

DECISION OF THE EEA JOINT COMMITTEE

No 40/2016

of 5 February 2016

amending Protocol 47 (on the abolition of technical barriers to trade in wine) to the EEA Agreement [2017/1323]

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 (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Regulation (EU) No 1308/2013 repeals Council Regulation (EC) No 1234/2007 ⁽²⁾, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (3) This Decision concerns legislation regarding wine. Legislation regarding wine 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 seventh paragraph of the introduction to Protocol 47 to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (4) Protocol 47 to the EEA Agreement should therefore be amended accordingly.

HAS ADOPTED THIS DECISION:

Article 1

The text of point 8 (Council Regulation (EC) No 1234/2007) of Appendix 1 to Protocol 47 to the EEA Agreement is replaced by the following:

'32013 R 1308: Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).

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

(a) Only the following provisions of the Regulation shall apply:

Article 1(2)(l) cf. Annex I Part XII,

Article 3(1) cf. Annex II Part IV,

Article 75(3)(f), (g), (h), (k) and (m), (4) and (5)(d),

Article 78(1)(b) and (2) cf. Annex VII Part II cf. Appendix I of Annex VII,

Article 80 cf. Annex VIII,

Articles 81 and 82,

Article 83(2) and (3),

Articles 92 — 108,

Articles 112 and 113,

Articles 117 — 121,

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 299, 16.11.2007, p. 1.

Article 146 and

Article 147(1) and (2).

The provisions shall apply with the adaptations that can be derived from the provisions of the main text of the Agreement, the horizontal adaptations in the introduction to Protocol 47 to the Agreement and the specific adaptations in Appendix 1 to Protocol 47 to the Agreement.

- (b) The representatives of the EFTA States shall participate fully in the work of the Committee referred to in Article 229 of the Regulation, dealing with matters which fall within the scope of the acts referred to in the Agreement, but shall not have the right to vote.'

Article 2

The text of Regulations (EU) No 1308/2013 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 6 February 2016, 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, 5 February 2016.

For the EEA Joint Committee
The President
Claude MAERTEN

(*) No constitutional requirements indicated.