friedrich Loeffler Institute (FLI) currently provides information about this on its website. As early as June 2023, the Standing Veterinary Vaccination Commission (StIKo Ve) had explained the possibilities of vaccination against HPAI viruses in a detailed statement and pointed out that the European Commission had made a paradigm shift in the control of avian influenza with the Implementing Regulation 2023/361/EU. It is now possible for competent authorities to authorise the vaccination of poultry against HPAI viruses, accompanied by strict surveillance measures. The reason for this paradigm shift lies in the fact that the viruses are now permanently circulating in migratory birds and increasingly also in native bird species. Additionally, despite consistent, Europe-wide control measures, an unacceptably large number of wild and domestic birds have died and poultry flocks have had to be killed and rendered harmless. In its statement, the StIKo Vet had unreservedly welcomed the legal possibility of providing flocks with additional protection against HPAI viruses through effective vaccination prophylaxis.

It is true that there is still no suitable, legally authorised vaccine available against currently circulating HPAI viruses. Last year, however, two recombinant HVT-H5 vaccines were tested in chickens at the Wageningen Bioveterinary Research Institute. Since the HVT vaccines cannot be used in waterfowl, two more vaccines have been tested in ducks by the French competent authority ANSES. In these experiments, ducklings were parenterally vaccinated twice under field conditions at intervals of 28 and 18 days and subjected to a stress infection at seven and eleven weeks of age. Even if the vaccinated animals shed virus after exposure, virus excretion was significantly reduced compared to unvaccinated, infected control animals. This effect was significantly more pronounced at the age of seven weeks, i.e. three weeks after completion of immunisation, than after eleven weeks. In a second round of experiments, virus transmission from vaccinated, infected animals to vaccinated contact animals was investigated at seven weeks of age. Compared to unvaccinated control animals, the infected, vaccinated animals shed only a fraction of the amount of virus, regardless of the vaccine used. In this trial, too, no cloacal virus excretion was detected in either the vaccinated, directly inoculated or the vaccinated contact animals. In both the infection trial with chickens and the duck trial, the R0 value in vaccinated birds was well below one. According to the assessment of the European Food Safety Authority, this is a requirement that a future HPAIV vaccine must fulfil (EFSA Panel on Animal Health and Animal Welfare, 2023). Overall, these results are promising and give hope that corresponding vaccines will soon be approved. However, the data also show that sterile immunity should not be expected after HPAI vaccination.

In Germany, the responsible authorities are currently preparing for the use of the expected legally authorised vaccines in a working group of the Federal Government and the German states. In France, where the duck fattening sector in particular is under existential threat from HPAI, five HPAIV vaccines were approved last year by derogation under Article 110 (2) of the European Regulation on veterinary medicinal products 2019/06. A corresponding list can be found on the homepage of the French regulatory authority (see: [ANSES](#)). In October 2023, the French Ministry of Agriculture introduced mandatory HPAIV vaccination for ducks for fattening. The two vaccines, Volvac B.E.S.T. .AI+ND® and Duck H5-SRV vaccine®, which have now been authorised by special approval, can be used. A detailed explanation of the French vaccination strategy is available on the website of the French Ministry of Agriculture.

In immediate response, the U.S. has banned the import of all live poultry from France, as well as ducks, duck eggs, and duck products from the European Union, as well as Iceland, Norway, Switzerland, and Lichtenstein (see: [APHIS](#)). This step is justified by the increased risk of undetected virus circulation in vaccinated herds and thus with an increased risk of entry into the USA. Although the U.S. itself is currently facing a large number of HPAI outbreaks in poultry farms, this concern is fundamentally understandable. In its statement, the StIKo Vet therefore pointed out the particular importance of stringently implemented monitoring measures in vaccination facilities. How the high level of monitoring reliability required by the EU regulation can be guaranteed at a reasonable cost, whether, for example, a virus prevalence of five percent with a confidence level of 95 per cent can be detected by means of drinking trough sampling, and which animal groups or regions should be vaccinated, is part of the current discussion. A widespread use of HPAI vaccines, especially in the area of small and hobby farming, will hardly be feasible due to the monitoring effort currently required.

On 31 January 2024, the European Commission published Implementing Decision (EU) 2024/416 in the EU Official Journal L concerning emergency measures in relation to outbreaks of highly pathogenic avian influenza in certain Member States following the recent HPAI outbreaks in **Bulgaria** (in Plovdiv region), **Germany** (in Bayern, Brandenburg, Lower Saxony and Schleswig-Holstein states), **France** (in Vendée department), **Hungary** (in Jász-Nagykun-Szolnok and Somogy counties), **Poland** (in the Lublin Voivodeship) and in **Slovakia** (in Trnava Region).

In addition, **Sweden** has notified the Commission of an outbreak of HPAI in an establishment where poultry were kept, located in Sjöbo and Ystad municipalities.

The annex to the decision (EU) 2024/416 contains the updated territorial outlines of the protection and surveillance zones as well as the provisional duration of the protective measures.

Implementing Decision (EU) 2024/416, which has now been published, amends Implementing Decision (EU) 2023/2447 accordingly. Implementing Decision (EU) 2024/416 is available at the following link: http://data.europa.eu/eli/dec_impl/2024/416/oj

Exports of animals and animal products to the United Kingdom – current status (Annex)

(05/02) With the EPEGA Newsletter No. 3 of 18 January 2024, we last reported on the current state of affairs regarding the Border Target Operating Model (BTOM). At the beginning of this week, the EPEGA Secretariat was informed by the German Federal Ministry of Nutrition and Agriculture (BMEL) about the current developments and the outcome of the last meeting of the Expert Group on Export of the Federal Government and the Länder "Export to the United Kingdom (UK)" on 22 January 2024 as follows:

The Expert Group "Exports to the United Kingdom" agrees on the approach to exports to the UK:

As a result of the adoption of EU law by the United Kingdom on 31 December 2020, it can be assumed that the relevant law applicable there is comparable to the law here, knowing full well that legal developments have taken place on both sides. The Expert Group "Exports to the United Kingdom" is particularly aware that the United Kingdom has changed parts of its law in the meantime but does not communicate this in a sufficiently transparent manner. Due to the incomplete and in some cases short-term provision of information by the United Kingdom on the veterinary certificates to be used from 31 January 2024, it is not possible to make a well-founded legal comparison by this date. Against this background, the "Exports to the United Kingdom" Expert Group considers it to be a target-oriented transitional solution to initially certify consignments of goods on the basis of currently applicable EU law. Irrespective of this, the reconciliation of laws will be continued in the Expert Group "Export to the United Kingdom". If there are any differences, they will be forwarded to the German states without delay with appropriate interpretative instructions from the Expert Group "Export to the United Kingdom."

The Expert Group "Export to the United Kingdom" asks the certifying authorities to submit specific questions on the completion of the veterinary certificates to the Federal Office of Consumer Protection and

Food Safety (BVL) via official channels so that these can be considered as part of the legal comparison and the further work of the Expert Group "Export to the United Kingdom".

The responsible department at the BMEL suggests proceeding in accordance with the above-mentioned opinion when certifying in the UK so that uniform certification can be achieved from 31 January 2024. On this occasion, the BMEL would like to point out once again that, in its opinion, a pre-certificate should only be issued if this is necessary to certify third-country requirements that go beyond the EU rules. Until it has been sufficiently clarified whether the UK rules go beyond EU rules, it can be assumed that the respective legal bases are comparable and that the UK veterinary certificates only contain compliance with EU requirements.

The BMEL will inform the EU Commission and the other member states about the above-mentioned procedure.

As additional information, we have attached the list of certificates currently available in TRACES NT provided by the EU Commission for your information.

EU Commission reaffirms trade support for Ukraine

(05/03) The Commission has on 31 January proposed to renew the suspension of import duties and quotas on Ukrainian exports to the EU for another year, while reinforcing protection for sensitive EU agricultural products. According to the Commission, this is done in line with EU commitments to support Ukraine for as long as it takes. These Autonomous Trade Measures (ATMs) have been in place since June 2022 and are a key pillar of the EU's unwavering support for Ukraine and its economy.

While the main objective of the ATMs is to support Ukraine, the measures are also mindful of EU farmers' and other stakeholders' sensitivities. To this end, and considering a significant increase in imports of some agricultural products from Ukraine to the EU in 2022 and 2023, the renewed ATMs contain a **reinforced safeguard mechanism**. This makes sure that quick remedial action can be taken in case of significant disruptions to the EU market, or to the markets of one or more Member States.

For the most sensitive products – poultry, eggs and sugar – an emergency brake is foreseen which would stabilise imports at the average import volumes in 2022 and 2023. This means that if imports of these products were exceeding those volumes, tariffs would be reimposed to ensure that import volumes do not significantly exceed those of previous years.

In parallel, the EU Commission proposes to renew by another year the suspension of all remaining duties on Moldovan imports in force since July 2022.

The Commission's proposals will now be considered by the European Parliament and the Council of the European Union. The goal is to ensure a seamless transition from the current regime of ATMs to the new one, by the time the current regimes expires on 5 June 2024 for Ukraine and 24 July 2024 for Moldova.

EU continues negotiations on Mercosur agreement

(05/04) The EU Commission wants to continue negotiations on a trade agreement with the Mercosur states despite concerns from France. According to a Commission spokesperson earlier this week, the European Union continues to pursue its goal of reaching an agreement. French President Emmanuel Macron had announced that he would block the negotiations against the backdrop of the farmers' protests in his country. There are fears of negative consequences for farmers due to the threat of competition from South America. The Commission also believes that further consultations are necessary, as the conditions for concluding the negotiations with the Mercosur states are not currently in place. According to the EU Commission, a trade agreement must take into account the interests of the EU, especially in the field of agriculture.

The Mercosur agreement is intended to create one of the world's largest free trade areas with over 715 million inhabitants. The EU's contract with the South American Mercosur states Argentina, Brazil, Paraguay and Uruguay has already been negotiated since 2019, but it is still a matter of an additional declaration for stricter environmental requirements for farmers in these countries. Once this is in place, all 27 EU countries still have to ratify the treaty. Germany is committed to a swift conclusion. However, not all countries in South America are behind the trade agreement. Most recently, Argentine President Javier Milei in particular had threatened to withdraw his country.

Agricultural trade between the EU and Chile to be further liberalised

(05/05) Trade and foreign policy leaders in the European Parliament have voted in favour of further liberalisation of agricultural trade between the European Union and Chile. In their joint draft to the Parliament on 24 January, the two Committees thus approved the agreement reached between the two sides in December. Specifically, the Association Agreement between the EU and Chile, which has been in force since 2005, is to be expanded. The Plenary is expected to vote on the agreement at its February meeting in Strasbourg. After that, the Council will have to give its final approval. Separate approval at Member State level is not necessary.

An important pillar is the elimination of agricultural tariffs. Specifically, 96% of the agricultural tariffs that Chileans have not yet liberalised are to be abolished. On the EU side, 66% of the previous agricultural tariffs will be eliminated. Agricultural products classified as sensitive are excluded. These include meat, certain types of fruit and vegetables, and olive oil. The EU Commission expects this to increase EU exports to Chile by up to €4.5 billion. The European side has been successful in recognising geographical indications. According to the agreement, 216 protected EU names will be recognised in Chile in the future. This means that these products can only be sold in Chile under these names if they come from the corresponding region. In addition, the agreement includes a chapter on trade and sustainable development. This includes binding commitments in the areas of social affairs, labour and the environment. The standards of the International Labour Organization (ILO) and the Paris Agreement on climate change form the basis for this. In addition, both sides undertake to regularly adapt the provisions in the sustainability chapter in accordance with the latest standards.

Donau Soja Association sees good cultivation prospects in Europe

(05/06) The Donau Soja association expects a further significant expansion of soybean cultivation in Europe in 2024 and estimated the area in question at 5.6 million hectares, after 5.1 million hectares in the previous year. This would be the fourth area expansion in a row. In 2020, the European bean area only covered 4 million hectares. The experts in Vienna base their optimistic forecast on relatively high soy prices, increasing demand for plant-based proteins and political incentives in the European Union. Last year, farmers across Europe had already reaped a record harvest of 12.2 million tons of soy, an increase of 23.5% compared to 2022. The EU accounted for a good 3 million tonnes of this; that was 740,000 tons more than in the previous year. Donau Soja President Matthias Krön sees the upward trend as a great opportunity for the food industry to switch to certified regional soy from Europe. The advantages for producers and consumers are the freedom from genetic engineering and the guarantee that certified European soy is deforestation-free and therefore also meets the criteria of the EU regulation on deforestation-free products (EUDR).

According to the association, the supply of GMO-free soy in the EU follows a seasonal trend. By April, demand could be met with GM-free soy from the EU, Serbia and Ukraine. From May onwards, more new Brazilian goods will be used. However, overall less GM-free soy is produced in Brazil than in the EU. For

2024, the relevant volume in the South American country is estimated to be only 2 million tons to 2.5 million tons.

The International Grains Council (IGC) expects a Brazilian soybean harvest of 153.5 million tons for 2023/24; that would be 1.5 million tons less than in the previous year. For the EU, the London experts expect an increase of 300,000 tonnes to 2.7 million tonnes. Meanwhile, the soy prices on the world's leading stock exchange CBoT in Chicago have been in a downward chart trend since mid-November 2023.

Annex:

- Export UK – list of certificates available in TRACES NT

Imprint

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