



2024/1375

13.6.2024

**DECISION OF THE EEA JOINT COMMITTEE No 306/2023**

**of 8 December 2023**

**amending Annex I (Veterinary and phytosanitary matters) and Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement [2024/1375]**

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) Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety <sup>(1)</sup> was incorporated into the EEA Agreement by the Decision of the EEA Joint Committee No 134/2007 of 26 October 2007 <sup>(2)</sup>.
- (2) Regulation (EC) No 178/2002 established the European Food Safety Authority as the responsible Union risk assessment body in matters relating to food and feed safety. Adaptations to Regulation (EC) No 178/2002 in Decision of the EEA Joint Committee No 134/2007 of 26 October 2007 provide for the full participation of the EFTA States in the work of the Authority without the right to vote.
- (3) Regulation (EU) 2019/1381 of the European Parliament and of the Council of 20 June 2019 on the transparency and sustainability of the EU risk assessment in the food chain and amending Regulations (EC) No 178/2002, (EC) No 1829/2003, (EC) No 1831/2003, (EC) No 2065/2003, (EC) No 1935/2004, (EC) No 1331/2008, (EC) No 1107/2009, (EU) 2015/2283 and Directive 2001/18/EC <sup>(3)</sup> was incorporated into the EEA Agreement by the Decision of the EEA Joint Committee No 234/2021 of 24 September 2021 <sup>(4)</sup>.
- (4) Adaptations to the incorporation of Regulation (EC) No 178/2002 in Decision of the EEA Joint Committee No 234/2021 of 24 September 2021 provide the EFTA States and the EFTA Surveillance Authority full participation rights in the Management Board of the Authority without the right to vote.
- (5) Regulation (EC) No 1642/2003 of the European Parliament and of the Council of 22 July 2003 <sup>(5)</sup> amended Regulation (EC) No 178/2002 by including provisions to make Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents <sup>(6)</sup> applicable to the European Food Safety Authority. This Decision should therefore include a reference to Regulation (EC) No 1049/2001 to make that Regulation applicable to any documents of the European Food Safety Authority as regards the EFTA States as well.

<sup>(1)</sup> OJ L 31, 1.2.2002, p. 1.

<sup>(2)</sup> OJ L 100, 10.4.2008, p. 33.

<sup>(3)</sup> OJ L 231, 6.9.2019, p. 1.

<sup>(4)</sup> OJ L, 2024/466, 22.2.2024, ELI: <http://data.europa.eu/eli/dec/2024/466/oj>.

<sup>(5)</sup> OJ L 245, 29.9.2003, p. 4.

<sup>(6)</sup> OJ L 145, 31.5.2001, p. 43.

- (6) 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.
- (7) 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) point 13 (Regulation (EC) No 178/2002 of the European Parliament and of the Council) in Part 7.1 of Chapter I is amended as follows:
- (i) adaptations (k) and (l) are renumbered as (l) and (m);
  - (ii) the following adaptation is added after adaptation (j):
    - ‘(k) The following shall be added to Article 41(1):

“Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents shall, for the application of this Regulation, apply to any documents of the Authority regarding the EFTA States as well.”;
- (2) point 41 (Regulation (EC) No 178/2002 of the European Parliament and of the Council) of Chapter II is amended as follows:
- (i) adaptations (k) to (p) are renumbered as (l) to (q);
  - (ii) the following adaptation is added after adaptation (j):
    - ‘(k) The following shall be added to Article 41(1):

“Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents shall, for the application of this Regulation, apply to any documents of the Authority regarding the EFTA States as well.”.

#### *Article 2*

Point 54zzzc (Regulation (EC) No 178/2002 of the European Parliament and of the Council) of Chapter XII of Annex II to the EEA Agreement is amended as follows:

- (i) adaptations (k) to (p) are renumbered as (l) to (q);
- (ii) the following adaptation is added after adaptation (j):
  - ‘(k) The following shall be added to Article 41(1):

“Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents shall, for the application of this Regulation, apply to any documents of the Authority regarding the EFTA States as well.”

*Article 3*

This Decision shall enter into force on 9 December 2023, 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, 8 December 2023.

*For the EEA Joint Committee*  
*The President*  
Pascal SCHAFHAUSER

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(\*) No constitutional requirements indicated.