

EUROPEAN ECONOMIC AREA

STANDING COMMITTEE OF THE EFTA STATES

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SUBCOMMITTEE I ON THE FREE MOVEMENT OF GOODS

SIMPLIFIED PROCEDURES IN THE VETERINARY FIELD QUESTIONS AND ANSWERS

Information by the Secretariat

1. What is a simplified procedure?

A simplified procedure is derogation from the general procedures for incorporation of acquis laid down by the EFTA Standing Committee. As a general rule, legal acts have to be incorporated into the EEA Agreement by a Decision of the EEA Joint Committee before becoming applicable in the EEA EFTA States. Simplified procedures signify that acts which are subject to these procedures are no longer incorporated into the EEA Agreement by a Decision of the EEA Joint Committee in order to become applicable in the EEA EFTA States.

2. Why simplified procedures?

Until 2001, when simplified procedures were introduced, the acts were incorporated into the EEA Agreement by a Decision of the EEA Joint Committee, which in most cases took more than half a year.

For many of the measures in the veterinary field, it is essential that they are implemented and applied shortly after their adoption in the EU. This is of particular importance in areas where it is urgent to put safeguard and protective measures in place, and to update these measures in light of developments in the case.

Furthermore, it is important in the case of special conditions for imports, import certificates, and lists of third countries and third country establishments from which imports may be authorised. All these measures are frequently updated in light of the developments in trade with third countries. As parties to the Internal Market, with a common border between the Community and third countries, it was important to ensure that the EEA EFTA States apply the same rules at the same time as the EU Member States, when checking products imported from third countries.

3. When were simplified procedures introduced and to which acts do they apply?

Simplified procedures for the handling of certain veterinary acts were introduced in September 2001¹, by the introduction of points 7 and 8 in the Introductory Part of Chapter I of Annex I to the EEA Agreement.

Simplified procedures were introduced for the following acts:

- Texts of application concerning imports from third countries (previously contained in Part 8.2 of Chapter I of Annex I)
- List of establishments in third countries (previously contained in Part 8.3 of Chapter I of Annex I)
- Safeguard and protective measures concerning imports from third countries (previously contained in Part 1.2)

The procedures were extended to safeguard and protective measures concerning all or part of the Community with effect from 1 January 2002. The extension of the procedures was based on a joint interpretation² of paragraph 3 (b) of the Introductory Part.

In 2005, simplified procedures were introduced for acts listing countries and territories, and for safeguard measures, both concerning non-commercial movement of pet animals. For this purpose, a new paragraph 13 was introduced in the Introductory Part of Chapter I of Annex I.

Following the adoption of simplified procedures, acts which were subject to these procedures were deleted³ from Chapter I of Annex I of the EEA Agreement.

4. What are the benefits of simplified procedures?

Simplified procedures derogate from the general procedures for the incorporation of acquis, laid down by the EFTA Standing Committee. This means that the procedures for incorporation of acquis no longer apply and that the acts subject to these procedures are no longer incorporated into the EEA Agreement by a Decision of the EEA Joint Committee.

Instead, the procedures require EEA EFTA States to “simultaneously with the Member States take measures corresponding to those taken by the latter”. The EEA EFTA Member States are, therefore, obliged to implement and apply the measures adopted by the Community in the same manner and within the same deadlines as those applicable to the EU Member States.

5. Are there any records of the acts?

The EFTA Secretariat keeps a record of the acts that are subject to simplified procedures. Each year, the EEA Joint Committee takes note of acts subject to these procedures for transparency purposes. The list is thereafter available on the website of the EFTA Secretariat.

¹ EEA JCD No 101/2001, which entered into force on 29 September 2001.

² Document 1/00/I/025 expanding simplified procedure to cover safeguard and protective measures concerning the Community (Ref. No.: 1029125).

³ EEA JCDs Nos 101/2001, 69/2002 and 51/2005.

6. Is the EFTA Surveillance Authority's competence affected by these procedures?

The EFTA Surveillance Authority's competence as such was not affected by the introduction of these procedures, and has remained unchanged since their introduction. Once an act has entered into force in the Community (and the EEA EFTA Member States) and the compliance date is passed, the EEA EFTA Member States are obliged to implement and apply the legislation in the same manner as the EU Member States, and the EFTA Surveillance Authority's competence is invoked.

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