

DECISION OF THE EEA JOINT COMMITTEE

No 83/2012

of 30 April 2012

amending Annex II (Technical regulations, standards, testing and certification) 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 II to the Agreement was amended by Decision of the EEA Joint Committee No 47/2012 of 30 March 2012 ⁽¹⁾.
- (2) Regulation (EC) No 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and of the Council ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Regulation (EU) No 37/2010 of 22 December 2009 on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin ⁽³⁾, as corrected by OJ L 293, 11.11.2010, p. 72, is to be incorporated into the Agreement,

HAS ADOPTED THIS DECISION:

Article 1

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

- (1) The following text shall be inserted in point 12 (deleted):

'32009 R 0470: Regulation (EC) No 470/2009 of the European Parliament and of the Council of 6 May 2009

⁽¹⁾ OJ L 207, 2.8.2012, p. 27.

⁽²⁾ OJ L 152, 16.6.2009, p. 11.

⁽³⁾ OJ L 15, 20.1.2010, p. 1.

laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and of the Council (OJ L 152, 16.6.2009, p. 11).

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

- (a) references to other acts in the Regulation shall be considered relevant to the extent and in the form that those acts are incorporated into the Agreement;
 - (b) an EFTA State may request the Agency to issue an opinion according to Article 9(1), first paragraph of Article 11, Article 15(1) and Article 27(2). Such a request shall, in the first place, be addressed to the Commission which shall, where it considers that the request is of common interest, forward it to the Agency for further processing.;
- (2) the following text shall be inserted in point 13 (deleted):

'32010 R 0037: Commission Regulation (EU) No 37/2010 of 22 December 2009 on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin (OJ L 15, 20.1.2010, p. 1), as corrected by OJ L 293, 11.11.2010, p. 72.;

- (3) the following indent shall be added in points 15p (Directive 2001/82/EC of the European Parliament and of the Council) and 15zb (Regulation (EC) No 726/2004 of the European Parliament and of the Council):

' 32009 R 0470: Regulation (EC) No 470/2009 of the European Parliament and of the Council of 6 May 2009 (OJ L 152, 16.6.2009, p. 11).;

Article 2

The texts of Regulations (EC) No 470/2009 and (EU) No 37/2010, as corrected by OJ L 293, 11.11.2010, p. 72, 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 1 May 2012, 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, 30 April 2012.

For the EEA Joint Committee

The Acting President

Gianluca GRIPPA

(*) No constitutional requirements indicated.