of 29 May 2009

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

(1)   Annex I to the Agreement was amended by Decision of the EEA Joint Committee No 41/2009 of 24 April 2009[1].

(2)   Commission Regulation (EC) No 289/2008 of 31 March 2008 amending Regulation (EC) No 1266/2007 on implementing rules for Council Directive 2000/75/EC as regards the control, monitoring, surveillance and restrictions on movements of certain animals of susceptible species in relation to bluetongue[2] is to be incorporated into the Agreement.

(3)   Commission Regulation (EC) No 384/2008 of 29 April 2008 amending Regulation (EC) No 1266/2007 as regards the conditions for exempting pregnant animals from the exit ban provided for in Council Directive 2000/75/EC[3] is to be incorporated into the Agreement.

(4)   Commission Decision 2008/185/EC of 21 February 2008 on additional guarantees in intra-Community trade of pigs relating to Aujeszky's disease and criteria to provide information on this disease (Codified version)[4] is to be incorporated into the Agreement.

(5)   Commission Decision 2008/220/EC of 12 March 2008 amending Decision 2003/135/EC as regards the eradication and emergency vaccination plans for classical swine fever in feral pigs in certain areas of the *Länder* of Rhineland-Palatinate and North Rhine-Westphalia (Germany)[5] is to be incorporated into the Agreement.

(6)   Commission Decision 2008/233/EC of 17 March 2008 amending Decision 2004/558/EC implementing Council Directive 64/432/EEC as regards additional

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[1]   OJ L 162, 25.6.2009, p. 16.
[2]   OJ L 89, 1.4.2008, p. 3.
[3]   OJ L 116, 30.4.2008, p. 3.
[4]   OJ L 59, 4.3.2008, p. 19.
[5]   OJ L 70, 14.3.2008, p. 9.

guarantees for intra-Community trade in bovine animals relating to infectious bovine rhinotracheitis and the approval of the eradication programme presented by certain Member States[6] is to be incorporated into the Agreement.

(7)   Commission Decision 2008/234/EC of 18 March 2008 amending Decision 2003/467/EC as regards the declaration that certain administrative regions of Poland are officially free of enzootic bovine leucosis[7] is to be incorporated into the Agreement.

(8)   Commission Decision 2008/339/EC of 25 April 2008 amending Annex XI to Council Directive 2003/85/EC as regards the list of laboratories authorised to handle live foot-and-mouth disease virus[8] is to be incorporated into the Agreement.

(9)   Decision 2008/185/EC repeals Commission Decision 2001/618/EC[9] which is incorporated into the Agreement and is therefore to be repealed under the Agreement.

(10)   This Decision is not to apply to Iceland and Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

Annex I to the Agreement shall be amended as specified in the Annex to this Decision.

Article 2

The texts of Regulations (EC) Nos 289/2008 and 384/2008 and Decisions 2008/185/EC, 2008/220/EC, 2008/233/EC, 2008/234/EC and 2008/339/EC in the Norwegian language, 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 30 May 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee[*].

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*.

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[6]   OJ L 76, 19.3.2008, p. 56.
[7]   OJ L 76, 19.3.2008, p. 58.
[8]   OJ L 115, 29.4.2008, p. 39.
[9]   OJ L 215, 9.8.2001, p. 48.
[*]   No constitutional requirements indicated.

Done at Brussels, 29 May 2009.

For the EEA Joint Committee
The President

Alan Seatter

The Secretaries
to the EEA Joint Committee

Bergdis Ellertsdóttir   Matthias Brinkmann

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

1. The following indent shall be added in point 1a (Council Directive 2003/85/EC) in Part 3.1:

    '- **32008 D 0339**: Commission Decision 2008/339/EC of 25 April 2008 (OJ L 115, 29.4.2008, p. 39).'

2. The following shall be added in point 40 (Commission Regulation (EC) No 1266/2007) in Part 3.2:

    ', as amended by:

    - **32008 R 0289**: Commission Regulation (EC) No 289/2008 of 31 March 2008 (OJ L 89, 1.4.2008, p. 3),

    - **32008 R 0384**: Commission Regulation (EC) No 384/2008 of 29 April 2008 (OJ L 116, 30.4.2008, p. 3).'

3. Under the heading '*ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT*' the following indent shall be added in point 20 (Commission Decision 2003/135/EC) in Part 3.2:

    '- **32008 D 0220**: Commission Decision 2008/220/EC of 12 March 2008 (OJ L 70, 14.3.2008 p. 9).'

4. The text of point 64 (Commission Decision 2001/618/EC) in Part 4.2 shall be deleted.

5. The following indent shall be added in point 70 (Commission Decision 2003/467/EC) in Part 4.2:

    '- **32008 D 0234**: Commission Decision 2008/234/EC of 18 March 2008 (OJ L 76, 19.3.2008, p. 58).'

6. The following indent shall be added in point 80 (Commission Decision 2004/558/EC) in Part 4.2:

    '- **32008 D 0233**: Commission Decision 2008/233/EC of 17 March 2008 (OJ L 76, 19.3.2008, p. 56).'

7. The following point shall be inserted after point 83 (Commission Decision 2007/846/EC) in Part 4.2:

    '84. **32008 D 0185**: Commission Decision 2008/185/EC of 21 February 2008 on additional guarantees in intra-Community trade of pigs relating to Aujeszky's disease and criteria to provide information on this disease (OJ L 59, 4.3.2008, p. 19).

This act shall not apply to Iceland.'