

**Annex 3
to Decision No 7/94
of the EEA Joint Committee**

ANNEX II (TECHNICAL REGULATIONS, STANDARDS, TESTING AND CERTIFICATION) to the EEA Agreement shall be amended as specified below.

A. Chapter I. MOTOR VEHICLES

1. In the adaptation to Chapter I, the following shall be inserted as a new second paragraph:

"For the purpose of this Agreement and to ensure free circulation according to the "Community acquis" from 1 January 1995, the provisions of Article 3 of Directives 91/441/EEC, 91/542/EEC, 92/97/EEC and 93/59/EEC shall be applied by the EFTA States in the following way:

When making provisions for tax incentives, the EFTA States shall ensure that these incentives will not distort competition in the EEA. Such incentives must, in particular, meet the following conditions:

- they must not hinder free circulation;
- they must apply to all vehicles which are offered for sale on the market of an EFTA State;
- they shall not apply to vehicles fulfilling mandatory standards;
- they shall not, by their amount or scope of application, constitute a trade-distorting subsidy.

The EFTA Surveillance Authority shall be informed in due time of any plans to introduce or amend tax incentives.

The EC Commission and the EFTA Surveillance Authority shall exchange information they have received from the EC Member States or from EFTA States."

2a. The following indents shall be added in point 1 (Council Directive 70/156/EEC) before the adaptation:

"– 392 L 0053: Council Directive 92/53/EEC of 18 June 1992
(OJ No L 225, 10.8.1992, p. 1),

– 393 L 0081: Commission Directive 93/81/EEC of 29 September 1993
(OJ No L 264, 23.10.1993, p. 49)."

2b. The present adaptation in point 1 (Council Directive 70/156/EEC) shall become adaptation (a) and the following adaptations shall be added:

(b) In Annex VII, the following shall be added to point 1, section 1:

"12 for Austria
17 for Finland
IS for Iceland
16 for Norway
5 for Sweden".

(c) In Annex IX, the following shall be added to points 37 of parts I and II:

"Austria :, Finland :,
Iceland :, Norway :,
Sweden :".

3. The following indent shall be added in point 2 (Council Directive 70/157/EEC) before the adaptation:

"– 392 L 0097: Council Directive 92/97/EEC of 10 November 1992
(OJ No L 371, 19.12.1992, p. 1).".

4. The following indent shall be added in point 3 (Council Directive 70/220/EEC):

"– 393 L 0059: Council Directive 93/59/EEC of 28 June 1993
(OJ No L 186, 28.7.1993, p. 21).".

5. The following indent shall be added in point 6 (Council Directive 70/311/EEC):

"– 392 L 0062: Council Directive 92/62/EEC of 2 July 1992
(OJ No L 199, 18.7.1992, p. 33).".

6. The following indent shall be added in point 10 (Council Directive 71/320/EEC):

"– 391 L 0422: Commission Directive 91/422/EEC of 15 July 1991
(OJ No L 233, 22.8.1991, p. 21).".

7. The following shall be added in point 15 (Council Directive 74/297/EEC):

", as amended by:

– 391 L 0662: Commission Directive 91/662/EEC of 6 December 1991
(OJ No L 366, 31.12.1991, p. 1).".

8. The following indent shall be added in point 20 (Council Directive 76/115/EEC):

"– 390 L 0629: Commission Directive 90/629/EEC of 30 October 1990
(OJ No L 341, 6.12.1990, p. 14).".

9. The following indent shall be added in point 21 (Council Directive 76/756/EEC):

"– 391 L 0663: Commission Directive 91/663/EEC of 10 December 1991 (OJ No L 366,
31.12.1991, p. 17).".

10. The following indent shall be added in point 33 (Council Directive 77/649/EEC):

"– 390 L 0630: Commission Directive 90/630/EEC of 30 October 1990
(OJ No L 341, 6.12.1990, p. 20).".

11. The following shall be added in point 34 (Council Directive 78/316/EEC):

", as amended by:

– 393 L 0091: Commission Directive 93/91/EEC of 29 October 1993
(OJ No L 284, 19.11.1993, p. 25).".

12. The following indent shall be added in point 42 (Council Directive 80/1268/EEC):
- "– 393 L 0116: Commission Directive 93/116/EEC of 17 December 1993 (OJ No L 329, 30.12.1993, p. 39).".
13. The following shall be added in point 44 (Council Directive 88/77/EEC), before the adaptation:
- ", as amended by:
- 391 L 0542: Council Directive 91/542/EEC of 1 October 1991 (OJ No L 295, 25.10.1991, p. 1).".
14. The following new points shall be inserted after point 45 (Council Directive 89/297/EEC):
- "45a. 391 L 0226: Council Directive 91/226/EEC of 27 March 1991 on the approximation of the laws of the Member States relating to the spray-suppression systems of certain categories of motor vehicles and their trailers (OJ No L 103, 23.4.1991, p. 5).
- The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:
- In Annex II, the following shall be added to point 3.4.1:
- "12 for Austria, 17 for Finland, IS for Iceland, 16 for Norway, 5 for Sweden".
- 45b. 392 L 0021: Council Directive and 92/21/EEC of 31 March 1992 on the masses and dimensions of motor vehicles of category M1 (OJ No L 129, 14.5.1992, p. 1).
- 45c. 392 L 0022: Council Directive 92/22/EEC of 31 March 1992 on safety glazing and glazing materials on motor vehicles and their trailers (OJ No L 129, 14.5.1992, p. 11).
- The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:
- In Annex II, the following shall be added to point 4.4.1, footnote 1:
- "12 for Austria, 17 for Finland, IS for Iceland, 16 for Norway, 5 for Sweden".
- 45d. 392 L 0023: Council Directive 92/23/EEC of 31 March 1992 relating to tyres for motor vehicles and their trailers and to their fitting (OJ No L 129, 14.5.1992, p. 95).
- The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:
- In Annex I, the following shall be added at the end of the first sentence of point 4.2:
- "12 for Austria, 17 for Finland, IS for Iceland, 16 for Norway, 5 for Sweden".

45e. 392 L 0024: Council Directive 92/24/EEC of 31 March 1992 relating to speed limitation devices or similar speed limitation on-board systems of certain categories of motor vehicles
(OJ No L 129, 14.5.1992, p. 154).

45f.392 L 0061: Council Directive 92/61/EEC of 30 June 1992 relating to the type-approval of two or three-wheel motor vehicles
(OJ No L 225, 10.8.1992, p. 72).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

In Annex V, the following shall be added to point 1.1:

- "– 12 for Austria
- 17 for Finland
- IS for Iceland
- 16 for Norway
- 5 for Sweden".

45g. 392 L 0114: Council Directive 92/114/EEC of 17 December 1992 relating to the external projections forward of the cab's rear panel of motor vehicles of category N
(OJ No L 409, 31.12.1992, p. 17).

45h. 393 L 0014: Council Directive 93/14/EEC of 5 April 1993 on the braking of two or three-wheel motor vehicles
(OJ No L 121, 15.5.1993, p. 1).

45i.393 L 0029: Council Directive 93/29/EEC of 14 June 1993 on the identification of controls, tell-tales and indicators for two- or three-wheel motor vehicles
(OJ No L 188, 29.7.1993, p. 1).

45j.393 L 0030: Council Directive 93/30/EEC of 14 June 1993 on audible warning devices for two- or three-wheel motor vehicles
(OJ No L 188, 29.7.1993, p. 11).

45k. 393 L 0031: Council Directive 93/31/EEC of 14 June 1993 on stands for two-wheel motor vehicles
(OJ No L 188, 29.7.1993, p. 19).

45l.393 L 0032: Council Directive 93/32/EEC of 14 June 1993 on passenger hand-holds on two-wheel motor vehicles
(OJ No L 188, 29.7.1993, p. 28).

45m. 393 L 0033: Council Directive 93/33/EEC of 14 June 1993 on protective devices intended to prevent the unauthorized use of two- or three-wheel motor vehicles
(OJ No L 188, 29.7.1993, p. 32).

45n. 393 L 0034: Council Directive 93/34/EEC of 14 June 1993 on statutory markings for two- or three-wheel motor vehicles
(OJ No L 188, 29.7.1993, p. 38).

45o. 393 L 0092: Council Directive 93/92/EEC of 29 October 1993 on the installation of lighting and light-signalling devices on two or three-wheel motor vehicles
(OJ No L 311, 14.12.1993, p. 1).

- 45p. 393 L 0093: Council Directive 93/93/EEC of 29 October 1993 on the masses and dimensions of two or three-wheel motor vehicles (OJ No L 311, 14.12.1993, p. 76).
- 45q. 393 L 0094: Council Directive 93/94/EEC of 29 October 1993 relating to the space for mounting the rear registration plate of two or three-wheel motor vehicles (OJ No L 311, 14.12.1993, p. 83).".

B. Chapter IV. HOUSEHOLD APPLIANCES

1. The text of point 1 (Council Directive 79/530/EEC) shall be deleted.
2. The following new point shall be inserted after point 3 (Council Directive 86/594/EEC):

"4. 392 L 0075: Council Directive 92/75/EEC of 22 September 1992 on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances (OJ No L 297, 13.10.1992, p. 16).".

C. Chapter V. GAS APPLIANCES

1. The following shall be added in point 2 (Council Directive 90/396/EEC):

" , as amended by:

 - 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1993, p. 1).".
2. The following new point shall be inserted after point 2 (Council Directive 90/396/EEC):

"3. 392 L 0042: Council Directive 92/42/EEC of 21 May 1992 on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels (OJ No L 167, 22.6.1992, p. 17), as amended by:

 - 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1993, p. 1).".

D. CHAPTER VIII. PRESSURE VESSELS

1. The following indent shall be added in point 6 (Council Directive 87/404/EEC):

"– 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1992, p. 1).".
2. The following new point shall be inserted after point 7 (Commission Recommendation 89/349/EEC):

"8. C/328/92/p. 3: Commission Communication in the framework of the implementation of Council Directive 87/404/EEC of 25 June 1987, on simple pressure vessels, modified by Directive 90/488/EEC of 17 September 1990 (OJ No C 328, 12.12.1992, p. 3).".

E. CHAPTER IX. MEASURING INSTRUMENTS

1. The text of point 16 (Council Directive 76/764/EEC) shall, with effect from 1 January 1995, be deleted.

2. The following shall be added in point 27 (Council Directive 90/384/EEC):

", as amended by:

- 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1993, p. 1).".

3. The following new point shall be inserted after point 27 (Council Directive 90/384/EEC):

"27a. 393 L 0042: Council Directive 93/42/EEC of 14 June 1993 concerning medical devices (OJ No L 169, 12.7.1993, p. 1).".

4. The following new point shall be inserted after point 45 (C/297/81/p. 1):

"46. C/104/93/p. 9: Commission Communication pursuant to Article 5(2) of Council Directive 90/384/EEC of 20 June 1990 on non-automatic weighing instruments (OJ No C 104, 15.4.1993, p. 9).".

F. CHAPTER X: ELECTRICAL MATERIAL

1. The following shall be added in point 1 (Council Directive 73/23/EEC) before the adaptation:

", as amended by:

- 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1993, p. 1).".

2. The following shall be added in point 5 (Council Directive 84/539/EEC):

", as amended by:

- 393 L 0042: Council Directive 93/42/EEC of 14 June 1993 (OJ No L 169, 12.7.1993, p. 1).".

3. The following shall be added in point 6 (Council Directive 89/336/EEC):

", as amended by:

- 392 L 0031: Council Directive 92/31/EEC of 28 April 1992 (OJ No L 126, 12.5.1992, p. 11),
- 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1993, p. 1).".

4. The following shall be added in point 7 (Council Directive 90/385/EEC):

", as amended by:

- 393 L 0042: Council Directive 93/42/EEC of 14 June 1993 (OJ No L 169, 12.7.1993, p. 1).".
- 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1993, p. 1).".

5. The following new points shall be inserted after point 21 (C/311/87/p. 3):

"22. C/44/92/p. 12: Commission Communication in the framework of the implementation of the "New Approach" Directives, "Electromagnetic Compatibility" Council Directive 89/336/EEC of 3 May 1989 (OJ No C 44, 19.2.1992, p. 12).

23. C/90/92/p. 2: Commission Communication in the framework of the implementation of Council Directive 89/336/EEC of 3 May 1989, in relation to electromagnetic compatibility (OJ No C 90, 10.4.1992, p. 2).

24. C/210/92/p. 1: Commission Communication within the framework of Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (OJ No C 210, 15.8.1992, p. 1).

25. C/18/93/p. 4: Commission Communication within the framework of Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (OJ No C 18, 23.1.1993, p. 4)."

G. CHAPTER XII: FOODSTUFFS

1. The text of point 10 (Council Directive 75/726/EEC) shall be deleted.

2. The following indent shall be added in point 13 (Council Directive 76/895/EEC) before the adaptation:

"– 393 L 0058: Council Directive 93/58/EEC of 29 June 1993 (OJ No L 211, 23.8.1993, p. 6)."

3. The following indent shall be added in point 16 (Council Directive 78/663/EEC):

"– 392 L 0004: Commission Directive 92/4/EEC of 10 February 1993 (OJ No L 55, 29.2.1992, p. 96)."

4. The following indent shall be added in point 18 (Council Directive 79/112/EEC):

"– 393 L 0102: Commission Directive 93/102/EC of 16 November 1993 (OJ No L 291, 25.11.1993, p. 14)."

5. The following shall be added in point 30 (Council Directive 82/711/EEC):

", as amended by:

– 393 L 0008: Commission Directive 93/8 /EEC of 15 March 1993 (OJ No L 90, 14.4.1993, p. 22)."

6. The text of point 31 (Council Directive 83/229/EEC) shall be deleted.

7. The following indent shall be inserted in point 38 (Council Directive 86/362/EEC) before the adaptation:

"– 393 L 0057: Council Directive 93/57/EEC of 29 June 1993 (OJ No L 211, 23.8.1993, p. 1).".

8. The following shall be inserted in point 39 (Council Directive 86/363/EEC) before the adaptation:

", as amended by:

– 393 L 0057: Council Directive 93/57/EEC of 29 June 1993 (OJ No L 211, 23.8.1993, p. 1).".

9. The following shall be added in point 43 (Council Directive 88/344/EEC):

", as amended by:

– 392 L 0115: Council Directive 92/115/EEC of 17 December 1992 (OJ No L 409, 31.12.1992, p. 31).".

10. The following indent shall be added in point 49 (Council Directive 89/396/EEC):

"– 392 L 0011: Council Directive 92/11/EEC of 3 March 1992 (OJ No L 65, 11.3.1992, p. 32).".

11. The following shall be added in point 52 (Council Directive 90/128/EEC):

", as amended by:

– 392 L 0039: Council Directive 92/39/EEC of 14 May 1992 (OJ No L 168, 23.6.1992, p. 21),

– 393 L 0009: Commission Directive 93/9/EEC of 15 March 1993 (OJ No L 90, 14.4.1993, p. 26.).".

12. The following shall be added in point 54 (Council Directive 90/642/EEC):

", as amended by:

– 393 L 0058: Council Directive 93/58/EEC of 29 June 1993 (OJ No L 211, 23.8.1993, p. 6.).".

13. The following new points shall be inserted after point 54 (Council Directive 90/642/EEC):

"54a. 391 L 0321: Commission Directive 91/321/EEC of 14 May 1991 on infant formulae and follow-on formulae (OJ No L 175, 4.7.1991, p. 35).

Notwithstanding the provisions of the Directive, Austria, Finland, Iceland, Norway and Sweden shall prohibit trade in products not in conformity with this Directive by 1 January 1995.

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

(a) In Article 7.1, the following indents shall be added to the first paragraph:

– in Finnish:

"äidinmaidonkorvike" and
"vierotusvalmiste"

– in Icelandic:

"ungbarnablanda" and "stoðblanda"

– in Norwegian:

"morsmelkerstatning" and
"tilskuddsblanding"

– in Swedish:

"modersmjölksersättning" and
"tillskottsnäring"

(b) In Article 7.1, the following indents shall be added to the second paragraph:

– in Finnish:

"maitopohjainen äidinmaidonkorvike" and
"maitopohjainen vierotusvalmiste"

– in Icelandic:

"ungbarnamjólk" and "mjólkurstoðblanda"

– in Norwegian:

"morsmelkerstatning basert utelukkende på melk" and "tilskuddsblanding basert utelukkende på melk"

– in Swedish:

"modersmjölksersättning uteslutande baserad på mjölk" and
"tillskottsnäring uteslutande baserad på mjölk".

54b. 391 R 2092: Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs (OJ No L 198, 22.7.1991, p. 1), as amended by:

– 392 R 0094: Commission Regulation (EEC) No 94/92 of 14 January 1992 (OJ No L 11, 17.1.1992, p. 14),

– 392 R 1535: Commission Regulation (EEC) No 1535/92 of 15 June 1992 (OJ No L 162, 16.6.1992, p. 15),

– 392 R 2083: Council Regulation (EEC) No 2083/92 of 14 July 1992 (OJ No L 208, 24.7.1992, p. 15),

– 393 R 2608: Commission Regulation (EEC) No 2608/93 of 23 September 1993

(OJ No L 239, 24.9.1993, p. 10).".

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

Article 2 shall be amended as follows:

(a) the following indents shall be added:

"– in Finnish:	luonnonmukainen
– in Icelandic:	lífrænt
– in Norwegian:	økologisk
– in Swedish:	ekologisk";

(b) the words "- in German: ökologisch" shall be deleted;

(c) the following indents shall be added:

"- in German:	ökologisch
- in Austria:	biologisch".

- 54c. 392 L 0001: Commission Directive 92/1/EEC of 13 January 1992 on the monitoring of temperatures in the means of transport, warehousing and storage of quick-frozen foodstuffs intended for human consumption (OJ No L 34, 11.2.1992, p. 28).

The EFTA States shall comply with the provisions of the Directive at the latest by 1 September 1994. However, they shall allow free circulation for products handled in conformity with the Directive from the entry into force of the Agreement.

- 54d. 392 L 0002: Commission Directive 92/2/EEC of 13 January 1992 laying down the sampling procedure and the Community method of analysis for the official control of the temperatures of quick-frozen foods intended for human consumption (OJ No L 34, 11.2.1992, p. 30).

The EFTA States shall comply with the provisions of the Directive at the latest by 1 September 1994. However, they shall allow free circulation for products handled in conformity with the Directive from the entry into force of the Agreement.

- 54e. 393 R 0207: Commission Regulation (EEC) No 207/93 of 29 January 1993 defining the content of Annex VI to Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs and laying down detailed rules for implementing the provisions of Article 5(4) thereto (OJ No L 25, 2.2.1993, p.5).

- 54f. 393 R 0315: Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food (OJ No L 37, 13.2.1993, p.1).

- 54g. 393 L 0005: Council Directive 93/5/EEC of 25 February 1993 on assistance to the Commission and co-operation by the Member States in the scientific examination of questions relating to food (OJ No L 52, 4.3.1993, p. 18).

- 54h. 393 L 0010: Commission Directive 93/10/EEC of 15 March 1993 relating to materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs (OJ No L 93, 17.4.1993, p. 27), as amended by:
 - 393 L 0111: Commission Directive 93/111/EEC of 10 December 1993 (OJ No L 310, 14.12.1993, p. 41).
- 54i. 393 L 0011: Commission Directive 93/11/EEC of 15 March 1993 concerning the release of the N-nitrosamines and N-nitrosatable substances from elastomer or rubber teats and soothers (OJ No L 93, 17.4.1993, p. 37).
- 54j. 393 L 0043: Council Directive 93/43/EEC of 14 June 1993 on the hygiene of foodstuffs (OJ No L 175, 19.7.1993, p. 1).
- 54k. 393 L 0045: Commission Directive 93/45/EEC of 17 June 1993 concerning the manufacture of nectars without the addition of sugars or honey (OJ No L 159, 1.7.1993, p. 133).
- 54l. 393 R 1593: Commission Regulation (EEC) No 1593/93 of 24 June 1993 amending Council Regulation (EEC) No 3713/92 deferring the date of application of Article 11(1) of Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs, with regard to the imports from certain third countries (OJ No L 153, 25.6.1993, p. 15).
- 54m. 393 L 0077: Council Directive 93/77/EEC of 21 September 1993 relating to fruit juices and certain similar products (OJ No L 244, 30.9.1993, p.23).
- 54n. 393 L 0099: Council Directive 93/99/EEC of 29 October 1993 on the subject of additional measures concerning the official control of foodstuffs (OJ No L 290, 24.11.1993, p. 14).".

14. The following new points shall be inserted after point 57 (C/271/89/p. 3):

"58. C/270/91/p. 2: Commission interpretative communication on the names under which foodstuffs are sold (OJ No C 270, 15.10.1991, p. 2).

59. C/345/93/p. 3: Commission communication concerning the use of language in the marketing of foodstuffs in the light of the judgment in the Peeters case (OJ No C 345, 23.12.1993, p. 3).".

H. Chapter XIII. MEDICINAL PRODUCTS

1. The following indent shall be added in point 1 (Council Directive 65/65/EEC):

"– 392 L 0073: Council Directive 92/73/EEC of 22 September 1992 (OJ No L 297, 13.10.1992, p. 8).".

2. The following indent shall be added in point 2 (Council Directive 75/318/EEC):

"– 391 L 0507: Commission Directive 91/507/EEC of 19 July 1991

(OJ No L 270, 26.9.1991, p. 32).".

3. The following indent shall be added in point 3 (Council Directive 75/319/EEC):

"– 392 L 0073: Council Directive 92/73/EEC of 22 September 1992 (OJ No L 297, 13.10.1992, p. 8).".

4. The following indent shall be added in point 5 (Council Directive 81/851/EEC):

"– 392 L 0074: Council Directive 92/74/EEC of 22 September 1992 (OJ No L 297, 13.10.1992, p. 12).".

5. The following indent shall be added in point 6 (Council Directive 81/852/EEC):

"– 392 L 0018: Commission Directive 92/18/EEC of 20 March 1992 (OJ No L 97, 10.4.1992, p. 1).".

6. The following shall be added in point 14 (Council Regulation (EEC) No 2377/90):

", as amended by:

- 392 R 0675: Commission Regulation (EEC) No 675/92 of 18 March 1992 (OJ No L 73, 19.3.1992, p. 8),
- 392 R 0762: Commission Regulation (EEC) No 762/92 of 27 March 1992 (OJ No L 83, 28.3.1992, p. 14),
- 392 R 3093: Commission Regulation (EEC) No 3093/92 of 27 October 1992 (OJ No L 311, 28.10.1992, p. 18),
- 393 R 0895: Commission Regulation (EEC) No 895/93 of 16 April 1993 (OJ No L 93, 17.4.1993, p. 10),
- 393 R 2901: Council Regulation (EEC) No 2901/93 of 18 October 1993 (OJ No L 264, 23.10.1993, p. 1),
- 393 R 3425: Commission Regulation (EEC) No 3425/93 of 14 December 1993 (OJ No L 312, 15.12.1993, p. 12),
- 393 R 3426: Commission Regulation (EEC) No 3426/93 of 14 December 1993 (OJ No L 312, 15.12.1993, p. 15).

Austria may maintain its national legislation with regard to spiramycin until 1 January 1995 and with regard to furazolidon until 1 July 1995."

7. The following new points shall be inserted after point 15 (Commission Directive 91/356/EEC):

"15a. 391 L 0412: Commission Directive 91/412/EEC of 23 July 1991 laying down the principles and guidelines of good manufacturing practice for veterinary medicinal products (OJ No L 228, 17.8.1991, p. 70).

15b. 392 L 0025: Council Directive 92/25/EEC of 31 March 1992 on the wholesale distribution of medicinal products for human use

(OJ No L 113, 30.4.1992, p. 1).

Norway shall comply with the provisions of the Directive by 1 January 1995. However, this transitional period is without prejudice to the obligations resulting for Norway from the provisions of Article 16 of the Agreement.

15c. 392 L 0026: Council Directive 92/26/EEC of 31 March 1992 concerning the classification for the supply of medicinal products for human use (OJ No L 113, 30.4.1992, p. 5).

15d. 392 L 0027: Council Directive 92/27/EEC of 31 March 1992 on the labelling of medicinal products for human use and on package leaflets (OJ No L 113, 30.4.1992, p. 8).

15e. 392 L 0028: Council Directive 92/28/EEC of 31 March 1992 on the advertising of medicinal products for human use (OJ No L 113, 30.4.1992, p. 13).

15f. 392 L 0109: Council Directive 92/109/EEC of 14 December 1992 on the manufacture and the placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances (OJ No L 370, 19.12.1992, p. 76), as amended by:

- 393 L 0046: Commission Directive 93/46/EEC of 22 June 1993 (OJ No L 159, 1.7.1993, p. 134)."

I. Chapter XIV. FERTILIZERS

1. The following indent shall be added in point 1 (Council Directive 76/116/EEC) before the adaptations:

- "– 393 L 0069: Commission Directive 93/69/EEC of 23 July 1993 (OJ No L 185, 28.7.1993, p. 30)."

2. The following indent shall be added in point 2 (Commission Directive 77/535/EEC):

- "– 393 L 0001: Commission Directive 93/1/EEC of 21 January 1993 (OJ No L 113, 7.5.1993, p. 17)."

J. Chapter XV. DANGEROUS SUBSTANCES

1. The following indents shall be added in point 1 (Council Directive 67/548/EEC), before the adaptations:

- "– 391 L 0410: Commission Directive 91/410/EEC of 22 July 1991 (OJ No L 228, 17.8.1991, p. 67),
- 391 L 0632: Commission Directive 91/632/EEC of 28 October 1991 (OJ No L 338, 10.12.1991, p. 23),
- 392 L 0032: Council Directive 92/32/EEC of 30 April 1992 (OJ No L 154, 5.6.1992, p. 1),
- 392 L 0037: Commission Directive 92/37/EEC of 30 April 1992 (OJ No L 154, 5.6.1992, p. 30),

- 392 L 0069: Commission Directive 92/69/EEC of 31 July 1992 (OJ No L 383, 29.12.1992, p. 113),
- 393 L 0021: Commission Directive 93/21/EEC of 27 April 1993 (OJ No L 110, 4.5.1993, p. 20),
- 393 L 0072: Commission Directive 93/72/EEC of 1 September 1993 (OJ No L 258, 16.10.1993, p. 29),
- 393 L 0090: Commission Directive 93/90/EEC of 29 October 1993 (OJ No L 277, 10.11.1993, p. 33),
- 393 L 0101: Commission Directive 93/101/EC of 11 November 1993 (OJ No L 13, 15.1.1994, p. 1),
- 393 L 0105: Commission Directive 93/105/EC of 25 November 1993 (OJ No L 294, 30.11.1993, p. 21)."

2. The following indent shall be added in point 4 (Council Directive 76/769/EEC) before the adaptation:

- "– 393 L 0659: Commission Directive 91/659/EEC of 3 December 1991 (OJ No L 363, 31.12.1991, p. 36)."

3. The following indent shall be added in point 6 (Council Directive 79/117/EEC) before the adaptation:

- "– 390 L 0335: Commission Directive 90/335/EEC of 7 June 1990 (OJ No L 162, 28.6.1990, p. 37)."

4. The following indents shall be added in point 10 (Council Directive 88/379/EEC) before the adaptations:

- "– 393 L 0018: Commission Directive 93/18/EEC of 5 April 1993 (OJ No L 104, 29.4.1993, p. 46),
- 393 L 0112: Commission Directive 93/112/EEC of 10 December 1993 (OJ No L 314, 16.12.1993, p. 38)."

5. The following shall be added in point 11 (Council Directive 91/157/EEC) before the adaptation:

", as amended by:

- 393 L 0086: Commission Directive 93/86/EEC of 4 October 1993 (OJ No L 264, 23.10.1993, p. 51)."

6. The following shall be added in point 12 (Council Regulation (EEC) No 594/91) before the adaptation:

", as amended by:

- 392 R 3952: Council Regulation (EEC) No 3952/92 of 30 December 1992 (OJ No L 405, 31.12.1993, p. 41)."

7. The following new points shall be inserted after point 12 (Council Regulation (EEC) No 594/91):

"12a. 391 L 0414: Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market (OJ No L 230, 19.8.1991, p. 1), as amended by:

- 393 L 0071: Commission Directive 93/71/EEC of 27 July 1993 (OJ No L 221, 31.8.1993, p. 27).

The EFTA States will be free to limit access to their markets according to the requirements of their legislation existing at the date of the entry into force of the decision by the EEA Joint Committee integrating this Directive into the EEA Agreement. New EC rules will be dealt with according to the procedures laid down in Articles 97 to 104 of the Agreement.

12b. 391 L 0442: Commission Directive 91/442/EEC of 23 July 1991 on dangerous preparations the packaging of which must be fitted with child-resistant fastenings (OJ No L 238, 27.8.1991, p. 25).

12c. 392 R 2455: Council Regulation (EEC) No 2455/92 of 23 July 1992 concerning the export and import of certain dangerous chemicals (OJ No L 251, 29.8.1992, p. 13).

12d. 393 L 0067: Commission Directive 93/67/EEC of 20 July 1993 laying down the principles for assessment of risks to man and the environment of substances notified in accordance with Council Directive 67/548/EEC (OJ No L 227, 8.9.1993, p. 9).

The Contracting Parties agree on the objective that the provisions of the Community acts on dangerous substances and preparations should apply by 1 January 1995. Finland shall comply with the provisions of the acts as from the entry into force of the seventh amendment to Council Directive 67/548/EEC. Pursuant to co-operation to be initiated from the signature of this Agreement in order to solve remaining problems, a review of the situation will take place during 1994, including matters not covered by Community legislation. If an EFTA State concludes that it will need any derogation from the Community acts relating to classification and labelling, the latter shall not apply to it unless the EEA Joint Committee agrees on another solution.

As regards the exchange of information, the following shall apply:

(i) The EFTA States that comply with the *acquis* on dangerous substances and preparations shall give equivalent guarantees to those existing within the Community that:

- where information is treated as confidential on the grounds of industrial and commercial secrecy within the Community, according to the provisions of the Directive, only those EFTA States which have taken over the relevant *acquis* shall participate in the exchange of information,
- confidential information will be afforded the same degree of protection in the EFTA States as that which obtains within the Community;

(ii) All EFTA States will participate in the exchange of information concerning all other aspects as provided for in the Directive."

8. The following new points shall be inserted after point 15 (C/146/90/p. 4):

- "16. C/1/93/p. 3: The European Chemical Bureau. Commission communication to the Council and the European Parliament (OJ No C 1, 5.1.1993, p. 3).
- 17. C/130/93/p. 1: Communication - Third publication of Elincs (OJ No C 130, 10.5.1993, p. 1).
- 18. C/130/93/p. 2: Commission Communication pursuant to Article 2 of Commission Decision 85/71/EEC of 21 December 1984 concerning the list of chemical substances notified pursuant to Council Directive 67/548/EEC on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (OJ No C 130, 10.5.1993, p. 2)."

K. CHAPTER XVI. COSMETICS

1. The following indents shall be added in point 1 (Council Directive 76/768/EEC):

- "– 392 L 0008: Fourteenth Commission Directive 92/8/EEC of 18 February 1992 (OJ No L 70, 17.3.1992, p. 23),
- 392 L 0086: Fifteenth Commission Directive 92/86/EEC of 21 October 1991 (OJ No L 325, 11.11.1992, p. 18),
- 393 L 0035: Council Directive 93/35/EEC of 14 June 1993 (OJ No L 151, 23.6.1993, p. 32),
- 393 L 0047: Sixteenth Commission Directive 93/47/EEC of 22 June 1993 (OJ No L 203, 13.8.1993, p. 24)."

2. The following new point shall be inserted after point 5 (Fourth Commission Directive 85/490/EEC):

- "6. 393 L 0073: Fifth Commission Directive 93/73/EEC of 9 September 1993 on the methods of analysis necessary for checking composition of cosmetic products (OJ No L 231, 14.9.1993, p. 34)."

L. CHAPTER XVII. ENVIRONMENT PROTECTION

1. The following new point shall be inserted after point 5 (Council Directive 89/629/EEC):

- "6. 393 L 0012: Council Directive 93/12/EEC of 23 March 1993 relating to the sulphur content of certain liquid fuels (OJ No L 74, 27.3.1993, p. 81).

With regard to the sulphur content of diesel fuels:

- Austria and Finland may maintain their national legislation until 1 October 1996;
- Iceland may maintain its national legislation until 1 October 1999. The Contracting Parties shall review the situation before the transitional period expires.

With regard to the sulphur content of gas fuels other than, or used for purposes other than, diesel fuels, with the exception of aviation kerosene, Austria and Finland may maintain their national legislation until 1 October 1999. However, new EC rules will be dealt with according to the procedures laid down in Articles 97 to 104 of the Agreement."

M. CHAPTER XVIII. INFORMATION TECHNOLOGY, TELECOMMUNICATIONS AND DATA PROCESSING

1. The following shall be added in point 4 (Council Directive 91/263/EEC):

" , as amended by:

- 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1993, p. 1),
- 393 L 0097: Council Directive 93/97/EEC of 29 October 1993 (OJ No L 290, 24.11.1993, p. 1)."

2. The following new points shall be inserted after point 4 (Council Directive 91/263/EEC):

- "5. 394 D 0011: Commission Decision 94/11/EC of 21 December 1993 on a common technical regulation for the general attachment requirements for public pan-European cellular digital land-based mobile communications (OJ No L 8, 12.1.1994, p. 20).
- 6. 394 D 0012: Commission Decision 94/12/EC of 21 December 1993 on a common technical regulation for the telephony application requirements for public pan-European cellular digital land-based mobile communications (OJ No L 8, 12.1.1994, p. 23)."

N. CHAPTER XIX. GENERAL PROVISIONS IN THE FIELD OF TECHNICAL BARRIERS TO TRADE

1. The following indent shall be added in point 1 (Council Directive 83/189/EEC) before the adaptations:

- "– 392 D 0400: Commission Decision 92/400/EEC of 15 July 1992 (OJ No L 221, 6.8.1992, p. 55)."

2. The text of point 2 (Council Decision 89/45/EEC) shall, with effect from 29 June 1994, be deleted.

3. The text of point 3 (Council Directive 90/683/EEC) shall be deleted.

4. The following points shall be inserted as new points 3a to 3d:

- "3a. 392 L 0059: Council Directive 92/59/EEC of 29 June 1992 on general products safety (OJ No L 228, 11.8.1992, p. 24).
- 3b. 393 R 0339: Council Regulation (EEC) No 339/93 of 8 February 1993 on checks for conformity with the rules on product safety in case of products imported from third countries (OJ No L 40, 17.2.1993, p. 1), as amended by:
 - 393 D 0583: Commission Decision 93/583/EEC of 28 July 1993

(OJ No L 279, 12.11.1993, p. 39).

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

(a) In Article 6.1, the following indents shall be added:

- "Vaarallinen tuote - ei saa laskea vapaaseen liikkeeseen - asetus (ETY) N:o 339/93" (Finnish)
- "Hættuleg vara - afhending til frjálsrar dreifingar ekki leyfð - reglugerð (EB) nr. 339/93" (Icelandic)
- "Farlig produkt - overgang til fri omsetning ikke tillatt - forordning (EØF) nr. 339/93" (Norwegian),
- "Farlig produkt - får inte börja omsättas fritt - förordning (EEG) nr. 339/93" (Swedish)

(b) In Article 6.2, the following indents shall be added:

- "Tuote ei vaatimusten mukainen - ei saa laskea vapaaseen liikkeeseen - asetus (ETY) N:o 339/93" (Finnish)
- "Vara ekki í samræmi - afhending til frjálsrar dreifingar ekki leyfð - reglugerð (EB) nr. 339/93" (Icelandic)
- "Ikke samsvarende produkt - overgang til fri omsetning ikke tillatt - forordning (EØF) nr. 339/93" (Norwegian),
- "Icke överensstämmande produkt - får inte börja omsättas fritt - förordning (EEG) nr. 339/93" (Swedish)

3c. 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 amending Directives 87/404/EEC (simple pressure vessels), 88/378/EEC (safety of toys), 89/106/EEC (construction products), 89/336/EEC (electromagnetic compatibility), 89/392/EEC (machinery), 89/686/EEC (personal protective equipment), 90/384/EEC (non-automatic weighing instruments), 90/385/EEC (active implantable medicinal devices), 90/396/EEC (appliances burning gaseous fuels), 91/263/EEC (telecommunications terminal equipment), 92/42/EEC (new hot-water boilers fired with liquid or gaseous fuels) and 73/23/EEC (electrical equipment designed for use within certain voltage limits)
(OJ No L 220, 30.8.1993, p. 1).

3d. 393 D 0465: Council Decision 93/465/EEC of 22 July 1993 concerning the modules for the various phases of the conformity assessment procedures and the rules for the affixing and use of the CE conformity marking, which shall be intended to be used in the technical harmonization directives
(OJ No L 220, 30.8.1993, p. 23).".

5. The following new points shall be inserted after point 9 (Commission Green Paper 590 DC 0456):

"10. 392 Y 0709(01): Council Resolution of 18 June 1992 on the role of European standardization in the European economy
(OJ No C 173, 9.7.1992, p. 1).

11. 392 X 0579: Commission Recommendation 92/579/EEC of 27 November 1992 calling upon Member States to set up the infrastructures needed to identify dangerous products at the external frontiers
(OJ No L 374, 22.12.1992, p. 66).".

O. CHAPTER XXI. CONSTRUCTION PRODUCTS

1. The following shall be added in point 1 (Council Directive 89/106/EEC) before the adaptation:

", as amended by:

- 393 L 0068: Council Directive 93/68/EEC of 22 July 1993
(OJ No L 220, 30.8.1993, p. 1).".

P. CHAPTER XXII. PERSONAL PROTECTIVE EQUIPMENT

1. The following shall be added in point 1 (Council Directive 89/686/EEC):

", as amended by:

- 393 L 0068: Council Directive 93/68/EEC of 22 July 1993
(OJ No L 220, 30.8.1993, p. 1),
- 393 L 0095: Council Directive 93/95/EEC of 29 October 1993
(OJ NO L 276, 9.11.1993, p. 11).".

2. The following new heading and new points shall be inserted after point 1 (Council Directive 89/686/EEC):

"ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the content of the following acts:

2. C/44/92/p. 13: Commission Communication in the framework of the implementation of the "New Approach" Directives, "Personal Protective Equipment" Council Directive 89/686/EEC of 21 December 1989
(OJ No C 44, 19.2.1992, p.13).
3. C/240/92/p. 6: Commission Communication in the framework of the implementation of Council Directive 89/686/EEC in relation to personal protective equipment
(OJ No C 240, 19.9.1992, p. 6).
4. C/345/93/p. 8: Commission Communication in the framework of the implementation of Council Directive 89/686/EEC of 21 December 1989 in relation to personal protective equipment, as amended by the Council Directives 93/68/EEC and 93/95/EEC
(OJ No C 345, 23.12.1993, p. 8).".

Q. CHAPTER XXIII. TOYS

1. The following shall be added in point 1 (Council Directive 88/378/EEC) before the adaptation:

", as amended by:

- 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1993, p. 1)."

2. The following new heading and new points shall be inserted after point 1 (Council Directive 88/378/EEC):

"ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the content of the following acts:

2. C/87/93/p. 3: Commission Communication pursuant to Article 9(2) of Council Directive 88/378/EEC regarding the list of bodies approved by the Member States responsible for carrying out the EC type-examination referred to in Articles 8(2) and 10 of that Directive (OJ No C 87, 27.3.1993, p. 3).
3. C/155/89/p. 2: Commission Communication in the framework of the implementation of Council Directive 88/378/EEC of 3 May concerning the approximation of the laws of the Member States referring to the safety of toys (OJ No C 155, 23.6.1989, p. 2)."

R. CHAPTER XXIV. MACHINERY

1. The following indents shall be added in point 1 (Council Directive 89/392/EEC) before the adaptation:

- "– 393 L 0044: Council Directive 93/44/EEC of 14 June 1993 (OJ No L 175, 19.7.1993, p. 12),
- 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1993, p. 1)."

2. The following new heading and new points shall be inserted after point 1 (Council Directive 89/392/EEC):

"ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties take note of the content of the following acts:

2. C/157/92/p. 4: Commission Communication in the framework of the implementation of Council Directive 89/392/EEC of 14 June 1989, in relation to machinery, modified by Council Directive 91/368/EEC (OJ No C 157, 24.6.1992, p. 4).
3. C/229/93/p. 3: Commission Communication in the framework of the implementation of Council Directive 89/392/EEC of 14 June 1989 in relation to machinery, as amended by Directive 91/368/EEC (OJ No C 229, 25.8.1993, p. 3)."

S. CHAPTER XXV. TOBACCO

1. The following shall be added in point 1 (Council Directive 89/622/EEC):

", as amended by:

- 392 L 0041: Council Directive 92/41/EEC of 15 May 1992 (OJ No L 158, 11.6.1992, p. 30).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) The prohibition in Article 8 of Directive 89/622/EEC as amended by Directive 92/41/EEC shall not apply to the placing on the market in Iceland, Norway and Sweden of the product defined in Article 2.4 of Directive 89/622/EEC, as amended by Directive 92/41/EEC. However, this derogation shall not apply to the prohibition of sales of "snus" in forms resembling food products. Furthermore, Iceland, Norway and Sweden shall apply an export ban on the product defined in Article 2.4 of Directive 89/622/EEC, as amended by Directive 92/41/EEC, to all other Contracting Parties to the present Agreement.

- (b) Products existing on 1 January 1994, which do not comply with the requirements of Directive 89/622/EEC, as amended by Directive 92/41/EEC, may still be marketed in Austria until 30 June 1994."

T. CHAPTER XXVII. SPIRIT DRINKS

1. The following shall be added to point 1 (Council Regulation (EEC) No 1576/89) before the adaptations:

" , as amended by:

- 392 R 3280: Council Regulation (EEC) No 3280/92 of 9 November 1992 (OJ No L 327, 13.11.1992, p. 3)."

2. The following indent shall be added to point 2 (Commission Regulation (EEC) No 1014/90) before the adaptation:

"– 392 R 3458: Commission Regulation (EEC) No 3458/92 of 30 November 1992 (OJ No L 350, 1.12.1992, p. 59)."

3. The following shall be added to point 3 (Council Regulation (EEC) No 1601/91) before the adaptations:

" , as amended by:

- 392 R 3279: Council Regulation (EEC) No 3279/92 of 9 November 1992 (OJ No L 327, 13.11.1992, p. 1)."

4. The following new points shall be inserted after point 3 (Council Regulation (EEC) No 1601/91):

"4. 391 R 3664: Commission Regulation (EEC) No 3664/91 of 16 December 1991 laying down transitional measures for aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails (OJ No L 348, 17.12.1991, p. 53), as amended by:

- 392 R 0351: Commission Regulation (EEC) No 351/92 of 13 February 1992 (OJ No L 37, 14.2.1992, p. 9),

- 392 R 1914: Commission Regulation (EEC) No 1914/92 of 10 July 1992 (OJ No L 192, 11.7.1992, p. 39),
- 392 R 3568: Commission Regulation (EEC) No 3568/92 of 10 December 1992 (OJ No L 362, 11.12.1992, p. 47),
- 393 R 1791: Commission Regulation (EEC) No 1791/93 of 30 June 1993 (OJ No L 163, 6.7.1993, p. 20).

5. 392 R 1238: Commission Regulation (EEC) No 1238/92 of 8 May 1992 determining the Community methods applicable in the wine sector for the analysis of neutral alcohol (OJ No L 130, 15.5.1992, p. 13).

6. 392 R 2009: Commission Regulation (EEC) No 2009/92 of 20 July 1992 determining Community analysis methods for ethyl alcohol of agricultural origin used in the preparation of spirit drinks, aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails (OJ No L 203, 21.7.1992, p. 10).".

U. The following new Chapters shall be added:

"XXVIII. CULTURAL GOODS

ACTS REFERRED TO

1. 393 L 0007: Council Directive 93/7/EEC of 15 March 1993 on the return of cultural objects unlawfully removed from the territory of a Member State (OJ No L 74, 27.3.1993, p. 74).

Finland, Iceland, Norway and Sweden shall comply with the provisions of the Directive by 1 January 1995.

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

In Article 13, with regard to Finland, Iceland, Norway and Sweden, the reference to "on or after 1 January 1993" shall read "on or after 1 January 1995".

XXIX. EXPLOSIVES FOR CIVIL USE

ACTS REFERRED TO

1. 393 L 0015: Council Directive 93/15/EEC of 5 April 1993 on the harmonization of the provisions relating to the placing on the market and supervision of explosives for civil use (OJ No L 121, 15.5.1993, p. 20).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

In Article 9(2) as regards the control of transfer, the EFTA States may carry out frontier controls in accordance with national rules in a non-discriminatory manner.

XXX. MEDICAL DEVICES

ACTS REFERRED TO

1. 393 L 0042: Council Directive 93/42/EEC of 14 June 1993 concerning medical devices (OJ No L 169, 12.7.1993, p. 1).".