

DECISION OF THE EEA JOINT COMMITTEE
No 273/2022

of 23 September 2022

amending Protocol 47 to the EEA Agreement, on the abolition of technical barriers to trade in wine

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) 2017/2393 of the European Parliament and of the Council of 13 December 2017 amending Regulations (EU) No 1305/2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), (EU) No 1306/2013 on the financing, management and monitoring of the common agricultural policy, (EU) No 1307/2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy, (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products and (EU) No 652/2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material¹ is to be incorporated into the EEA Agreement.
- (2) Commission Delegated Regulation (EU) 2019/33 of 17 October 2018 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation², as corrected by OJ L 269, 23.10.2019, p. 13, is to be incorporated into the EEA Agreement.
- (3) Commission Delegated Regulation (EU) 2019/934 of 12 March 2019 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards wine-growing areas where the alcoholic strength may be increased, authorised oenological practices and restrictions applicable to the production and conservation of grapevine products, the minimum percentage of alcohol for by-products and their disposal, and publication of OIV files³ is to be incorporated into the EEA Agreement.
- (4) Commission Delegated Regulation (EU) 2020/565 of 13 February 2020 correcting Delegated Regulation (EU) 2019/934 as regards transitional arrangements for the

¹ OJ L 350, 29.12.2017, p. 15.

² OJ L 9, 11.1.2019, p. 2.

³ OJ L 149, 7.6.2019, p. 1.

marketing of stocks of grapevine products⁴ is to be incorporated into the EEA Agreement.

- (5) Commission Implementing Regulation (EU) 2019/34 of 17 October 2018 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, amendments to product specifications, the register of protected names, cancellation of protection and use of symbols, and of Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards an appropriate system of checks⁵ is to be incorporated into the EEA Agreement.
- (6) Commission Implementing Regulation (EU) 2019/935 of 16 April 2019 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards analysis methods for determining the physical, chemical and organoleptic characteristics of grapevine products and notifications of Member States decisions concerning increases in natural alcoholic strength⁶ is to be incorporated into the EEA Agreement.
- (7) Delegated Regulation (EU) 2019/33 repeals Commission Regulation (EC) No 607/2009⁷, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (8) Delegated Regulation (EU) 2019/934 repeals Commission Regulation (EC) No 606/2009⁸, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (9) 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.
- (10) Protocol 47 to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Appendix 1 of Protocol 47 to the EEA Agreement shall be amended as follows:

1. The following is added in point 8 (Regulation (EU) No 1308/2013 of the European Parliament and of the Council):

‘, as amended by:

- **32017 R 2393**: Regulation (EU) 2017/2393 of the European Parliament and of the Council of 13 December 2017 (OJ L 350, 29.12.2017, p. 15).’

⁴ OJ L 129, 24.4.2020, p. 1.

⁵ OJ L 9, 11.1.2019, p. 46.

⁶ OJ L 149, 7.6.2019, p. 53.

⁷ OJ L 193, 24.7.2009, p. 60.

⁸ OJ L 193, 24.7.2009, p. 1.

2. The following is inserted after point 8b (Commission Implementing Regulation (EU) 2018/274):

‘8c. **32019 R 0033**: Commission Delegated Regulation (EU) 2019/33 of 17 October 2018 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation (OJ L 9, 11.1.2019, p. 2), as corrected by OJ L 269, 23.10.2019, p. 13.

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

(a) The following shall be added in the table in Part A of Annex I:

“

in Icelandic	“súlfit” or “brennisteinsdíoxíð”	“egg”, “eggjaprótín”, “eggjaafurð”, “lýsósím úr eggjum” or “eggjaalbúmín”	“mjólk”, “mjólkurvörur”, “mjólkurkasein” or “mjólkurprótín”
in Norwegian	“sulfitter” or “svoveldioksid”	“egg”, “eggprotein”, “eggprodukt”, “egglysozym” or “eggalbumin”	“melk”, “melkeprodukt”, “melkekasein” or “melkeprotein”

”

(b) The following shall be added in the table in Annex II:

“

IS	“vinnsluaðili” or “vínræktarmaður”	“unnið af”
NO	“bearbeidingsvirksomhet” or “vinprodusent”	“bearbeidet av”

”

8d. **32019 R 0034**: Commission Implementing Regulation (EU) 2019/34 of 17 October 2018 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, amendments to product specifications, the register of protected names, cancellation of protection and use of symbols, and of Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards an appropriate system of checks (OJ L 9, 11.1.2019, p. 46).

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

Notwithstanding the provisions of Protocol 1, the communications made by the competent authorities of the EFTA States to the Commission pursuant to Article 30(1) shall follow the procedure set out in point (b). Point 4 of Protocol 1 shall not apply to Article 30.

- 8e. **32019 R 0934**: Commission Delegated Regulation (EU) 2019/934 of 12 March 2019 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards wine-growing areas where the alcoholic strength may be increased, authorised oenological practices and restrictions applicable to the production and conservation of grapevine products, the minimum percentage of alcohol for by-products and their disposal, and publication of OIV files (OJ L 149, 7.6.2019, p. 1), as amended by:
- **32020 R 0565**: Commission Delegated Regulation (EU) 2020/565 of 13 February 2020 (OJ L 129, 24.4.2020, p. 1).
- 8f. **32019 R 0935**: Commission Implementing Regulation (EU) 2019/935 of 16 April 2019 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards analysis methods for determining the physical, chemical and organoleptic characteristics of grapevine products and notifications of Member States decisions concerning increases in natural alcoholic strength (OJ L 149, 7.6.2019, p. 53).⁹
3. The text of points 10 (Commission Regulation (EC) No 606/2009) and 11 (Commission Regulation (EC) No 607/2009) are deleted.

Article 2

The texts of Regulation (EU) 2017/2393, Delegated Regulations (EU) 2019/33, as corrected by OJ L 269, 23.10.2019, p. 13, (EU) 2019/934 and (EU) 2020/565 and Implementing Regulations (EU) 2019/34 and (EU) 2019/935 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 24 September 2022, 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 272/2022⁹, whichever is the later.

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, 23 September 2022.

For the EEA Joint Committee

* No constitutional requirements indicated.

⁹ OJ L ...

The President

Kristján Andri Stefánsson

*The Secretaries
To the EEA Joint Committee*

Siri Veseth Meling

Matúš Minárik

Not yet published