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DECISION OF THE EEA JOINT COMMITTEE
No 121/2009

of 4 December 2009

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 105/2009 of 22 October 2009 ¹.
- (2) Commission Regulation (EC) No 202/2009 of 16 March 2009 amending Regulation (EC) No 600/2005 as regards the use of the preparation of *Bacillus licheniformis* DSM 5749 and *Bacillus subtilis* DSM 5750 in compound feed containing lasalocid sodium² is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 203/2009 of 16 March 2009 amending Regulation (EC) No 1137/2007 as regards the use of the feed additive *Bacillus subtilis* (O35) in feed containing decoquinat and narasin/nicarbazin³ is to be incorporated into the Agreement.
- (4) Commission Regulation (EC) No 214/2009 of 18 March 2009 amending Regulation (EC) No 1800/2004 as regards the terms of the authorisation of the feed additive Cycostat 66G⁴ is to be incorporated into the Agreement.
- (5) Commission Regulation (EC) No 232/2009 of 19 March 2009 concerning the authorisation of a new use of *saccharomyces cerevisiae* NCYC Sc47 as a feed additive for dairy buffaloes (holder of the authorisation Société Industrielle Lesaffre)⁵ is to be incorporated into the Agreement.
- (6) Commission Regulation (EC) No 270/2009 of 2 April 2009 concerning the authorisation of 6-phytase as a feed additive for chickens for fattening (holder of the

¹ OJ L 334, 17.12.2009, p. 1.

² OJ L 71, 17.3.2009, p. 8.

³ OJ L 71, 17.3.2009, p. 11.

⁴ OJ L 73, 19.3.2009, p. 12.

⁵ OJ L 74, 20.3.2009, p. 14.

authorisation DSM Nutritional Products Ltd represented by DSM Nutritional products Sp. Z o.o.)⁶ is to be incorporated into the Agreement.

- (7) Commission Regulation (EC) No 271/2009 of 2 April 2009 concerning the authorisation of a preparation of endo-1,4-beta-xylanase and endo-1,4-beta-glucanase as a feed additive for weaned piglets, chickens for fattening, laying hens, turkeys for fattening and ducks for fattening (holder of the authorisation BASF SE)⁷, as corrected by OJ L 94, 8.4.2009, p. 112, is to be incorporated into the Agreement.
- (8) Commission Regulation (EC) No 322/2009 of 20 April 2009 concerning the permanent authorisations of certain additives in feedingstuffs⁸ is to be incorporated into the Agreement.
- (9) Commission Regulation (EC) No 378/2009 of 8 May 2009 concerning the authorisation of a new use of the preparation of *Bacillus cereus* var. *toyoi* as a feed additive for rabbits breeding does (holder of the authorisation Rubinum S.A.)⁹ is to be incorporated into the Agreement.
- (10) Commission Regulation (EC) No 379/2009 of 8 May 2009 concerning the authorisation of a new use of 6-phytase EC 3.1.3.26 as a feed additive for chickens for fattening, turkeys for fattening, laying hens, ducks for fattening, piglets (weaned), pigs for fattening and sows (holder of the authorisation Danisco Animal Nutrition, legal entity Danisco (UK) Limited)¹⁰ is to be incorporated into the Agreement.
- (11) Commission Regulation (EC) No 386/2009 of 12 May 2009 amending Regulation (EC) No 1831/2003 of the European Parliament and of the Council as regards the establishment of a new functional group of feed additives¹¹ is to be incorporated into the Agreement.
- (12) Commission Regulation (EC) No 403/2009 of 14 May 2009 concerning the authorisation of a preparation of L-valine as a feed additive¹² is to be incorporated into the Agreement.
- (13) Commission Directive 2009/8/EC of 10 February 2009 amending Annex I to Directive 2002/32/EC of the European Parliament and of the Council as regards maximum levels of unavoidable carry-over of coccidiostats or histomonostats in non-target feed¹³ is to be incorporated into the Agreement.
- (14) This Decision is not to apply to Liechtenstein,

⁶ OJ L 91, 3.4.2009, p. 3.

⁷ OJ L 91, 3.4.2009, p. 5.

⁸ OJ L 101, 21.4.2009, p. 9.

⁹ OJ L 116, 9.5.2009, p. 3.

¹⁰ OJ L 116, 9.5.2009, p. 6.

¹¹ OJ L 118, 13.5.2009, p. 66.

¹² OJ L 120, 15.5.2009, p. 3.

¹³ OJ L 40, 11.2.2009, p. 19.

HAS DECIDED AS FOLLOWS:

Article 1

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

1. The following shall be added in point 1a (Regulation (EC) No 1831/2003 of the European Parliament and of the Council):

‘, as amended by:

- **32009 R 0386**: Commission Regulation (EC) No 386/2009 of 12 May 2009 (OJ L 118, 13.5.2009, p. 66).’
2. The following indent shall be added in point 1zzd (Commission Regulation (EC) No 1800/2004):

‘- **32009 R 0214**: Commission Regulation (EC) No 214/2009 of 18 March 2009 (OJ L 73, 19.3.2009, p. 12).’
3. The following indent shall be added in point 1zzj (Commission Regulation (EC) No 600/2005):

‘- **32009 R 0202**: Commission Regulation (EC) No 202/2009 of 16 March 2009 (OJ L 71, 17.3.2009, p. 8).’
4. The following shall be added in point 1zzzy (Commission Regulation (EC) No 1137/2007):

‘, as amended by:

- **32009 R 0203**: Commission Regulation (EC) No 203/2009 of 16 March 2009 (OJ L 71, 17.3.2009, p. 11).’
5. The following indent shall be added in point 33 (Directive 2002/32/EC of the European Parliament and of the Council):

‘- **32009 L 0008**: Commission Directive 2009/8/EC of 10 February 2009 (OJ L 40, 11.2.2009, p. 19).’
6. The following points shall be inserted after point 1zzzzt (Commission Regulation (EC) No 971/2008):

‘1zzzzu. **32009 R 0232**: Commission Regulation (EC) No 232/2009 of 19 March 2009 concerning the authorisation of a new use of *saccharomyces cerevisiae* NCYC Sc47 as a feed additive for dairy buffaloes (holder of the authorisation Société Industrielle Lesaffre) (OJ L 74, 20.3.2009, p. 14).

1zzzzv. **32009 R 0270**: Commission Regulation (EC) No 270/2009 of 2 April 2009 concerning the authorisation of 6-phytase as a feed additive for chickens for fattening (holder of the authorisation DSM Nutritional Products Ltd represented by DSM Nutritional products Sp. Z o.o.) (OJ L 91, 3.4.2009, p. 3).’

1zzzzw. **32009 R 0271**: Commission Regulation (EC) No 271/2009 of 2 April 2009 concerning the authorisation of a preparation of endo-1,4-beta-xylanase and endo-1,4-beta-glucanase as a feed additive for weaned piglets, chickens for fattening, laying hens, turkeys for fattening and ducks for fattening (holder of the authorisation BASF SE) (OJ L 91, 3.4.2009, p. 5), as corrected by OJ L 94, 8.4.2009, p. 112.

1zzzzx. **32009 R 0322**: Commission Regulation (EC) No 322/2009 of 20 April 2009 concerning the permanent authorisations of certain additives in feedingstuffs (OJ L 101, 21.4.2009, p. 9).

1zzzzy. **32009 R 0378**: Commission Regulation (EC) No 378/2009 of 8 May 2009 concerning the authorisation of a new use of the preparation of *Bacillus cereus* var. *toyoi* as a feed additive for rabbits breeding does (holder of the authorisation Rubinum S.A.) (OJ L 116, 9.5.2009, p. 3).

1zzzzz. **32009 R 0379**: Commission Regulation (EC) No 379/2009 of 8 May 2009 concerning the authorisation of a new use of 6-phytase EC 3.1.3.26 as a feed additive for chickens for fattening, turkeys for fattening, laying hens, ducks for fattening, piglets (weaned), pigs for fattening and sows (holder of the authorisation Danisco Animal Nutrition, legal entity Danisco (UK) Limited) (OJ L 116, 9.5.2009, p. 6).

1zzzza. **32009 R 0403**: Commission Regulation (EC) No 403/2009 of 14 May 2009 concerning the authorisation of a preparation of L-valine as a feed additive (OJ L 120, 15.5.2009, p. 3).'

Article 2

The texts of Regulations (EC) Nos 202/2009, 203/2009, 214/2009, 232/2009, 270/2009, 271/2009, 322/2009, 378/2009, 379/2009, 386/2009 and 403/2009 and Directive 2009/8/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 5 December 2009, 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*.

* No constitutional requirements indicated.

Done at Brussels, 4 December 2009.

*For the EEA Joint Committee
The President*

O. H. Sletnes

*The Secretaries
to the EEA Joint Committee*

B. Ellertsdóttir L-O. Hollner