

DECISION OF THE EEA JOINT COMMITTEE No 6/2020**of 7 February 2020****amending Annex I (Veterinary and phytosanitary matters) and Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement [2023/284]**

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 Delegated Regulation (EU) 2019/2074 of 23 September 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules on specific official controls on consignments of certain animals and goods originating from, and returning to the Union following a refusal of entry by a third country ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Delegated Regulation (EU) 2019/2090 of 19 June 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and Council regarding cases of suspected or established non-compliance with Union rules applicable to the use or residues of pharmacologically active substances authorised in veterinary medicinal products or as feed additives or with Union rules applicable to the use or residues of prohibited or unauthorised pharmacologically active substances ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Delegated Regulation (EU) 2019/2123 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for the cases where and the conditions under which identity checks and physical checks on certain goods may be performed at control points and documentary checks may be performed at distance from border control posts ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for official controls of consignments of animals and goods in transit, transshipment and onward transportation through the Union, and amending Commission Regulations (EC) No 798/2008, (EC) No 1251/2008, (EC) No 119/2009, (EU) No 206/2010, (EU) No 605/2010, (EU) No 142/2011, (EU) No 28/2012, Commission Implementing Regulation (EU) 2016/759 and Commission Decision 2007/777/EC ⁽⁴⁾ is to be incorporated into the EEA Agreement.
- (5) Commission Delegated Regulation (EU) 2019/2126 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for specific official controls for certain categories of animals and goods, measures to be taken following the performance of such controls and certain categories of animals and goods exempted from official controls at border control posts ⁽⁵⁾ is to be incorporated into the EEA Agreement.
- (6) Commission Delegated Regulation (EU) 2019/2127 of 10 October 2019 amending Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the date of application of certain provisions of Council Directives 91/496/EEC, 97/78/EC and 2000/29/EC ⁽⁶⁾ is to be incorporated into the EEA Agreement.

⁽¹⁾ OJ L 316, 6.12.2019, p. 6.

⁽²⁾ OJ L 317, 9.12.2019, p. 28.

⁽³⁾ OJ L 321, 12.12.2019, p. 64.

⁽⁴⁾ OJ L 321, 12.12.2019, p. 73.

⁽⁵⁾ OJ L 321, 12.12.2019, p. 104.

⁽⁶⁾ OJ L 321, 12.12.2019, p. 111.

- (7) Delegated Regulation (EU) 2019/2124 repeals Commission Decisions 2000/208/EC ⁽⁷⁾ and 2000/571/EC ⁽⁸⁾ and Commission Implementing Decision 2011/215/EU, which are incorporated into the EEA Agreement and which are consequently to be repealed under the EEA Agreement.
- (8) Delegated Regulation (EU) 2019/2126 repeals Commission Decision 94/641/EC ⁽⁹⁾, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (9) This Decision concerns legislation containing provisions regarding plant health. Legislation regarding plant health falls outside the scope of the EEA Agreement and provisions regarding plant health shall therefore not apply to the EFTA States
- (10) This Decision concerns legislation containing provisions regarding live animals, other than fish and aquaculture animals. Provisions regarding live animals, other than fish and aquaculture animals, shall not apply to Iceland, as specified in paragraph 2 of the Introductory Part of Chapter I of Annex I to the EEA Agreement.
- (11) This Decision concerns legislation regarding veterinary matters, feedingstuffs and foodstuffs. Legislation regarding veterinary matters, 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.
- (12) Annexes I and II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

- (1) the following indent is added in points 11b (Regulation (EU) 2017/625 of the European Parliament and of the Council) in Part 1.1 of Chapter I and 31q (Regulation (EU) 2017/625 of the European Parliament and of the Council) of Chapter II:

‘— **32019 R 2127**: Commission Delegated Regulation (EU) 2019/2127 of 10 October 2019 (OJ L 321, 12.12.2019, p. 111).’;
- (2) the following points are inserted after point 11bs (Commission Implementing Regulation (EU) 2019/2130) in Part 1.1 of Chapter I:

‘11bt. **32019 R 2074**: Commission Delegated Regulation (EU) 2019/2074 of 23 September 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules on specific official controls on consignments of certain animals and goods originating from, and returning to the Union following a refusal of entry by a third country (OJ L 316, 6.12.2019, p. 6).

11bu. **32019 R 2090**: Commission Delegated Regulation (EU) 2019/2090 of 19 June 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and Council regarding cases of suspected or established non-compliance with Union rules applicable to the use or residues of pharmacologically active substances authorised in veterinary medicinal products or as feed additives or with Union rules applicable to the use or residues of prohibited or unauthorised pharmacologically active substances (OJ L 317, 9.12.2019, p. 28).

⁽⁷⁾ OJ L 64, 11.3.2000, p. 20.

⁽⁸⁾ OJ L 240, 23.9.2000, p. 14.

⁽⁹⁾ OJ L 248, 23.9.1994, p. 26.

- 11bv. **32019 R 2123**: Commission Delegated Regulation (EU) 2019/2123 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for the cases where and the conditions under which identity checks and physical checks on certain goods may be performed at control points and documentary checks may be performed at distance from border control posts (OJ L 321, 12.12.2019, p. 64).
- 11bw. **32019 R 2124**: Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for official controls of consignments of animals and goods in transit, transshipment and onward transportation through the Union, and amending Commission Regulations (EC) No 798/2008, (EC) No 1251/2008, (EC) No 119/2009, (EU) No 206/2010, (EU) No 605/2010, (EU) No 142/2011, (EU) No 28/2012, Commission Implementing Regulation (EU) 2016/759 and Commission Decision 2007/777/EC (OJ L 321, 12.12.2019, p. 73).
- 11bx. **32019 R 2126**: Commission Delegated Regulation (EU) 2019/2126 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for specific official controls for certain categories of animals and goods, measures to be taken following the performance of such controls and certain categories of animals and goods exempted from official controls at border control posts (OJ L 321, 12.12.2019, p. 104).;
- (3) the following indent is added in points 86 (Commission Regulation (EC) No 1251/2008) in Part 4.2 and 9c (Commission Regulation (EU) No 142/2011) in Part 7.1 of Chapter I:
- **32019 R 2124**: Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019 (OJ L 321, 12.12.2019, p. 73).;
- (4) the following points are inserted after point 31qs (Commission Implementing Regulation (EU) 2019/2130) of Chapter II:
- 31qt. **32019 R 2074**: Commission Delegated Regulation (EU) 2019/2074 of 23 September 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules on specific official controls on consignments of certain animals and goods originating from, and returning to the Union following a refusal of entry by a third country (OJ L 316, 6.12.2019, p. 6).
- 31qu. **32019 R 2090**: Commission Delegated Regulation (EU) 2019/2090 of 19 June 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and Council regarding cases of suspected or established non-compliance with Union rules applicable to the use or residues of pharmacologically active substances authorised in veterinary medicinal products or as feed additives or with Union rules applicable to the use or residues of prohibited or unauthorised pharmacologically active substances (OJ L 317, 9.12.2019, p. 28).
- 31qv. **32019 R 2123**: Commission Delegated Regulation (EU) 2019/2123 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for the cases where and the conditions under which identity checks and physical checks on certain goods may be performed at control points and documentary checks may be performed at distance from border control posts (OJ L 321, 12.12.2019, p. 64).
- 31qw. **32019 R 2124**: Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for official controls of consignments of animals and goods in transit, transshipment and onward transportation through the Union, and amending Commission Regulations (EC) No 798/2008, (EC) No 1251/2008, (EC) No 119/2009, (EU) No 206/2010, (EU) No 605/2010, (EU) No 142/2011, (EU) No 28/2012, Commission Implementing Regulation (EU) 2016/759 and Commission Decision 2007/777/EC (OJ L 321, 12.12.2019, p. 73).
- 31qx. **32019 R 2126**: Commission Delegated Regulation (EU) 2019/2126 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for specific official controls for certain categories of animals and goods, measures to be taken following the performance of such controls and certain categories of animals and goods exempted from official controls at border control posts (OJ L 321, 12.12.2019, p. 104).;

- (5) the text of points 29 (Commission Decision 94/641/EC) 88 (Commission Decision 2000/208/EC), 106 (Commission Decision 2000/571/EC) and 148 (Commission Implementing Decision 2011/215/EU) in Part 1.2 of Chapter I shall be deleted.

Article 2

The following points are inserted after point 164s (Commission Implementing Regulation (EU) 2019/2130) of Chapter XII of Annex II to the EEA Agreement:

- 164t. **32019 R 2074:** Commission Delegated Regulation (EU) 2019/2074 of 23 September 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules on specific official controls on consignments of certain animals and goods originating from, and returning to the Union following a refusal of entry by a third country (OJ L 316, 6.12.2019, p. 6).
- 164u. **32019 R 2090:** Commission Delegated Regulation (EU) 2019/2090 of 19 June 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and Council regarding cases of suspected or established non-compliance with Union rules applicable to the use or residues of pharmacologically active substances authorised in veterinary medicinal products or as feed additives or with Union rules applicable to the use or residues of prohibited or unauthorised pharmacologically active substances (OJ L 317, 9.12.2019, p. 28).
- 164v. **32019 R 2123:** Commission Delegated Regulation (EU) 2019/2123 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for the cases where and the conditions under which identity checks and physical checks on certain goods may be performed at control points and documentary checks may be performed at distance from border control posts (OJ L 321, 12.12.2019, p. 64).
- 164w. **32019 R 2124:** Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for official controls of consignments of animals and goods in transit, transshipment and onward transportation through the Union, and amending Commission Regulations (EC) No 798/2008, (EC) No 1251/2008, (EC) No 119/2009, (EU) No 206/2010, (EU) No 605/2010, (EU) No 142/2011, (EU) No 28/2012, Commission Implementing Regulation (EU) 2016/759 and Commission Decision 2007/777/EC (OJ L 321, 12.12.2019, p. 73).
- 164x. **32019 R 2126:** Commission Delegated Regulation (EU) 2019/2126 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for specific official controls for certain categories of animals and goods, measures to be taken following the performance of such controls and certain categories of animals and goods exempted from official controls at border control posts (OJ L 321, 12.12.2019, p. 104).'

Article 3

The texts of Delegated Regulations (EU) 2019/2074, (EU) 2019/2090, (EU) 2019/2123, (EU) 2019/2124, (EU) 2019/2126 and (EU) 2019/2127 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 8 February 2020, provided that all the notifications under Article 103(1) of the EEA Agreement have been made *, or on the day of the entry into force of Decision of the EEA Joint Committee No 210/2019 of 27 September 2019 ⁽¹⁰⁾, whichever is the later.

* No constitutional requirements indicated.

⁽¹⁰⁾ OJ L 4, 5.1.2023, p. 11.

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, 7 February 2020

For the EEA Joint Committee
The President
Clara GANSLANDT
