DECISION OF THE EEA JOINT COMMITTEE

No 80/2012

of 30 April 2012

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, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

(1) Annex I to the Agreement was amended by Decision of the EEA Joint Committee No 39/2012 of 30 March 2012 [1].

(2) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 45/2012 of 30 March 2012 [2].

(3) Commission Regulation (EU) No 420/2011 of 29 April 2011 amending Regulation (EC) No 1881/2006 setting maximum levels for certain contaminants in foodstuffs [3], as corrected by OJ L 168, 28.6.2011, p. 20, is to be incorporated into the Agreement.

(4) Commission Regulation (EU) No 835/2011 of 19 August 2011 amending Regulation (EC) No 1881/2006 as regards maximum levels for polycyclic aromatic hydrocarbons in foodstuffs [4] is to be incorporated into the Agreement.

(5) Commission Regulation (EU) No 836/2011 of 19 August 2011 amending Regulation (EC) No 333/2007 laying down the methods of sampling and analysis for the official control of the levels of lead, cadmium, mercury, inorganic tin, 3-MCPD and benzo(a)pyrene in foodstuffs [5] is to be incorporated into the Agreement.

(6) Commission Implementing Regulation (EU) No 844/2011 of 23 August 2011 approving the pre-export checks carried out by Canada on wheat and wheat flour as regards the presence of ochratoxin A [6] is to be incorporated into the Agreement.

(7) Commission Implementing Regulation (EU) No 931/2011 of 19 September 2011 on the traceability requirements set by Regulation (EC) No 178/2002 of the European Parliament and of the Council for food of animal origin [7] is to be incorporated into the Agreement.

(8) Commission Regulation (EU) No 978/2011 of 3 October 2011 amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for acetamiprid, biphenyl, captan, chlorantraniliprole, cyflufenamid, cymoxanil, dichlorprop-P, difenoconazole, dimethomorph, dithiocarbamates, epoxiconazole, ethephon, flutriafol, fluxapyroxad, isopyrazam, propamocarb, pyraclostrobin, pyrimethanil and spirotetramat in or on certain products [8] is to be incorporated into the Agreement.

(9) In the case T-262/10 the General Court of the Court of Justice of the European Union annulled Commission Decision 2010/169/EU [9], which is incorporated in the Agreement and is therefore to be deleted under the Agreement.

(10) This Decision concerns legislation regarding veterinary issues, feedingstuffs and foodstuffs. Legislation regarding veterinary issues, 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 Agreement. This Decision is therefore not to apply to Liechtenstein,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to the Agreement shall be amended as follows:

(1) the following point shall be inserted after point 55 (Commission Regulation (EU) No 517/2011) in Part 7.2 of Chapter I:

'56. **32011 R 0931**: Commission Implementing Regulation (EU) No 931/2011 of 19 September 2011 on the

[1] OJ L 207, 2.8.2012, p. 13.
[2] OJ L 207, 2.8.2012, p. 24.
[3] OJ L 111, 30.4.2011, p. 3.
[4] OJ L 215, 20.8.2011, p. 4.
[5] OJ L 215, 20.8.2011, p. 9.
[6] OJ L 218, 24.8.2011, p. 4.
[7] OJ L 242, 20.9.2011, p. 2.
[8] OJ L 258, 4.10.2011, p. 12.
[9] OJ L 75, 23.3.2010, p. 25.

traceability requirements set by Regulation (EC) No 178/2002 of the European Parliament and of the Council for food of animal origin (OJ L 242, 20.9.2011, p. 2).';

(2) the following indent shall be added in point 40 (Regulation (EC) No 396/2005 of the European Parliament and of the Council) of Chapter II:

'— **32011 R 0978**: Commission Regulation (EU) No 978/2011 of 3 October 2011 (OJ L 258, 4.10.2011, p. 12).'.

Article 2

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

(1) the following indent shall be added in point 54zzy (Regulation (EC) No 396/2005 of the European Parliament and of the Council):

'— **32011 R 0978**: Commission Regulation (EU) No 978/2011 of 3 October 2011 (OJ L 258, 4.10.2011, p. 12).';

(2) the following shall be added in point 54zzzp (Commission Regulation (EC) No 333/2007):

', as amended by:

— **32011 R 0836**: Commission Regulation (EU) No 836/2011 of 19 August 2011 (OJ L 215, 20.8.2011, p. 9).';

(3) the following indents shall be added in point 54zzzz (Commission Regulation (EC) No 1881/2006):

'— **32011 R 0420**: Commission Regulation (EU) No 420/2011 of 29 April 2011 (OJ L 111, 30.4.2011, p. 3), as corrected by OJ L 168, 28.6.2011, p. 20.

— **32011 R 0835**: Commission Regulation (EU) No 835/2011 of 19 August 2011 (OJ L 215, 20.8.2011, p. 4).';

(4) the following points shall be inserted after point 60 (Commission Regulation (EU) No 666/2011):

'61. **32011 R 0844**: Commission Implementing Regulation (EU) No 844/2011 of 23 August 2011 approving the pre-export checks carried out by Canada on wheat and wheat flour as regards the presence of ochratoxin A (OJ L 218, 24.8.2011, p. 4).

62. **32011 R 0931**: Commission Implementing Regulation (EU) No 931/2011 of 19 September 2011 on the traceability requirements set by Regulation (EC) No 178/2002 of the European Parliament and of the Council for food of animal origin (OJ L 242, 20.9.2011, p. 2).';

(5) the text of point 54zzzzzl (Commission Decision 2010/169/EU) shall be deleted.

Article 3

The texts of Regulations (EU) No 420/2011, (EU) No 835/2011 and (EU) No 836/2011, Implementing Regulations (EU) No 844/2011 and (EU) No 931/2011, and Regulation (EU) No 978/2011 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 1 May 2012, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

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, 30 April 2012.

For the EEA Joint Committee
The Acting President
Gianluca GRIPPA

(*) No constitutional requirements indicated.