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DECISION OF THE EEA JOINT COMMITTEE
No 1/2010

of 29 January 2010

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as ‘the Agreement’, and in particular Article 98 thereof,

Whereas:

- (1) Annex I to the Agreement was amended by Decision of the EEA Joint Committee No 56/2009 of 29 May 2009¹.
- (2) Commission Regulation (EC) No 394/2008 of 30 April 2008 amending Regulation (EC) No 1266/2007 as regards the conditions for exempting certain animals of susceptible species from the exit ban provided for in Council Directive 2000/75/EC² is to be incorporated into the Agreement.
- (3) Regulation (EC) No 454/2008 of the European Parliament and of the Council of 21 May 2008 amending Regulation (EC) No 998/2003 on the animal health requirements applicable to the non-commercial movements of pet animals, as regards the extension of the transitional period³ is to be incorporated into the Agreement.
- (4) Commission Regulation (EC) No 504/2008 of 6 June 2008 implementing Council Directives 90/426/EEC and 90/427/EEC as regards methods for the identification of equidae⁴ is to be incorporated into the Agreement.
- (5) Commission Regulation (EC) No 708/2008 of 24 July 2008 amending Regulation (EC) No 1266/2007 as regards the conditions for exempting certain animals of susceptible species from the exit ban provided for in Council Directive 2000/75/EC⁵ is to be incorporated into the Agreement.
- (6) Commission Regulation (EC) No 1108/2008 of 7 November 2008 amending Regulation (EC) No 1266/2007 as regards the minimum requirements for bluetongue monitoring and surveillance programmes and the conditions for exempting semen

¹ OJ L 232, 3.9.2009, p. 4.
² OJ L 117, 1.5.2008, p. 22.
³ OJ L 145, 4.6.2008, p. 238.
⁴ OJ L 149, 7.6.2008, p. 3.
⁵ OJ L 197, 25.7.2008, p. 18.

from the exit ban provided for in Council Directive 2000/75/EC⁶ is to be incorporated into the Agreement.

- (7) Commission Regulation (EC) No 1304/2008 of 19 December 2008 amending Regulation (EC) No 1266/2007 as regards the conditions for exempting certain animals of susceptible species from the exit ban provided for in Council Directive 2000/75/EC⁷ is to be incorporated into the Agreement.
- (8) Council Directive 2008/73/EC of 15 July 2008 simplifying procedures of listing and publishing information in the veterinary and zootechnical fields and amending Directives 64/432/EEC, 77/504/EEC, 88/407/EEC, 88/661/EEC, 89/361/EEC, 89/556/EEC, 90/426/EEC, 90/427/EEC, 90/428/EEC, 90/429/EEC, 90/539/EEC, 91/68/EEC, 91/496/EEC, 92/35/EEC, 92/65/EEC, 92/66/EEC, 92/119/EEC, 94/28/EC, 2000/75/EC, Decision 2000/258/EC and Directives 2001/89/EC, 2002/60/EC and 2005/94/EC⁸ is to be incorporated into the Agreement.
- (9) Commission Decision 2008/404/EC of 21 May 2008 amending Decision 2003/467/EC as regards the declaration that a certain administrative region of Italy is officially free of bovine tuberculosis and that certain administrative regions of Poland are officially free of enzootic bovine leukosis⁹ is to be incorporated into the Agreement.
- (10) Commission Decision 2008/476/EC of 6 June 2008 amending Decision 2008/185/EC to include the departments of Côtes-d'Armor, Finistère, Ille-et-Vilaine, Morbihan and Nord, France, in the list of regions free of Aujeszky's disease¹⁰ is to be incorporated into the Agreement.
- (11) Commission Decision 2008/576/EC of 4 July 2008 amending Annex III to Decision 2003/467/EC as regards the list of the officially enzootic-bovine-leukosis-free regions in Poland¹¹ is to be incorporated into the Agreement.
- (12) Commission Decision 2008/655/EC of 24 July 2008 approving the emergency vaccination plans against bluetongue of certain Member States and fixing the level of the Community's financial contribution for 2007 and 2008¹² is to be incorporated into the Agreement.
- (13) Commission Decision 2008/661/EC of 1 August 2008 amending Decision 2007/182/EC on a survey for chronic wasting disease in cervids¹³ is to be incorporated into the Agreement.
- (14) Commission Decision 2008/674/EC of 13 August 2008 amending Decision 2007/683/EC approving the plan for the eradication of classical swine fever in feral pigs in certain areas of Hungary¹⁴ is to be incorporated into the Agreement.

⁶ OJ L 299, 8.11.2008, p. 17.

⁷ OJ L 344, 20.12.2008, p. 28.

⁸ OJ L 219, 14.8.2008, p. 40.

⁹ OJ L 141, 31.5.2008, p. 16.

¹⁰ OJ L 163, 24.6.2008, p. 34.

¹¹ OJ L 183, 11.7.2008, p. 40.

¹² OJ L 214, 9.8.2008, p. 66.

¹³ OJ L 215, 12.8.2008, p. 8.

- (15) Commission Decision 2008/682/EC of 18 August 2008 amending Decision 2007/870/EC as regards the approval of the plan for the emergency vaccination against classical swine fever of pigs in holdings with a marker vaccine in Romania¹⁵ is to be incorporated into the Agreement.
- (16) Commission Decision 2008/686/EC of 20 August 2008 amending Decision 2005/59/EC as regards areas where the plans for the eradication of classical swine fever in feral pigs and the emergency vaccination of feral pigs against classical swine fever are to be implemented in Slovakia¹⁶ is to be incorporated into the Agreement.
- (17) Commission Decision 2008/755/EC of 24 September 2008 amending Decision 2005/176/EC laying down the codified form and the codes for the notification of animal diseases pursuant to Council Directive 82/894/EEC¹⁷ is to be incorporated into the Agreement.
- (18) Commission Decision 2008/816/EC of 20 October 2008 amending Decision 2003/467/EC as regards the declaration that certain administrative regions of Poland are officially free of enzootic bovine leucosis¹⁸ is to be incorporated into the Agreement.
- (19) Commission Decision 2008/838/EC of 3 November 2008 concerning preventive vaccination against low pathogenic avian influenza in mallard ducks in Portugal and certain measures restricting the movements of such poultry and their products¹⁹ is to be incorporated into the Agreement.
- (20) Commission Decision 2008/984/EC of 10 December 2008 amending Annex C to Council Directive 64/432/EEC and Decision 2004/226/EC as regards diagnostic tests for bovine brucellosis²⁰, as corrected by OJ L 10, 15.1.2009, p. 35, is to be incorporated into the Agreement.
- (21) Commission Decision 2008/988/EC of 17 December 2008 amending Decision 2008/185/EC as regards the inclusion of the Netherlands in the list of Member States free of Aujeszky's disease and of Hungary in the list of Member States where an approved national control programme for that disease is in place²¹ is to be incorporated into the Agreement.
- (22) Regulation (EC) No 504/2008 repeals Commission Decisions 93/623/EEC²² and 2000/68/EC²³ which are incorporated into the Agreement and are therefore to be repealed under the Agreement.

¹⁴ OJ L 220, 15.8.2008, p. 30.

¹⁵ OJ L 222, 20.8.2008, p. 9.

¹⁶ OJ L 224, 22.8.2008, p. 13.

¹⁷ OJ L 258, 26.9.2008, p. 72.

¹⁸ OJ L 283, 28.10.2008, p. 46.

¹⁹ OJ L 299, 8.11.2008, p. 40.

²⁰ OJ L 352, 31.12.2008, p. 38.

²¹ OJ L 352, 31.12.2008, p. 52.

²² OJ L 298, 3.12.1993, p. 45.

²³ OJ L 23, 28.1.2000, p. 72.

(23) This Decision concerns legislation regarding live animals other than fish and aquaculture animals. Legislation concerning these matters does not apply to Iceland, as specified in paragraph 2 of the Introductory Part of Chapter I of Annex I of the Agreement.

(24) This Decision is not to apply to Iceland and Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

Chapter I of Annex I to the Agreement shall be amended as specified in the Annex to this Decision.

Article 2

The texts of Regulations (EC) Nos 394/2008, 454/2008, 504/2008, 708/2008, 1108/2008 and 1304/2008, Directive 2008/73/EC and Decisions 2008/404/EC, 2008/476/EC, 2008/576/EC, 2008/655/EC, 2008/661/EC, 2008/674/EC, 2008/682/EC, 2008/686/EC, 2008/755/EC, 2008/816/EC, 2008/838/EC, 2008/984/EC, as corrected by OJ L 10, 15.1.2009, p. 35, and 2008/988/EC in the Norwegian language, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 30 January 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee*.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 29 January 2010.

*For the EEA Joint Committee
The President*

A. Seatter

*The Secretaries
to the EEA Joint Committee*

* No constitutional requirements indicated.

B. Ellertsdóttir

L-O. Hollner

ANNEX

to Decision of the EEA Joint Committee No 1/2010

Chapter I of Annex I to the Agreement shall be amended as follows:

1. The following indent shall be added in point 5 (Council Directive 91/496/EEC) in Part 1.1, points 1 (Council Directive 77/504/EEC) and 2 (Council Directive 88/661/EEC), in Part 2.1, points 3 (Council Directive 2001/89/EC), 4 (Council Directive 92/35/EEC), 6 (Council Directive 92/66/EEC), 9 (Council Directive 92/119/EEC), 9a (Council Directive 2000/75/EC) and 9b (Council Directive 2002/60/EC) in Part 3.1, points 1 (Council Directive 64/432/EEC), 2 (Council Directive 91/68/EEC), 3 (Council Directive 90/426/EEC), 4 (Council Directive 90/539/EEC), 6 (Council Directive 89/556/EEC), 7 (Council Directive 88/407/EEC), 8 (Council Directive 90/429/EEC) and 9 (Council Directive 92/65/EEC) in Part 4.1, point 54 (Council Decision 2000/258/EC) in Part 4.2 and points 2 (Council Directive 90/426/EEC), 3 (Council Directive 90/539/EEC), 5 (Council Directive 89/556/EEC), 6 (Council Directive 88/407/EEC), 7 (Council Directive 90/429/EEC) and 15 (Council Directive 92/65/EEC) in Part 8.1:
 - ‘- **32008 L 0073**: Council Directive 2008/73/EC of 15 July 2008 (OJ L 219, 14.8.2008, p. 40).’
2. The following shall be added in points 3 (Council Directive 89/361/EEC), 4 (Council Directive 90/427/EEC), 5 (Council Directive 90/428/EEC) in Part 2.1 and point 5a (Council Directive 2005/94/EC) in Part 3.1:
 - ‘, as amended by:
 - **32008 L 0073**: Council Directive 2008/73/EC of 15 July 2008 (OJ L 219, 14.8.2008, p. 40).’
3. The following indent shall be added in point 10 (Regulation (EC) No 998/2003 of the European Parliament and of the Council) in Part 1.1:
 - ‘- **32008 R 0454**: Regulation (EC) No 454/2008 of the European Parliament and of the Council of 21 May 2008 (OJ L 145, 4.6.2008, p. 238).’
4. The following shall be added in the adaptation text in point 10 (Regulation (EC) No 998/2003 of the European Parliament and of the Council) in Part 1.1:
 - ‘d) In Article 16, the word “Norway” shall be added between the words “Malta” and “Sweden”.’
5. The text of point 24 (Commission Decision 93/623/EEC) in Part 2.2 shall be deleted.
6. The following point shall be inserted after point 32 (Commission Decision 2006/427/EC) in Part 2.2:

‘33. **32008 R 0504**: Commission Regulation (EC) No 504/2008 of 6 June 2008 implementing Council Directives 90/426/EEC and 90/427/EEC as regards methods for the identification of equidae (OJ L 149, 7.6.2008, p. 3).

This act shall not apply to Iceland.’

7. The following indent shall be added in point 32 (Commission Decision 2005/176/EC) in Part 3.2:

‘- **32008 D 0755**: Commission Decision 2008/755/EC of 24 September 2008 (OJ L 258, 26.9.2008, p. 72).’

8. The following indents shall be added in point 40 (Commission Regulation (EC) No 1266/2007) in Part 3.2:

‘- **32008 R 0394**: Commission Regulation (EC) No 394/2008 of 30 April 2008 (OJ L 117, 1.5.2008, p. 22),

- **32008 R 0708**: Commission Regulation (EC) No 708/2008 of 24 July 2008 (OJ L 197, 25.7.2008, p. 18),

- **32008 R 1108**: Commission Regulation (EC) No 1108/2008 of 7 November 2008 (OJ L 299, 8.11.2008, p. 17),

- **32008 R 1304**: Commission Regulation (EC) No 1304/2008 of 19 December 2008 (OJ L 344, 20.12.2008, p. 28).’

9. Under the heading ‘*ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT*’ the following indent shall be added in point 29 (Commission Decision 2005/59/EC) in Part 3.2:

‘- **32008 D 0686**: Commission Decision 2008/686/EC of 20 August 2008 (OJ L 224, 22.8.2008, p. 13).’

10. Under the heading ‘*ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT*’ the following indent shall be added in point 42 (Commission Decision 2007/683/EC) in Part 3.2:

‘- **32008 D 0674**: Commission Decision 2008/674/EC of 13 August 2008 (OJ L 220, 15.8.2008, p. 30).’

11. Under the heading ‘*ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT*’ the following shall be added in point 43 (Commission Decision 2007/870/EC) in Part 3.2:

‘, as amended by:

- **32008 D 0682**: Commission Decision 2008/682/EC of 18 August 2008 (OJ L 222, 20.8.2008, p. 9).’

12. Under the heading ‘*ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT*’ the following

points shall be inserted after point 44 (Commission Decision 2008/77/EC) in Part 3.2:

- ‘45. **32008 D 0655**: Commission Decision 2008/655/EC of 24 July 2008 approving the emergency vaccination plans against bluetongue of certain Member States and fixing the level of the Community’s financial contribution for 2007 and 2008 (OJ L 214, 9.8.2008, p. 66).

This act shall not apply to Iceland.

46. **32008 D 0838**: Commission Decision 2008/838/EC of 3 November 2008 concerning preventive vaccination against low pathogenic avian influenza in mallard ducks in Portugal and certain measures restricting the movements of such poultry and their products (OJ L 299, 8.11.2008, p. 40).

This act shall not apply to Iceland.’

13. The following indent shall be added in point 1 (Council Directive 64/432/EEC) in Part 4.1:

‘- **32008 D 0984**: Commission Decision 2008/984/EC of 10 December 2008 (OJ L 352, 31.12.2008, p. 38), as corrected by OJ L 10, 15.1.2009, p. 35.’

14. The following indents shall be added in point 70 (Commission Decision 2003/467/EC) in Part 4.2:

‘- **32008 D 0404**: Commission Decision 2008/404/EC of 21 May 2008 (OJ L 141, 31.5.2008, p. 16),

- **32008 D 0576**: Commission Decision 2008/576/EC of 4 July 2008 (OJ L 183, 11.7.2008, p. 40),

- **32008 D 0816**: Commission Decision 2008/816/EC of 20 October 2008 (OJ L 283, 28.10.2008, p. 46).’

15. The following shall be added in point 75 (Commission Decision 2004/226/EC) in Part 4.2:

‘, as amended by:

- **32008 D 0984**: Commission Decision 2008/984/EC of 10 December 2008 (OJ L 352, 31.12.2008, p. 38), as corrected by OJ L 10, 15.1.2009, p. 35.’

16. The following shall be added in point 84 (Commission Decision 2008/185/EC) in Part 4.2:

‘, as amended by:

- **32008 D 0476**: Commission Decision 2008/476/EC of 6 June 2008 (OJ L 163, 24.6.2008, p. 34),

- **32008 D 0988**: Commission Decision 2008/988/EC of 17 December 2008 (OJ L 352, 31.12.2008, p. 52).'

17. The following point shall be inserted after point 84 (Commission Decision 2008/185/EC) in Part 4.2:

- ‘85. **32008 R 0504**: Commission Regulation (EC) No 504/2008 of 6 June 2008 implementing Council Directives 90/426/EEC and 90/427/EEC as regards methods for the identification of equidae (OJ L 149, 7.6.2008, p. 3).

This act shall not apply to Iceland.’

18. The following shall be added in point 46 (Commission Decision 2007/182/EC) in Part 7.2:

‘, as amended by:

- **32008 D 0661**: Commission Decision 2008/661/EC of 1 August 2008 (OJ L 215, 12.8.2008, p. 8).'