

**Declaration by the EFTA States to Decision No 164/2013 of 8 October 2013 incorporating
Directive 2010/53/EU of the European Parliament and of the Council of 7 July 2010 on
standards of quality and safety of human organs intended for transplantation into the EEA
Agreement**

‘Directive 2010/53/EU of the European Parliament and of the Council of 7 July 2010 on standards of quality and safety of human organs intended for transplantation, based on Article 168 of the Treaty on the Functioning of the European Union, constitutes an important part of European health legislation and corresponds to the health policy of the EFTA States. The EEA Agreement does not provide a legal basis for public health equivalent to that of Article 168 of the Treaty on the Functioning of the European Union. The incorporation of this Directive is thus without prejudice to the scope of the EEA Agreement.

This declaration is without prejudice to Article 118 of the EEA Agreement.’