

## DECISION OF THE EEA JOINT COMMITTEE

No 90/2012

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 50/2011 of 20 May 2011 <sup>(1)</sup>.
- (2) Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15 January 2008 on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89 <sup>(2)</sup> is to be incorporated into the Agreement.
- (3) Commission Recommendation 2010/133/EU of 2 March 2010 on the prevention and reduction of ethyl carbamate contamination in stone fruit spirits and stone fruit marc spirits and on the monitoring of ethyl carbamate levels in these beverages <sup>(3)</sup> is to be incorporated into the Agreement.
- (4) Regulation (EC) No 110/2008 repeals Council Regulation (EEC) No 1576/89 <sup>(4)</sup> which is incorporated into the Agreement and is therefore to be repealed under the Agreement.
- (5) Commission Regulation (EEC) No 1014/90 <sup>(5)</sup>, which is incorporated into the Agreement, has become obsolete <sup>(6)</sup> and is therefore to be deleted from the Agreement.
- (6) Due to the special features of the system of registration of geographical indications for spirit drinks and the fact that a very low number of registrations are expected

from the EFTA States, it seems reasonable to disapply paragraph 4d) of Protocol 1 for these matters. This shall be without prejudice to other Joint Committee Decisions.

- (7) This Decision concerns legislation regarding spirit drinks. Legislation regarding spirit drinks 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 stated in the introduction to Chapter XXVII of Annex II to the Agreement. This Decision is therefore not to apply to Liechtenstein,

HAS ADOPTED THIS DECISION:

*Article 1*

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

- (1) the text of points 1 (Council Regulation (EEC) No 1576/89) and 2 (Commission Regulation (EEC) No 1014/90) shall be deleted;
- (2) the following shall be inserted after point 8 (Commission Regulation (EC) No 2870/2000):
  - '9. **32008 R 0110:** Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15 January 2008 on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89 (OJ L 39, 13.2.2008, p. 16), as amended by:
    - **32008 R 1334:** Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 (OJ L 354, 31.12.2008, p. 34).

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

- (a) the provisions of the Regulation shall not prejudice the right of the EFTA States to prohibit, on a non-discriminatory basis, the placing on their national market of spirit drinks for direct human consumption which exceed an alcoholic strength of 60 %;

<sup>(1)</sup> OJ L 196, 28.7.2011, p. 29.

<sup>(2)</sup> OJ L 39, 13.2.2008, p. 16.

<sup>(3)</sup> OJ L 52, 3.3.2010, p. 53.

<sup>(4)</sup> OJ L 160, 12.6.1989, p. 1.

<sup>(5)</sup> OJ L 105, 25.4.1990, p. 9.

<sup>(6)</sup> OJ C 30, 6.2.2009, p. 18.

(b) the EFTA States shall be invited to send observers to the meetings of the Committee for Spirit Drinks, as referred to in Article 25, dealing with matters which fall within acts referred to in the Agreement. The representatives of the EFTA States shall participate fully in the work of the Committee, but shall not have the right to vote;

(c) paragraph 4d) of Protocol 1 to the Agreement shall not apply to Chapter III of the Regulation;

(d) the following shall be added in Annex III:

Product category	Geographical indication	Country of origin
15. Vodka	Íslenskt Vodka/Icelandic Vodka	Iceland
	Norsk Vodka/Norwegian Vodka	Norway
24. Akvavit/aquavit	Íslenskt Brennivín/Icelandic Aquavit	Iceland
	Norsk akevitt/Norsk Aquavit/Norsk Akvavit/Norwegian Aquavit	Norway
Other spirit drinks	The geographical indications mentioned under this point concern products which are not defined in the Regulation. Therefore, they must be completed with the sales description "spirit drink".  The EFTA States producing these spirit drinks shall inform the	

Product category	Geographical indication	Country of origin
	other Contracting Parties of the national definitions of these products.	

10. **32010 H 0133:** Commission Recommendation 2010/133/EU of 2 March 2010 on the prevention and reduction of ethyl carbamate contamination in stone fruit spirits and stone fruit marc spirits and on the monitoring of ethyl carbamate levels in these beverages (OJ L 52, 3.3.2010, p. 53).<sup>1</sup>

#### Article 2

The texts of Regulation (EC) No 110/2008 and Recommendation 2010/133/EU 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.