

## DECISION OF THE EEA JOINT COMMITTEE

No 42/2016

of 18 March 2016

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement [2017/1872]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2015/1399 of 17 August 2015 concerning the denial of authorisation of the preparation of *Bacillus toyonensis* (NCIMB 14858T) (formerly *Bacillus cereus* var. *toyoi* NCIMB 40112/CNCM I-1012) as a feed additive for cattle for fattening, rabbits for fattening, chickens for fattening, piglets (weaned), pigs for fattening, sows for reproduction and calves for rearing and the revocation of the authorisations of the preparation of *Bacillus cereus* var. *toyoi* (NCIMB 40112/CNCM I-1012) as a feed additive for turkeys for fattening and rabbit breeding does, amending Regulations (EC) No 256/2002, (EC) No 1453/2004, (EC) No 255/2005 and (EC) No 1200/2005 and repealing Regulations (EC) No 166/2008, (EC) No 378/2009 and Implementing Regulation (EU) No 288/2013 <sup>(1)</sup> is to be incorporated into the EEA Agreement.
- (2) Implementing Regulation (EU) 2015/1399 repeals Commission Regulations (EC) No 166/2008 <sup>(2)</sup> and (EC) No 378/2009 <sup>(3)</sup> and Commission Implementing Regulation (EU) No 288/2013 <sup>(4)</sup>, which are incorporated into the EEA Agreement and which are consequently to be repealed under the EEA Agreement.
- (3) This Decision concerns legislation regarding feedingstuffs. Legislation regarding feedingstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (4) Annex I to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

## Article 1

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

1. The following indent is added in points 1z (Commission Regulation (EC) No 256/2002), 1zzf (Commission Regulation (EC) No 255/2005) and 1zzm (Commission Regulation (EC) No 1200/2005):

‘— **32015 R 1399**: Commission Implementing Regulation (EU) 2015/1399 of 17 August 2015 (OJ L 217, 18.8.2015, p. 1).’

2. The following is added in point 1zw (Commission Regulation (EC) No 1453/2004):

‘, as amended by:

— **32015 R 1399**: Commission Implementing Regulation (EU) 2015/1399 of 17 August 2015 (OJ L 217, 18.8.2015, p. 1).’

<sup>(1)</sup> OJ L 217, 18.8.2015, p. 1.

<sup>(2)</sup> OJ L 50, 23.2.2008, p. 11.

<sup>(3)</sup> OJ L 116, 9.5.2009, p. 3.

<sup>(4)</sup> OJ L 86, 26.3.2013, p. 15.

3. The following point is inserted after point 152 (Commission Implementing Regulation (EU) 2015/1490):

'153. **32015 R 1399**: Commission Implementing Regulation (EU) 2015/1399 of 17 August 2015 concerning the denial of authorisation of the preparation of *Bacillus toyonensis* (NCIMB 14858T) (formerly *Bacillus cereus* var. *toyoi* NCIMB 40112/CNCM I-1012) as a feed additive for cattle for fattening, rabbits for fattening, chickens for fattening, piglets (weaned), pigs for fattening, sows for reproduction and calves for rearing and the revocation of the authorisations of the preparation of *Bacillus cereus* var. *toyoi* (NCIMB 40112/CNCM I-1012) as a feed additive for turkeys for fattening and rabbit breeding does, amending Regulations (EC) No 256/2002, (EC) No 1453/2004, (EC) No 255/2005 and (EC) No 1200/2005 and repealing Regulations (EC) No 166/2008, (EC) No 378/2009 and Implementing Regulation (EU) No 288/2013 (OJ L 217, 18.8.2015, p. 1).'

4. The text of points 1zzzzl (Commission Regulation (EC) No 166/2008), 1zzzzz (Commission Regulation (EC) No 378/2009) and 87 (Commission Implementing Regulation (EU) No 288/2013) are deleted.

#### Article 2

The text of Implementing Regulation (EU) 2015/1399 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 19 March 2016, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (\*).

#### 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, 18 March 2016.

For the EEA Joint Committee

The President

Claude MAERTEN

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(\*) No constitutional requirements indicated.