

DECISION OF THE EEA JOINT COMMITTEE
No 5/2020

of 7 February 2020

amending Annex I (Veterinary and phytosanitary matters) and Annex II (Technical regulations, standards, testing and certification) 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) 2019/1981 of 28 November 2019 amending Implementing Regulation (EU) 2019/626 as regards lists of third countries and regions thereof authorised for entry into the European Union of snails, gelatine and collagen, and insects intended for human consumption¹ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2019/2007 of 18 November 2019 laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the lists of animals, products of animal origin, germinal products, animal by-products and derived products and hay and straw subject to official controls at border control posts and amending Decision 2007/275/EC² is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2019/2128 of 12 November 2019 establishing the model official certificate and rules for issuing official certificates for goods which are delivered to vessels leaving the Union and intended for ship supply or consumption by the crew and passengers, or to NATO or a United States’ military base³ is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Regulation (EU) 2019/2129 of 25 November 2019 establishing rules for the uniform application of frequency rates for identity checks and physical checks on certain consignments of animals and goods entering the Union⁴ is to be incorporated into the EEA Agreement.
- (5) Commission Implementing Regulation (EU) 2019/2130 of 25 November 2019 establishing detailed rules on the operations to be carried out during and after documentary checks, identity checks and physical checks on animals and goods subject to official controls at border control posts⁵ is to be incorporated into the EEA Agreement.

¹ OJ L 308, 29.11.2019, p. 72

² OJ L 312, 3.12.2019, p. 1.

³ OJ L 321, 12.12.2019, p. 114.

⁴ OJ L 321, 12.12.2019, p. 122.

⁵ OJ L 321, 12.12.2019, p. 128.

- (6) Commission Implementing Decision (EU) 2019/2098 of 28 November 2019 on temporary animal health requirements for consignments of products of animal origin for human consumption originating in and returning to the Union following a refusal of entry by a third country⁶ is to be incorporated into the EEA Agreement.
- (7) Implementing Regulation (EU) 2019/2129 repeals Commission Decision 94/360/EC⁷, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (8) Implementing Regulation (EU) 2019/2130 repeals Commission Regulations (EU) No 136/2004⁸ and (EU) No 282/2004⁹, which are incorporated into the EEA Agreement and which are consequently to be repealed under the EEA Agreement.
- (9) This Decision concerns legislation containing provisions regarding plant health. Legislation regarding plant health falls outside the scope of the EEA Agreement and provisions regarding plant health shall therefore not apply to the EFTA States
- (10) This Decision concerns legislation containing provisions regarding live animals, other than fish and aquaculture animals. Provisions regarding live animals, other than fish and aquaculture animals, shall not apply to Iceland, as specified in paragraph 2 of the Introductory Part of Chapter I of Annex I to the EEA Agreement.
- (11) This Decision concerns legislation regarding veterinary matters, feedingstuffs and foodstuffs. Legislation regarding veterinary matters, feedingstuffs and foodstuffs 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 and the introduction to Chapter XII of Annex II to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (12) Annexes I and II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following is added in points 11bj (Commission Implementing Regulation (EU) 2019/626) of Part 1.1 of Chapter I and 31qj (Commission Implementing Regulation (EU) 2019/626) of Chapter II:
' , as amended by:
 - **32019 R 1981**: Commission Implementing Regulation (EU) 2019/1981 of 28 November 2019 (OJ L 308, 29.11.2019, p. 72).'
2. The following indent is added in point 137 (Commission Decision 2007/275/EC) of Part 1.2. of Chapter I:
' - **32019 R 2007**: Commission Implementing Regulation (EU) 2019/2007 of 18 November 2019 (OJ L 312, 3.12.2019, p. 1).'

⁶ OJ L 317, 9.12.2019, p. 111.

⁷ OJ L 158, 25.6.1994, p. 41.

⁸ OJ L 21, 28.1.2004, p. 11.

⁹ OJ L 49, 19.2.2004, p. 11.

3. The following points are inserted after point 11bn (Commission Implementing Regulation (EU) 2019/1873) in Part 1.1 of Chapter I:

‘11bo. **32019 R 2007**: Commission Implementing Regulation (EU) 2019/2007 of 18 November 2019 laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the lists of animals, products of animal origin, germinal products, animal by-products and derived products and hay and straw subject to official controls at border control posts and amending Decision 2007/275/EC (OJ L 312, 3.12.2019, p. 1).

11bp. **32019 D 2098**: Commission Implementing Decision (EU) 2019/2098 of 28 November 2019 on temporary animal health requirements for consignments of products of animal origin for human consumption originating in and returning to the Union following a refusal of entry by a third country (OJ L 317, 9.12.2019, p. 111).

11bq. **32019 R 2128**: Commission Implementing Regulation (EU) 2019/2128 of 12 November 2019 establishing the model official certificate and rules for issuing official certificates for goods which are delivered to vessels leaving the Union and intended for ship supply or consumption by the crew and passengers, or to NATO or a United States’ military base (OJ L 321, 12.12.2019, p. 114).

11br. **32019 R 2129**: Commission Implementing Regulation (EU) 2019/2129 of 25 November 2019 establishing rules for the uniform application of frequency rates for identity checks and physical checks on certain consignments of animals and goods entering the Union (OJ L 321, 12.12.2019, p. 122).

11bs. **32019 R 2130**: Commission Implementing Regulation (EU) 2019/2130 of 25 November 2019 establishing detailed rules on the operations to be carried out during and after documentary checks, identity checks and physical checks on animals and goods subject to official controls at border control posts (OJ L 321, 12.12.2019, p. 128).’

4. The following points are inserted after point 31qn (Commission Implementing Regulation (EU) 2019/1873) of Chapter II:

‘31qo. **32019 R 2007**: Commission Implementing Regulation (EU) 2019/2007 of 18 November 2019 laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the lists of animals, products of animal origin, germinal products, animal by-products and derived products and hay and straw subject to official controls at border control posts and amending Decision 2007/275/EC (OJ L 312, 3.12.2019, p. 1).

31qp. **32019 D 2098**: Commission Implementing Decision (EU) 2019/2098 of 28 November 2019 on temporary animal health requirements for consignments of products of animal origin for human consumption originating in and returning to the Union following a refusal of entry by a third country (OJ L 317, 9.12.2019, p. 111).

31qq. **32019 R 2128**: Commission Implementing Regulation (EU) 2019/2128 of 12 November 2019 establishing the model official certificate and rules for issuing official certificates for goods which are delivered to vessels leaving the Union and intended for ship supply or consumption by the crew and passengers, or to NATO or a United States’ military base (OJ L 321, 12.12.2019, p. 114).

- 31qr. **32019 R 2129**: Commission Implementing Regulation (EU) 2019/2129 of 25 November 2019 establishing rules for the uniform application of frequency rates for identity checks and physical checks on certain consignments of animals and goods entering the Union (OJ L 321, 12.12.2019, p. 122).
- 31qs. **32019 R 2130**: Commission Implementing Regulation (EU) 2019/2130 of 25 November 2019 establishing detailed rules on the operations to be carried out during and after documentary checks, identity checks and physical checks on animals and goods subject to official controls at border control posts (OJ L 321, 12.12.2019, p. 128).'
5. The text of points 25 (Commission Decision 94/360/EC), 115 (Commission Regulation (EC) No 136/2004) and 117 (Commission Regulation (EC) No 282/2004) in Part 1.2. of Chapter I are deleted.

Article 2

The following points are inserted after point 164n (Commission Implementing Regulation (EU) 2019/1873) of Chapter XII of Annex II to the EEA Agreement:

- 164o. **32019 R 2007**: Commission Implementing Regulation (EU) 2019/2007 of 18 November 2019 laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the lists of animals, products of animal origin, germinal products, animal by-products and derived products and hay and straw subject to official controls at border control posts and amending Decision 2007/275/EC (OJ L 312, 3.12.2019, p. 1).
- 164p. **32019 D 2098**: Commission Implementing Decision (EU) 2019/2098 of 28 November 2019 on temporary animal health requirements for consignments of products of animal origin for human consumption originating in and returning to the Union following a refusal of entry by a third country (OJ L 317, 9.12.2019, p. 111).
- 164q. **32019 R 2128**: Commission Implementing Regulation (EU) 2019/2128 of 12 November 2019 establishing the model official certificate and rules for issuing official certificates for goods which are delivered to vessels leaving the Union and intended for ship supply or consumption by the crew and passengers, or to NATO or a United States' military base (OJ L 321, 12.12.2019, p. 114).
- 164r. **32019 R 2129**: Commission Implementing Regulation (EU) 2019/2129 of 25 November 2019 establishing rules for the uniform application of frequency rates for identity checks and physical checks on certain consignments of animals and goods entering the Union (OJ L 321, 12.12.2019, p. 122).
- 164s. **32019 R 2130**: Commission Implementing Regulation (EU) 2019/2130 of 25 November 2019 establishing detailed rules on the operations to be carried out during and after documentary checks, identity checks and physical checks on animals and goods subject to official controls at border control posts (OJ L 321, 12.12.2019, p. 128).'

Article 3

The texts of Implementing Regulations (EU) 2019/1981, (EU) 2019/2007, (EU) 2019/2128, (EU) 2019/2129, (EU) 2019/2130 and Implementing Decision (EU) 2019/2098 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 4

This Decision shall enter into force on 8 February 2020, provided that all the notifications under Article 103(1) of the EEA Agreement have been made*, or on the day of the entry into force of Decision of the EEA Joint Committee No 210/2019 of 27 September 2019¹⁰, whichever is the later.

Article 5

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, 7 February 2020.

*For the EEA Joint Committee
The President*

Clara Ganslandt

*The Secretaries
To the EEA Joint Committee*

Hege M. Hoff

Mikołaj Karłowski

* [No constitutional requirements indicated.]
¹⁰ OJ L ...