

DECISION OF THE EEA JOINT COMMITTEE
No 212/2017

of 15 December 2017

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 (“the EEA Agreement”), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2017/873 of 22 May 2017 concerning the authorisation of L-tryptophan produced by *Escherichia coli* as a feed additive for all animal species¹ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2017/895 of 24 May 2017 concerning the authorisation of a preparation of 3-phytase produced by *Komagataella pastoris* (CECT 13094) as a feed additive for chickens for fattening and laying hens (holder of authorisation Fertinagro Nutrientes S.L.)² is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2017/896 of 24 May 2017 concerning the authorisation of a preparation of 6-phytase, produced by *Trichoderma reesei* (ATCC SD-6528) as a feed additive in solid form for all poultry species and all porcine species (other than suckling piglets) (holder of the authorisation Danisco (UK) Ltd)³ is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Regulation (EU) 2017/912 of 29 May 2017 concerning the authorisation of the preparation of *Lactobacillus plantarum* DSM 29024 as a feed additive for all animal species⁴ is to be incorporated into the EEA Agreement.
- (5) Commission Implementing Regulation (EU) 2017/913 of 29 May 2017 concerning the authorisation of a preparation of fumonisin esterase produced by *Komagataella pastoris* (DSMZ 26643) as a feed additive for all avian species⁵ is to be incorporated into the EEA Agreement.
- (6) Commission Implementing Regulation (EU) 2017/930 of 31 May 2017 concerning the authorisation of a preparation of a microorganism strain DSM 11798 of the *Corynebacteriaceae* family as a feed additive for all avian species and amending Implementing Regulation (EU) No 1016/2013⁶ is to be incorporated into the EEA Agreement.

¹ OJ L 134, 23.5.2017, p. 14.

² OJ L 138, 25.5.2017, p. 120.

³ OJ L 138, 25.5.2017, p. 123.

⁴ OJ L 139, 30.5.2017, p. 30.

⁵ OJ L 139, 30.5.2017, p. 33.

⁶ OJ L 141, 1.6.2017, p. 6.

- (7) Commission Implementing Regulation (EU) 2017/940 of 1 June 2017 concerning the authorisation of formic acid as a feed additive for all animal species⁷ is to be incorporated into the EEA Agreement.
- (8) Commission Implementing Regulation (EU) 2017/950 of 2 June 2017 amending Implementing Regulation (EU) No 1068/2011 as regards the minimum content of the preparation of endo-1,4-beta-xylanase produced by *Aspergillus niger* (CBS 109.713) and endo-1,4-beta-glucanase produced by *Aspergillus niger* (DSM 18404) as a feed additive for chickens reared for laying and all avian species for laying (holder of authorisation BASF SE)⁸ is to be incorporated into the EEA Agreement.
- (9) Commission Implementing Regulation (EU) 2017/961 of 7 June 2017 concerning the authorisation of a preparation of *Enterococcus faecium* CECT 4515 as a feed additive for weaned piglets, and a new use in water for drinking for weaned piglets and chickens for fattening, and amending Regulation (EC) No 2036/2005 and Regulation (EU) No 887/2011 (holder of authorisation Evonik Nutrition & Care GmbH)⁹ is to be incorporated into the EEA Agreement.
- (10) Commission Implementing Regulation (EU) 2017/962 of 7 June 2017 suspending the authorisation of ethoxyquin as a feed additive for all animal species and categories¹⁰ is to be incorporated into the EEA Agreement.
- (11) Commission Implementing Regulation (EU) 2017/963 of 7 June 2017 concerning the authorisation of the preparation of endo-1,3(4)-beta-glucanase produced by *Aspergillus aculeatinus* (formerly classified as *Aspergillus aculeatus*) (CBS 589.94), endo-1,4-beta-glucanase produced by *Trichoderma reesei* (formerly classified as *Trichoderma longibrachiatum*) (CBS 592.04), alpha-amylase produced by *Bacillus amyloliquefaciens* (DSM 9553), endo-1,4-beta-xylanase produced by *Trichoderma viride* (NIBH FERM BP4842) and bacillolysin produced by *Bacillus amyloliquefaciens* (DSM 9554) as a feed additive for all avian species and weaned piglets and amending Regulations (EC) No 358/2005 and (EU) No 1270/2009 (holder of the authorisation Kemira Europa NV)¹¹ is to be incorporated into the EEA Agreement.
- (12) Commission Implementing Regulation (EU) 2017/1007 of 15 June 2017 concerning the authorisation of a preparation of lecithins as feed additive for all animal species¹² is to be incorporated into the EEA Agreement.
- (13) Commission Implementing Regulation (EU) 2017/1008 of 15 June 2017 concerning the authorisation of the preparation of of *Lactococcus lactis* PCM B/00039, *Carnobacterium divergens* PCM KKP 2012p, *Lactobacillus casei* PCM B/00080, *Lactobacillus plantarum* PCM B/00081 and *Saccharomyces cerevisiae* PCM KKP 2009p as a feed additive for chickens for fattening (holder of authorisation JHJ Ltd)¹³ is to be incorporated into the EEA Agreement.

⁷ OJ L 142, 2.6.2017, p. 40.

⁸ OJ L 143, 3.6.2017, p. 5.

⁹ OJ L 145, 8.6.2017, p. 7.

¹⁰ OJ L 145, 8.6.2017, p. 13.

¹¹ OJ L 145, 8.6.2017, p. 18.

¹² OJ L 153, 16.6.2017, p. 13.

¹³ OJ L 153, 16.6.2017, p. 16.

- (14) Commission Implementing Regulation (EU) 2017/173¹⁴ that was incorporated into the Agreement by Decision of the EEA Joint Committee No 77/2017 of 5 May 2017¹⁵, should also be added as an amending act to Regulation (EC) No 1292/2008 and Implementing Regulation (EU) No 887/2011.
- (15) 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.
- (16) 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 point 1zzs (Commission Regulation (EC) No 2036/2005):
‘- **32017 R 0961**: Commission Implementing Regulation (EU) 2017/961 of 7 June 2017 (OJ L 145, 8.6.2017, p. 7).’
2. The following indent is added in point 1zg (Commission Regulation (EC) No 358/2005):
‘- **32017 R 0963**: Commission Implementing Regulation (EU) 2017/963 of 7 June 2017 (OJ L 145, 8.6.2017, p. 13).’
3. The following indent is added in point 1zzzzze (Commission Regulation (EC) No 1292/2008):
‘- **32017 R 0173**: Commission Implementing Regulation (EU) 2017/173 of 1 February 2017 (OJ L 28, 2.2.2017, p. 5).’
4. The following indent is added in point 1zzzzzv (Commission Regulation (EU) No 1270/2009):
‘- **32017 R 0963**: Commission Implementing Regulation (EU) 2017/963 of 7 June 2017 (OJ L 145, 8.6.2017, p. 18).’
5. The following is added in point 2zn (Commission Implementing Regulation (EU) No 887/2011):
‘amended by:
- **32017 R 0173**: Commission Implementing Regulation (EU) 2017/173 of 1 February 2017 (OJ L 28, 2.2.2017, p. 5),
- **32017 R 0961**: Commission Implementing Regulation (EU) 2017/961 of 7 June 2017 (OJ L 145, 8.6.2017, p. 7).’

¹⁴ OJ L 28, 2.2.2017, p. 5.

¹⁵ OJ L ...

6. The following is added in point 2zzp (Commission Implementing Regulation (EU) No 1016/2013):
- ‘, as amended by:
- **2017 R 0930:** Commission Implementing Regulation (EU) 2017/930 of 31 May 2017 (OJ L 141, p. 1.6.2017, p. 6).’
7. The following points are inserted after point 208 (Commission Implementing Regulation (EU) 2017/1145):
- ‘209. **2017 R 0873:** Commission Implementing Regulation (EU) 2017/873 of 22 May 2017 concerning the authorisation of L-tryptophan produced by *Escherichia coli* as a feed additive for all animal species (OJ L 134, 23.5.2017, p. 14).
210. **2017 R 0895:** Commission Implementing Regulation (EU) 2017/895 of 24 May 2017 concerning the authorisation of a preparation of 3-phytase produced by *Komagataella pastoris* (CECT 13094) as a feed additive to chickens for fattening and laying hens (holder of authorisation Fertimag Nutrientes S.L.) (OJ L 138, 25.5.2017, p. 120).
211. **2017 R 0896:** Commission Implementing Regulation (EU) 2017/896 of 24 May 2017 concerning the authorisation of a preparation of 6-phytase, produced by *Trichoderma reesei* (ATCC SD-6528) as a feed additive in solid form for all poultry species and all porcine species (other than suckling piglets) (holder of the authorisation Danisco (UK) Ltd) (OJ L 138, 25.5.2017, p. 123).
212. **2017 R 0912:** Commission Implementing Regulation (EU) 2017/912 of 29 May 2017 concerning the authorisation of the preparation of *Lactobacillus plantarum* DSM 29024 as a feed additive for all animal species (OJ L 139, 30.5.2017, 30).
213. **2017 R 0913:** Commission Implementing Regulation (EU) 2017/913 of 29 May 2017 concerning the authorisation of a preparation of fumonisin esterase produced by *Komagataella pastoris* (DSM 26643) as a feed additive for all avian species (OJ L 139, 30.5.2017, p. 33).
214. **2017 R 0930:** Commission Implementing Regulation (EU) 2017/930 of 31 May 2017 concerning the authorisation of a preparation of a microorganism strain DSM 1798 of the *Coriobacteriaceae* family as a feed additive for all avian species and amending Implementing Regulation (EU) No 1016/2013 (OJ L 141, p. 1.6.2017, p. 6).
215. **2017 R 0940:** Commission Implementing Regulation (EU) 2017/940 of 1 June 2017 concerning the authorisation of formic acid as a feed additive for all animal species (OJ L 142, 2.6.2017, p. 40).
216. **2017 R 0950:** Commission Implementing Regulation (EU) 2017/950 of 2 June 2017 amending Implementing Regulation (EU) No 1068/2011 as regards the minimum content of the preparation of endo-1,4-beta-xylanase produced by *Aspergillus niger* (CBS 109.713) and endo-1,4-beta-glucanase produced by *Aspergillus niger* (DSM 18404) as a feed additive for chickens reared for laying and all avian species for laying (holder of authorisation BASF SE) (OJ L 143, 3.6.2017, p. 5).

217. **32017 R 0961**: Commission Implementing Regulation (EU) 2017/961 of 7 June 2017 concerning the authorisation of a preparation of *Enterococcus faecium* CECT 4515 as a feed additive for weaned piglets, and a new use in water for drinking for weaned piglets and chickens for fattening, and amending Regulation (EC) No 2036/2005 and Regulation (EU) No 887/2011 (holder of authorisation Evonik Nutrition & Care GmbH) (OJ L 145, 8.6.2017, p. 7).
218. **32017 R 0962**: Commission Implementing Regulation (EU) 2017/962 of 7 June 2017 suspending the authorisation of ethoxyquin as a feed additive for all animal species and categories (OJ L 145, 8.6.2017, p. 13).
219. **32017 R 0963**: Commission Implementing Regulation (EU) 2017/963 of 7 June 2017 concerning the authorisation of the preparation of endo-1,3(4)-beta-glucanase produced by *Aspergillus aculeatinus* (formerly classified as *Aspergillus aculeatus*) (CBS 589.94), endo-1,4-beta-glucanase produced by *Trichoderma reesei* (formerly classified as *Trichoderma longibrachiatum*) (CBS 592.94), alpha-amylase produced by *Bacillus amyloliquefaciens* (DSM 9553), endo-1,4-beta-xylanase produced by *Trichoderma viride* (NIBH FERM BP4842) and bacillolysin produced by *Bacillus amyloliquefaciens* (DSM 9554) as a feed additive for all avian species and weaned piglets, and amending Regulations (EC) No 358/2005 and (EU) No 1270/2009 (holder of the authorisation Kemin Europa NV) (OJ L 145, 8.6.2017, p. 18).
220. **32017 R 1007**: Commission Implementing Regulation (EU) 2017/1007 of 15 June 2017 concerning the authorisation of a preparation of lecithins as feed additive for all animal species (OJ L 153, 16.6.2017, p. 13).
221. **32017 R 1008**: Commission Implementing Regulation (EU) 2017/1008 of 15 June 2017 concerning the authorisation of the preparation of of *Lactococcus lactis* PCM B/00039, *Carnobacterium divergens* PCM KKP 2012p, *Lactobacillus casei* PCM B/00010, *Lactobacillus plantarum* PCM B/00081 and *Saccharomyces cerevisiae* PCM KKP 2059p as a feed additive for chickens for fattening (holder of authorisation JHJ Ltd) (OJ L 153, 16.6.2017, p. 16).'

Article 2

The texts of Implementing Regulation (EU) 2017/873, (EU) 2017/895, (EU) 2017/896, (EU) 2017/912, (EU) 2017/913, (EU) 2017/930, (EU) 2017/940, (EU) 2017/950, (EU) 2017/961, (EU) 2017/962, (EU) 2017/963, (EU) 2017/1007 and (EU) 2017/1008 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 16 December 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made*.

* [No constitutional requirements indicated.] [Constitutional requirements indicated.]

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, 15 December 2017.

For the EEA Joint Committee

The President

Sabine Monauni

The Secretaries

To the EEA Joint Committee

Dag Werner Hoyer / Vaclav Navratil

Provisional text