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**DECISION OF THE EEA JOINT COMMITTEE**  
**No 123/2009**

**of 4 December 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 77/2009 of 3 July 2009<sup>1</sup>.
- (2) Commission Decision 2009/109/EC of 9 February 2009 on the organisation of a temporary experiment providing for certain derogations for the marketing of seed mixtures intended for use as fodder plants pursuant to Council Directive 66/401/EEC to determine whether certain species not listed in Council Directives 66/401/EEC, 66/402/EEC, 2002/55/EC or 2002/57/EC fulfil the requirements for being included in Article 2(1)(A) of Directive 66/401/EEC<sup>2</sup> is to be incorporated into the Agreement.
- (3) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following point shall be inserted after point 53 (Commission Directive 2008/124/EC) in Part 2 of Chapter III of Annex I to the Agreement:

- ‘54. **32009 D 0109:** Commission Decision 2009/109/EC of 9 February 2009 on the organisation of a temporary experiment providing for certain derogations for the marketing of seed mixtures intended for use as fodder plants pursuant to Council Directive 66/401/EEC to determine whether certain species not listed in Council Directives 66/401/EEC, 66/402/EEC, 2002/55/EC or 2002/57/EC fulfil the requirements for being included in Article 2(1)(A) of Directive 66/401/EEC (OJ L 40, 11.2.2009, p. 26).’

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<sup>1</sup> OJ L 277, 22.10.2009, p. 25.

<sup>2</sup> OJ L 40, 11.2.2009, p. 26.

## *Article 2*

The texts of Decision 2009/109/EC 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 5 December 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*.

Done at Brussels, 4 December 2009.

*For the EEA Joint Committee  
The President*

*Oda H. Sletnes*

*The Secretaries  
to the EEA Joint Committee*

*Bergdis Ellertsdóttir Lars-Olof Hollner*

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\* No constitutional requirements indicated.