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DECISION OF THE EEA JOINT COMMITTEE
No 114/2010

of 10 November 2010

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 60/2010 of 11 June 2010¹.
- (2) Commission Regulation (EC) No 357/2008 of 22 April 2008 amending Annex V to Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies² is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 571/2008 of 19 June 2008 amending Annex III to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the criteria for revision of the annual monitoring programmes concerning BSE³ is to be incorporated into the Agreement.
- (4) Commission Regulation (EC) No 584/2008 of 20 June 2008 implementing Regulation (EC) No 2160/2003 of the European Parliament and of the Council as regards a Community target for the reduction of the prevalence of *Salmonella enteritidis* and *Salmonella typhimurium* in turkeys⁴ is to be incorporated into the Agreement.
- (5) Commission Regulation (EC) No 746/2008 of 17 June 2008 amending Annex VII to Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies⁵ is to be incorporated into the Agreement.
- (6) Commission Regulation (EC) No 933/2008 of 23 September 2008 amending the Annex to Council Regulation (EC) No 21/2004 as regards the means of identification

¹ OJ L 244, 16.9.2010, p. 3.

² OJ L 111, 23.4.2008, p. 3.

³ OJ L 161, 20.6.2008, p. 4.

⁴ OJ L 162, 21.6.2008, p. 3.

⁵ OJ L 202, 31.7.2008, p. 11.

of animals and the content of the movement documents⁶ is to be incorporated into the Agreement.

- (7) Commission Regulation (EC) No 956/2008 of 29 September 2008 amending Annex IV to Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies⁷ is to be incorporated into the Agreement.
- (8) Commission Regulation (EC) No 1251/2008 of 12 December 2008 implementing Council Directive 2006/88/EC as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species⁸ is to be incorporated into the Agreement.
- (9) Commission Regulation (EC) No 103/2009 of 3 February 2009 amending Annexes VII and IX to Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies⁹ is to be incorporated into the Agreement.
- (10) Commission Regulation (EC) No 129/2009 of 13 February 2009 amending Regulation (EC) No 197/2006 as regards the validity of the transitional measures relating to former foodstuffs¹⁰ is to be incorporated into the Agreement.
- (11) Commission Regulation (EC) No 162/2009 of 26 February 2009 amending Annexes III and X to Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies¹¹ is to be incorporated into the Agreement.
- (12) Commission Regulation (EC) No 163/2009 of 26 February 2009 amending Annex IV to Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies¹² is to be incorporated into the Agreement.
- (13) Commission Regulation (EC) No 199/2009 of 13 March 2009 laying down a transitional measure derogating from Regulation (EC) No 2160/2003 of the European Parliament and of the Council, as regards direct supply of small quantities of fresh meat derived from flocks of broilers and turkeys¹³ is to be incorporated into the Agreement.
- (14) Commission Regulation (EC) No 213/2009 of 18 March 2009 amending Regulation (EC) No 2160/2003 of the European Parliament and of the Council and Regulation

⁶ OJ L 256, 24.9.2008, p. 5.

⁷ OJ L 260, 30.9.2008, p. 8.

⁸ OJ L 337, 16.12.2008, p. 41.

⁹ OJ L 34, 4.2.2009, p. 11.

¹⁰ OJ L 44, 14.2.2009, p. 3.

¹¹ OJ L 55, 27.2.2009, p. 11.

¹² OJ L 55, 27.2.2009, p. 17.

¹³ OJ L 70, 14.3.2009, p. 9.

(EC) No 1003/2005 as regards the control and testing of *Salmonella* in breeding flocks of *Gallus gallus* and turkeys¹⁴ is to be incorporated into the Agreement.

- (15) Commission Regulation (EC) No 759/2009 of 19 August 2009 amending the Annex to Council Regulation (EC) No 21/2004 establishing a system for the identification and registration of ovine and caprine animals¹⁵ is to be incorporated into the Agreement.
- (16) Commission Directive 2008/53/EC of 30 April 2008 amending Annex IV to Council Directive 2006/88/EC as regards Spring viraemia of carp (SVC)¹⁶ is to be incorporated into the Agreement.
- (17) Council Directive 2008/71/EC of 15 July 2008 on the identification and registration of pigs¹⁷ is to be incorporated into the Agreement.
- (18) Commission Decision 2008/392/EC of 30 April 2008 implementing Council Directive 2006/88/EC as regards an Internet-based information page to make information on aquaculture production businesses and authorised processing establishments available by electronic means¹⁸ is to be incorporated into the Agreement.
- (19) Commission Decision 2008/650/EC of 30 July 2008 amending Council Directive 82/894/EEC on the notification of animal diseases within the Community to include certain diseases in the list of notifiable diseases and to delete porcine enterovirus encephalomyelitis from that list¹⁹ is to be incorporated into the Agreement.
- (20) Commission Decision 2008/815/EC of 20 October 2008 approving certain national programmes for the control of *Salmonella* in flocks of broilers of *Gallus gallus*²⁰ is to be incorporated into the Agreement.
- (21) Commission Decision 2008/896/EC of 20 November 2008 on guidelines for the purpose of the risk-based animal health surveillance schemes provided for in Council Directive 2006/88/EC²¹ is to be incorporated into the Agreement.
- (22) Commission Decision 2008/908/EC of 28 November 2008 authorising certain Member States to revise their annual BSE monitoring programme²² is to be incorporated into the Agreement.
- (23) Commission Decision 2008/946/EC of 12 December 2008 implementing Council Directive 2006/88/EC as regards requirements for quarantine of aquaculture animals²³ is to be incorporated into the Agreement.
- (24) Commission Decision 2009/177/EC of 31 October 2008 implementing Council Directive 2006/88/EC as regards surveillance and eradication programmes and

¹⁴ OJ L 73, 19.3.2009, p. 5.

¹⁵ OJ L 215, 20.8.2009, p. 3.

¹⁶ OJ L 117, 1.5.2008, p. 27.

¹⁷ OJ L 213, 8.8.2008, p. 31.

¹⁸ OJ L 138, 28.5.2008, p. 12.

¹⁹ OJ L 213, 8.8.2008, p. 42.

²⁰ OJ L 283, 28.10.2008, p. 43.

²¹ OJ L 322, 2.12.2008, p. 30.

²² OJ L 327, 5.12.2008, p. 24.

²³ OJ L 337, 16.12.2008, p. 94.

disease-free status of Member States, zones and compartments²⁴ is to be incorporated into the Agreement.

- (25) Commission Decision 2009/247/EC of 16 March 2009 amending Decision 2003/322/EC as regards the feeding of certain species of necrophagous birds in Bulgaria with certain category 1 material²⁵ is to be incorporated into the Agreement.
- (26) Commission Decision 2009/722/EC of 29 September 2009 amending Decision 2003/324/EC as regards a derogation from the intra-species recycling ban for the feeding of certain fur animals in Latvia²⁶ is to be incorporated into the Agreement.
- (27) Commission Decision 2009/771/EC of 20 October 2009 approving certain national programmes for the control of salmonella in turkeys²⁷ is to be incorporated into the Agreement.
- (28) Regulation (EC) No 1251/2008 repeals Commission Decisions 1999/567/EC²⁸ and 2003/390/EC²⁹ which are incorporated into the Agreement and are therefore to be repealed under the Agreement.
- (29) Directive 2008/71/EC repeals Council Directive 92/102/EEC³⁰ which is incorporated into the Agreement and is therefore to be repealed under the Agreement.
- (30) Decision 2009/177/EC repeals Commission Decisions 2002/300/EC³¹ and 2002/308/EC³² which are incorporated into the Agreement and are therefore to be repealed under the Agreement.
- (31) Paragraph 2 of the Introductory Part of Chapter I of Annex I specifies that provisions concerning live animals, other than fish and aquaculture animals, shall not apply to Iceland, and that it shall be stated in relation to the specific act when it is not to apply or is to apply partially to Iceland. Therefore, it must be stated in relation to Council Directive 2005/94/EC, which is already incorporated into the Agreement, that it does not apply to Iceland.
- (32) This Decision shall apply to Iceland with the transitional period specified in paragraph 2 of the Introductory Part of Chapter I of Annex I for the areas which did not apply to Iceland prior to the review of this Chapter by Decision of the EEA Joint Committee No 133/2007 of 26 October 2007³³.
- (33) This Decision is not to apply to Liechtenstein,

²⁴ OJ L 63, 7.3.2009, p. 15.

²⁵ OJ L 73, 19.3.2009, p. 20.

²⁶ OJ L 257, 30.9.2009, p. 38.

²⁷ OJ L 275, 21.10.2009, p. 28.

²⁸ OJ L 216, 14.8.1999, p. 13.

²⁹ OJ L 135, 3.6.2003, p. 19.

³⁰ OJ L 355, 5.12.1992, p. 32.

³¹ OJ L 103, 19.4.2002, p. 24.

³² OJ L 106, 23.4.2002, p. 28.

³³ OJ L 100, 10.4.2008, p. 27.

HAS DECIDED AS FOLLOWS:

Article 1

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

Article 2

The texts of Regulations (EC) Nos 357/2008, 571/2008, 584/2008, 746/2008, 933/2008, 956/2008, 1251/2008, 103/2009, 129/2009, 162/2009, 163/2009, 199/2009, 213/2009 and 759/2009, Directives 2008/53/EC and 2008/71/EC and Decisions 2008/392/EC, 2008/650/EC, 2008/815/EC, 2008/896/EC, 2008/908/EC, 2008/946/EC, 2009/177/EC, 2009/247/EC, 2009/722/EC and 2009/771/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 11 November 2010, 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, 10 November 2010.

*For the EEA Joint Committee
The President*

Stefán Haukur Jóhannesson

*The Secretaries
to the EEA Joint Committee*

Bergdis Ellertsdóttir Gianluca Grippa

* No constitutional requirements indicated.

ANNEX

to Decision of the EEA Joint Committee No 114/2010

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

1. The following shall be added in point 7b (Council Regulation (EC) No 21/2004) in Part 1.1:

- ‘ - **32008 R 0933**: Commission Regulation (EC) No 933/2008 of 23 September 2008 (OJ L 256, 24.9.2008, p. 5),
- **32009 R 0759**: Commission Regulation (EC) No 759/2009 of 19 August 2009 (OJ L 215, 20.8.2009, p. 3).

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

In the table of country codes in footnote 1 in the Annex the following shall be added:

Iceland	IS	352
Norway	NO	578

2. The text of point 7 (Council Directive 92/102/EEC) in Part 1.1 shall be deleted.
3. The following point shall be inserted after point 7c (Regulation (EC) No 1760/2000 of the European Parliament and of the Council) in Part 1.1:

‘7d. **32008 L 0071**: Council Directive 2008/71/EC of 15 July 2008 on the identification and registration of pigs (OJ L 213, 8.8.2008, p. 31).’

4. The following shall be added in point 8a (Council Directive 2006/88/EC) in Part 3.1, point 5a (Council Directive 2006/88/EC) in Part 4.1 and point 4a (Council Directive 2006/88/EC) in Part 8.1:

‘, as amended by:

- **32008 L 0053**: Commission Directive 2008/53/EC of 30 April 2008 (OJ L 117, 1.5.2008, p. 27).’

5. The following shall be added in point 5a (Council Directive 2005/94/EC) in Part 3.1:

‘This act shall not apply to Iceland.’

6. The following indent shall be added in point 10 (Council Directive 82/894/EEC) in Part 3.1:

‘ - **32008 D 0650**: Commission Decision 2008/650/EC of 30 July 2008 (OJ L 213, 8.8.2008, p. 42).’

7. The following point shall be inserted after point 41 (Commission Regulation (EC) No 737/2008) in Part 3.2:
 - ‘42. **32008 D 0896**: Commission Decision 2008/896/EC of 20 November 2008 on guidelines for the purpose of the risk-based animal health surveillance schemes provided for in Council Directive 2006/88/EC (OJ L 322, 2.12.2008, p. 30).’
8. The text of points 51 (Commission Decision 1999/567/EC), 65 (Commission Decision 2002/300/EC), 66 (Commission Decision 2002/308/EC) and 72 (Commission Decision 2003/390/EC) in Part 4.2 shall be deleted.
9. The following points shall be inserted after point 85 (Commission Regulation (EC) No 504/2008) in Part 4.2:
 - ’86. **32008 R 1251**: Commission Regulation (EC) No 1251/2008 of 12 December 2008 implementing Council Directive 2006/88/EC as regards conditions and certification requirements for the placing on the market and the import into the Community of aquaculture animals and products thereof and laying down a list of vector species (OJ L 337, 16.12.2008, p. 41),
 87. **32008 D 0392**: Commission Decision 2008/392/EC of 30 April 2008 implementing Council Directive 2006/88/EC as regards an Internet-based information page to make information on aquaculture production businesses and authorised processing establishments available by electronic means (OJ L 138, 28.5.2008, p. 12),
 88. **32008 D 0946**: Commission Decision 2008/946/EC of 12 December 2008 implementing Council Directive 2006/88/EC as regards requirements for quarantine of aquaculture animals (OJ L 337, 16.12.2008, p. 94),
 89. **32009 D 0177**: Commission Decision 2009/177/EC of 31 October 2008 implementing Council Directive 2006/88/EC as regards surveillance and eradication programmes and disease-free status of Member States, zones and compartments (OJ L 63, 7.3.2009, p. 15).’
10. The following indent shall be added in points 8b (Regulation (EC) 2160/2003 of the European Parliament and of the Council) in Part 7.1 and 25 (Commission Regulation (EC) No 1003/2005) in Part 7.2:
 - ‘- **32009 R 0213**: Commission Regulation (EC) No 213/2009 of 18 March 2009 (OJ L 73, 19.3.2009, p. 5).’
11. The following indents shall be added in point 12 (Regulation (EC) No 999/2001 of the European Parliament and of the Council) in Part 7.1:
 - ‘- **32008 R 0357**: Commission Regulation (EC) No 357/2008 of 22 April 2008 (OJ L 111, 23.4.2008, p. 3),
 - **32008 R 0571**: Commission Regulation (EC) No 571/2008 of 19 June 2008 (OJ L 161, 20.6.2008, p. 4),

- **32008 R 0746:** Commission Regulation (EC) No 746/2008 of 17 June 2008 (OJ L 202, 31.7.2008, p. 11),
 - **32008 R 0956:** Commission Regulation (EC) No 956/2008 of 29 September 2008 (OJ L 260, 30.9.2008, p. 8),
 - **32009 R 0103:** Commission Regulation (EC) No 103/2009 of 3 February 2009 (OJ L 34, 4.2.2009, p. 11),
 - **32009 R 0162:** Commission Regulation (EC) No 162/2009 of 26 February 2009 (OJ L 55, 27.2.2009, p. 11),
 - **32009 R 0163:** Commission Regulation (EC) No 163/2009 of 26 February 2009 (OJ L 55, 27.2.2009, p. 17).'
12. The following adaptation text shall be added in point 12 (Regulation (EC) No 999/2001 of the European Parliament and of the Council) in Part 7.1:
- ‘H. In Annex IX, Chapter D, Section B, point c), the following shall be added after the words ‘destined to a Member State listed in the Annex to the Regulation (EC) No 546/2006,’:
- “or destined for Norway,”
13. The following indent shall be added in point 45 (Commission Regulation (EC) No 197/2006) in Part 7.2:
- ‘- **32009 R 0129:** Commission Regulation (EC) No 129/2009 of 13 February 2009 (OJ L 44, 14.2.2009, p. 3).’
14. The following shall be added in point 47 (Commission Regulation (EC) No 646/2007) in Part 7.2:
- ‘, as amended by:
- **32008 R 0584:** Commission Regulation (EC) No 584/2008 of 20 June 2008 (OJ L 162, 21.6.2008, p. 3).’
15. The following points shall be inserted after point 50 (Council Decision 2008/486/EC) in Part 7.2:
- ‘51. **32008 R 0584:** Commission Regulation (EC) No 584/2008 of 20 June 2008 implementing Regulation (EC) No 2160/2003 of the European Parliament and of the Council as regards a Community target for the reduction of the prevalence of *Salmonella enteritidis* and *Salmonella typhimurium* in turkeys (OJ L 162, 21.6.2008, p. 3),
52. **32009 R 0199:** Commission Regulation (EC) No 199/2009 of 13 March 2009 laying down a transitional measure derogating from Regulation (EC) No 2160/2003 of the European Parliament and of the Council, as regards direct supply of small quantities of fresh meat derived from flocks of broilers and turkeys (OJ L 70, 14.3.2009, p. 9).’

16. Under the heading '*ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT*' the following points shall be inserted after point 4i (Commission Decision 2007/874/EC) in Part 7.2:
- '4j. **32008 D 0815**: Commission Decision 2008/815/EC of 20 October 2008 approving certain national programmes for the control of *Salmonella* in flocks of broilers of *Gallus gallus* (OJ L 283, 28.10.2008, p. 43).
 - 4k. **32009 D 0771**: Commission Decision 2009/771/EC of 20 October 2009 approving certain national programmes for the control of *Salmonella* in turkeys (OJ L 275, 21.10.2009, p. 28).'
17. Under the heading '*ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT*' the following point shall be inserted after point 41a (Commission Decision 2007/667/EC) in Part 7.2:
- '41b. **32008 D 0908**: Commission Decision 2008/908/EC of 28 November 2008 authorising certain Member States to revise their annual BSE monitoring programme (OJ L 327, 5.12.2008, p. 24).'
18. 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 42 (Commission Decision 2003/322/EC) in Part 7.2:
- '- **32009 D 0247**: Commission Decision 2009/247/EC of 16 March 2009 (OJ L 73, 19.3.2009, p. 20).'
19. 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 43 (Commission Decision 2003/324/EC) in Part 7.2:
- '- **32009 D 0722**: Commission Decision 2009/722/EC of 29 September 2009 (OJ L 257, 30.9.2009, p. 38).'