

DECISION OF THE EEA JOINT COMMITTEE No 272/2022

of 23 September 2022

amending Protocol 47 to the EEA Agreement, on the abolition of technical barriers to trade in wine
[2023/801]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area (“the EEA Agreement”), and in particular Article 98 thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) 2018/273 of 11 December 2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and penalties, amending Commission Regulations (EC) No 555/2008, (EC) No 606/2009 and (EC) No 607/2009 and repealing Commission Regulation (EC) No 436/2009 and Commission Delegated Regulation (EU) 2015/560 ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2018/274 of 11 December 2017 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, certification, the inward and outward register, compulsory declarations and notifications, and of Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks, and repealing Commission Implementing Regulation (EU) 2015/561 ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Delegated Regulation (EU) 2018/273 repeals Commission Regulation (EC) No 436/2009 ⁽³⁾, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (4) This Decision concerns legislation regarding wine. Legislation regarding wine shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the seventh paragraph of the introduction to Protocol 47 to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (5) Protocol 47 to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Appendix 1 to Protocol 47 to the EEA Agreement shall be amended as follows:

1. The following is inserted after point 8 (Regulation (EU) No 1308/2013 of the European Parliament and of the Council):
 - ‘8a. **32018 R 0273**: Commission Delegated Regulation (EU) 2018/273 of 11 December 2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and penalties, amending Commission Regulations (EC) No 555/2008, (EC) No 606/2009 and (EC) No 607/2009 and repealing Commission Regulation (EC) No 436/2009 and Commission Delegated Regulation (EU) 2015/560 (OJ L 58, 28.2.2018, p. 1).

⁽¹⁾ OJ L 58, 28.2.2018, p. 1.

⁽²⁾ OJ L 58, 28.2.2018, p. 60.

⁽³⁾ OJ L 128, 27.5.2009, p. 15.

The provisions of the Delegated Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

(a) Only the following provisions of the Regulation shall apply:

Article 1(c),

Article 2,

Articles 8 and 9,

Paragraphs (1), excluding points (a)(iii) and (b) thereof, (2), (3) and (5) of Article 10, cf. Annex V, Sections A, B and C,

Article 11, cf. Annex VI, Part I,

Article 14, excluding point (b) of paragraph (1),

Articles 16 to 19, and

Article 50(1)(b) and (2).

The provisions shall apply with the adaptations that can be derived from the provisions of the main text of the Agreement, the horizontal adaptations in the introduction to Protocol 47 to the Agreement and the specific adaptations in Appendix 1 to Protocol 47 to the Agreement.

(b) The second sentence of Article 17(2) and the second sentence of the third subparagraph of Article 18(1) shall be replaced by the following:

“Such information shall be forwarded in accordance with Appendix 2 to Protocol 47 to the Agreement.”.

8b. **32018 R 0274:** Commission Implementing Regulation (EU) 2018/274 of 11 December 2017 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, certification, the inward and outward register, compulsory declarations and notifications, and of Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks, and repealing Commission Implementing Regulation (EU) 2015/561 (OJ L 58, 28.2.2018, p. 60).

The provisions of the Implementing Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

Only the following provisions of the Implementing Regulation shall apply:

Articles 12 and 35(1).

The provisions shall apply with the adaptations that can be derived from the provisions of the main text of the Agreement, the horizontal adaptations in the introduction to Protocol 47 to the Agreement and the specific adaptations in Appendix 1 to Protocol 47 to the Agreement.’

2. The following indent is added in points 10 (Commission Regulation (EC) No 606/2009) and 11 (Commission Regulation (EC) No 607/2009):

‘— **32018 R 0273:** Commission Delegated Regulation (EU) 2018/273 of 11 December 2017 (OJ L 58, 28.2.2018, p. 1).’

3. The text of point 9 (Commission Regulation (EC) No 436/2009) is deleted.

Article 2

The texts of Delegated Regulation (EU) 2018/273 and Implementing Regulation (EU) 2018/274 in the Icelandic and Norwegian languages, 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 24 September 2022, provided that all the notifications under Article 103(1) of the EEA Agreement have been made *.

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, 23 September 2022.

For the EEA Joint Committee

The President

Kristján Andri STEFÁNSSON

(*) No constitutional requirements indicated.