

## III

(Other acts)

## EUROPEAN ECONOMIC AREA

## DECISION OF THE EEA JOINT COMMITTEE

No 197/2015

of 25 September 2015

**amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement [2017/504]**

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) Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation) <sup>(1)</sup> is to be incorporated into the EEA Agreement.
- (2) Commission Regulation (EU) No 790/2010 of 7 September 2010 amending Annexes VII, X and XI to Regulation (EC) No 1774/2002 of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption <sup>(2)</sup> is to be incorporated into the EEA Agreement.
- (3) Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive <sup>(3)</sup> is to be incorporated into the EEA Agreement.
- (4) Commission Regulation (EU) No 749/2011 of 29 July 2011 amending Regulation (EU) No 142/2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive <sup>(4)</sup> is to be incorporated into the EEA Agreement.
- (5) Commission Regulation (EU) No 1063/2012 of 13 November 2012 amending Regulation (EU) No 142/2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive <sup>(5)</sup> is to be incorporated into the EEA Agreement.

<sup>(1)</sup> OJ L 300, 14.11.2009, p. 1.

<sup>(2)</sup> OJ L 237, 8.9.2010, p. 1.

<sup>(3)</sup> OJ L 54, 26.2.2011, p. 1.

<sup>(4)</sup> OJ L 198, 30.7.2011, p. 3.

<sup>(5)</sup> OJ L 314, 14.11.2012, p. 5.

- (6) Commission Regulation (EU) No 555/2013 of 14 June 2013 amending Regulation (EU) No 142/2011 as regards the transit of certain animal by-products from Bosnia and Herzegovina <sup>(1)</sup> is to be incorporated into the EEA Agreement.
- (7) Commission Regulation (EU) No 592/2014 of 3 June 2014 amending Regulation (EU) No 142/2011 as regards the use of animal by-products and derived products as a fuel in combustion plants <sup>(2)</sup> is to be incorporated into the EEA Agreement.
- (8) Regulation (EC) No 1069/2009 repeals Regulation (EC) No 1774/2002 of the European Parliament and of the Council <sup>(3)</sup>, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (9) Regulation (EU) No 142/2011 repeals Commission Regulations (EC) No 811/2003 <sup>(4)</sup>, (EC) No 878/2004 <sup>(5)</sup>, (EC) No 79/2005 <sup>(6)</sup>, (EC) No 92/2005 <sup>(7)</sup>, (EC) No 181/2006 <sup>(8)</sup>, (EC) No 197/2006 <sup>(9)</sup>, (EC) No 1192/2006 <sup>(10)</sup>, (EC) No 2007/2006 <sup>(11)</sup> and Commission Decisions 2003/322/EC <sup>(12)</sup>, 2003/324/EC <sup>(13)</sup> and 2004/407/EC <sup>(14)</sup>, which are incorporated into the EEA Agreement and which are consequently to be repealed under the EEA Agreement.
- (10) This Decision concerns legislation regarding veterinary matters. Legislation regarding veterinary matters 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 to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (11) Annex I to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

#### Article 1

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

- (1) the text of point 9b (Regulation (EC) No 1774/2002 of the European Parliament and of the Council) in Part 7.1 is replaced by the following:

**‘32009 R 1069:** Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation) (OJ L 300, 14.11.2009, p. 1).

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

- (a) The date referred to in Article 55 shall for the EFTA States be the date of entry into force of the EEA Joint Committee Decision incorporating Regulation (EC) No 1069/2009 into the EEA Agreement.
- (b) This act applies to Iceland for the areas referred to in paragraph 2 of the Introductory Part.;

<sup>(1)</sup> OJ L 164, 18.6.2013, p. 11.

<sup>(2)</sup> OJ L 165, 4.6.2014, p. 33.

<sup>(3)</sup> OJ L 273, 10.10.2002, p. 1.

<sup>(4)</sup> OJ L 117, 13.5.2003, p. 14.

<sup>(5)</sup> OJ L 162, 30.4.2004, p. 62.

<sup>(6)</sup> OJ L 16, 20.1.2005, p. 46.

<sup>(7)</sup> OJ L 19, 21.1.2005, p. 27.

<sup>(8)</sup> OJ L 29, 2.2.2006, p. 31.

<sup>(9)</sup> OJ L 32, 4.2.2006, p. 13.

<sup>(10)</sup> OJ L 215, 5.8.2006, p. 10.

<sup>(11)</sup> OJ L 379, 28.12.2006, p. 98.

<sup>(12)</sup> OJ L 117, 13.5.2003, p. 32.

<sup>(13)</sup> OJ L 117, 13.5.2003, p. 37.

<sup>(14)</sup> OJ L 151, 30.4.2004, p. 11.

(2) the following is inserted after point 9b (Regulation (EC) No 1069/2009 of the European Parliament and of the Council) in Part 7.1:

'9c. **32011 R 0142**: Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive (OJ L 54, 26.2.2011, p. 1),

as amended by:

— **32011 R 0749**: Commission Regulation (EU) No 749/2011 of 29 July 2011 (OJ L 198, 30.7.2011, p. 3),

— **32012 R 1063**: Commission Regulation (EU) No 1063/2012 of 13 November 2012 (OJ L 314, 14.11.2012, p. 5),

— **32013 R 0555**: Commission Regulation (EU) No 555/2013 of 14 June 2013 (OJ L 164, 18.6.2013, p. 11),

— **32014 R 0592**: Commission Regulation (EU) No 592/2014 of 3 June 2014 (OJ L 165, 4.6.2014, p. 33).

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

(a) In the model health certificates in Annex XV, the words 'or destined for Norway' shall be added after the words 'destined to a Member State listed in the Annex to the Regulation (EC) No 546/2006'.

(b) In paragraph (c) of Section 1 of Chapter II of Annex XIV, the words 'or Svalbard' shall be added after the words 'Table 2'.

This act applies to Iceland for the areas referred to in paragraph 2 of the Introductory Part.'

#### Article 2

The texts of Regulations (EC) No 1069/2009, (EU) No 790/2010, (EU) No 142/2011, (EU) No 749/2011, (EU) No 1063/2012, (EU) No 555/2013 and (EU) No 592/2014 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 26 September 2015, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (\*).

#### 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, 25 September 2015.

For the EEA Joint Committee

The President

Ingrid SCHULERUD

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(\*) Constitutional requirements indicated.

**Declaration by the EFTA States to Decision of the EEA Joint Committee No 197/2015 of 25 September 2015 incorporating Regulation (EC) No 1069/2009 of the European Parliament and of the Council and Commission Regulation (EU) No 142/2011 into the EEA Agreement**

'Regulation (EC) No 1069/2009 of the European Parliament and of the Council and Commission Regulation (EU) No 142/2011 deal with export of animal by-products and derived products not intended for human consumption to third countries. The incorporation of these Regulations is without prejudice to the scope of the EEA Agreement.'

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