

DECISION OF THE EEA JOINT COMMITTEE

No 5/2013

of 1 February 2013

amending Annex I (Veterinary and phytosanitary matters) and 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 ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 451/2012 of 29 May 2012 on the withdrawal from the market of certain feed additives belonging to the functional group of silage additives⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Regulation (EU) No 610/2012 of 9 July 2012 amending Regulation (EC) No 124/2009 of 10 February 2009 setting maximum levels for the presence of coccidiostats or histomonostats in food resulting from the unavoidable carry-over of these substances in non-target feed⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) No 832/2012 of 17 September 2012 concerning the authorisation of a preparation of ammonium chloride as a feed additive for lambs for fattening (holder of authorisation Latochema Co. Ltd)⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Regulation (EU) No 837/2012 of 18 September 2012 concerning the authorisation of 6-phytase (EC 3.1.3.26) produced by *Aspergillus oryzae* (DSM 22594) as feed additive for poultry, weaned piglets, pigs for fattening and sows (holder of authorisation DSM Nutritional Products)⁽⁴⁾ is to be incorporated into the EEA Agreement.
- (5) Commission Implementing Regulation (EU) No 838/2012 of 18 September 2012 concerning the authorisation of *Lactobacillus brevis* (DSMZ 21982) as a feed additive for all animal species⁽⁵⁾ is to be incorporated into the EEA Agreement.
- (6) Commission Implementing Regulation (EU) No 839/2012 of 18 September 2012 concerning the authorisation of urea as a feed additive for ruminants⁽⁶⁾ is to be incorporated into the EEA Agreement.
- (7) This Decision concerns legislation regarding feedingstuffs and foodstuffs. Legislation regarding feedingstuffs and foodstuffs 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 sectoral adaptations to Annex I and the introduction to Chapter XII of Annex II to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (8) Annexes I and II to the EEA Agreement should therefore be amended accordingly.

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following is added in point 1zzzzzb (Commission Regulation (EC) No 124/2009):

‘, as amended by:

— **32012 R 0610**: Commission Regulation (EU) No 610/2012 of 9 July 2012 (OJ L 178, 10.7.2012, p. 1).’

2. The following points are inserted after point 52 (Commission Recommendation 2011/25/EU):

‘53. **32012 R 0451**: Commission Implementing Regulation (EU) No 451/2012 of 29 May 2012 on the withdrawal from the market of certain feed additives belonging to the functional group of silage additives (OJ L 140, 30.5.2012, p. 55).

⁽¹⁾ OJ L 140, 30.5.2012, p. 55.

⁽²⁾ OJ L 178, 10.7.2012, p. 1.

⁽³⁾ OJ L 251, 18.9.2012, p. 27.

⁽⁴⁾ OJ L 252, 19.9.2012, p. 7.

⁽⁵⁾ OJ L 252, 19.9.2012, p. 9.

⁽⁶⁾ OJ L 252, 19.9.2012, p. 11.

54. **32012 R 0832**: Commission Implementing Regulation (EU) No 832/2012 of 17 September 2012 concerning the authorisation of a preparation of ammonium chloride as a feed additive for lambs for fattening (holder of authorisation Latochema Co. Ltd) (OJ L 251, 18.9.2012, p. 27).
55. **32012 R 0837**: Commission Implementing Regulation (EU) No 837/2012 of 18 September 2012 concerning the authorisation of 6-phytase (EC 3.1.3.26) produced by *Aspergillus oryzae* (DSM 22594) as feed additive for poultry, weaned piglets, pigs for fattening and sows (holder of authorisation DSM Nutritional Products) (OJ L 252, 19.9.2012, p. 7).
56. **32012 R 0838**: Commission Implementing Regulation (EU) No 838/2012 of 18 September 2012 concerning the authorisation of *Lactobacillus brevis* (DSMZ 21982) as a feed additive for all animal species (OJ L 252, 19.9.2012, p. 9).
57. **32012 R 0839**: Commission Implementing Regulation (EU) No 839/2012 of 18 September 2012 concerning the authorisation of urea as a feed additive for ruminants (OJ L 252, 19.9.2012, p. 11).'

Article 2

The following is added in point 54zzzzc (Commission Regulation (EC) No 124/2009) of Chapter XII of Annex II to the EEA Agreement:

‘, as amended by:

- **32012 R 0610**: Commission Regulation (EU) No 610/2012 of 9 July 2012 (OJ L 178, 10.7.2012, p. 1).’

Article 3

The texts of Implementing Regulation (EU) No 451/2012, Regulation (EU) No 610/2012, (EU) Implementing Regulations (EU) No 832/2012, (EU) No 837/2012, (EU) No 838/2012 and (EU) No 839/2012 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 4

This Decision shall enter into force on 2 February 2013, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

Article 5

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, 1 February 2013.

For the EEA Joint Committee

The President

Gianluca GRIPPA

(*) No constitutional requirements indicated.