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**DECISION OF THE EEA JOINT COMMITTEE**  
**No 139/2004**

**of 29 October 2004**

**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 96/2004 of 9 July 2004 <sup>1</sup>.
- (2) Commission Regulation (EC) No 277/2004 of 17 February 2004 concerning the authorisation without a time limit of an additive in feedingstuffs<sup>2</sup> is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 278/2004 of 17 February 2004 concerning the provisional authorisation of a new use of an additive already authorised in feedingstuffs<sup>3</sup> is to be incorporated into the Agreement.
- (4) Commission Decision 2004/217/EC of 1 March 2004 adopting a list of materials whose circulation or use for animal nutrition purposes is prohibited<sup>4</sup> is to be incorporated into the Agreement.
- (5) Commission Regulation (EC) No 490/2004 of 16 March 2004 concerning the provisional authorization of a new use of an additive already authorized in feedingstuffs (*Saccharomyces cerevisiae*)<sup>5</sup> is to be incorporated into the Agreement.
- (6) Decision 2004/217/EC repeals Commission Decision 91/516/EEC<sup>6</sup>, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement,

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<sup>1</sup> OJ L 376, 23.12.2004, p. 17.

<sup>2</sup> OJ L 47, 18.2.2004, p. 20.

<sup>3</sup> OJ L 47, 18.2.2004, p. 22.

<sup>4</sup> OJ L 67, 5.3.2004, p. 31.

<sup>5</sup> OJ L 79, 17.3.2004, p. 23.

<sup>6</sup> OJ L 281, 9.10.1991, p. 23.

HAS DECIDED AS FOLLOWS:

*Article 1*

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

1. The following point shall be inserted after point 14a (Council Directive 96/25/EC):  

‘14b. **32004 D 0217**: Commission Decision 2004/217/EC of 1 March 2004 adopting a list of materials whose circulation or use for animal nutrition purposes is prohibited (OJ L 67, 5.3.2004, p. 31).’
2. The following points shall be inserted after point 1zj (Commission Regulation (EC) No 2154/2003):  

‘1zk. **32004 R 0277**: Commission Regulation (EC) No 277/2004 of 17 February 2004 concerning the authorisation without a time limit of an additive in feedingstuffs (OJ L 47, 18.2.2004, p. 20).

1zl. **32004 R 0278**: Commission Regulation (EC) No 278/2004 of 17 February 2004 concerning the provisional authorisation of a new use of an additive already authorised in feedingstuffs (OJ L 47, 18.2.2004, p. 22).

1zm. **32004 R 0490**: Commission Regulation (EC) No 490/2004 of 16 March 2004 concerning the provisional authorization of a new use of an additive already authorized in feedingstuffs (*Saccharomyces cerevisiae*) (OJ L 79, 17.3.2004, p. 23).’
3. The text of point 6 (Commission Decision 91/516/EEC) shall be deleted.

*Article 2*

The texts of Regulations (EC) Nos 277/2004, 278/2004, 490/2004 and Decision 2004/217/EC 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 30 October 2004, 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*.

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\* No constitutional requirements indicated.

Done at Brussels, 29 October 2004.

*For the EEA Joint Committee  
The President*

*Kjartan Johannsson*

*The Secretaries  
to the EEA Joint Committee*

*Ø. Hovdinn    M. Brinkmann*