

DECISION OF THE EEA JOINT COMMITTEE

No 97/2007

of 28 September 2007

amending Annex I (Veterinary and phytosanitary matters), Annex II (Technical regulations, standards, testing and certification) and Protocol 47 (Abolition of technical barriers to trade in wine) 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 75/2007 of 6 July 2007 ⁽¹⁾.
- (2) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 79/2007 of 6 July 2007 ⁽²⁾.
- (3) Protocol 47 to the Agreement was amended by Decision of the EEA Joint Committee No 161/2006 of 8 December 2006 ⁽³⁾.
- (4) The Principality of Liechtenstein and the Swiss Confederation form a customs union in accordance with their Customs Treaty of 29 March 1923.
- (5) Annex 11, on Animal-health and zootechnical measures applicable to trade in live animals and animal products, to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products ⁽⁴⁾ hereinafter referred to as 'the Agriculture Agreement' is applicable to Liechtenstein. Accordingly, Decision of the EEA Joint Committee No 1/2003 ⁽⁵⁾ exempts Liechtenstein from the application of Chapter I of Annex I to the Agreement.
- (6) The Agreement between the European Economic Community and the Swiss Confederation dated 22 July 1972 ⁽⁶⁾, as amended, was extended to Liechtenstein by an Additional Agreement dated 22 July 1972 ⁽⁷⁾. Accordingly, Decision of the EEA Joint Committee No 177/2004 ⁽⁸⁾ exempts Liechtenstein from the application of Protocol No 3 and parts of Protocol No 4 to the Agreement.
- (7) The European Community, the Swiss Confederation and Liechtenstein have agreed to extend the application of the Agriculture Agreement to Liechtenstein by an Additional Agreement, hereinafter referred to as 'the Additional Agreement', which is to enter into force at the same time as this Decision.
- (8) For this reason, as well as for the purpose of ensuring a consistent application of a single set of rules for the whole food chain, it is appropriate to exempt Liechtenstein from the application of the corresponding parts of the Agreement, namely Annex I, Chapters XII and XXVII of Annex II, and Protocol 47 for so long as the Agriculture Agreement applies to Liechtenstein,

⁽¹⁾ OJ L 328, 13.12.2007, p. 10.

⁽²⁾ OJ L 328, 13.12.2007, p. 18.

⁽³⁾ OJ L 89, 29.3.2007, p. 40.

⁽⁴⁾ OJ L 114, 30.4.2002, p. 132.

⁽⁵⁾ OJ L 94, 10.4.2003, p. 43.

⁽⁶⁾ OJ L 300, 31.12.1972, p. 189.

⁽⁷⁾ OJ L 300, 31.12.1972, p. 281.

⁽⁸⁾ OJ L 133, 26.5.2005, p. 33.

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement shall be amended as specified in the Annex to this Decision.

Article 2

This Decision shall enter into force on the same day as the Additional Agreement, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 3

Liechtenstein and the European Community shall notify the EEA Joint Committee of the entry into force of the Additional Agreement extending the application of the Agriculture Agreement to Liechtenstein.

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, 28 September 2007

For the EEA Joint Committee

The President

Stefán Haukur JÓHANNESSON

(*) No constitutional requirements indicated.

ANNEX

Annexes I and II and Protocol 47 to the Agreement shall be amended as specified below:

1. the following text shall be added under the heading Sectoral Adaptations of Annex I:

'However, this Annex 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.';

2. the first paragraph of the introductory part of Chapter XII of Annex II shall be replaced by the following:

'This Chapter 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.';

3. the following text shall be added in the introductory part of Chapter XXVII of Annex II:

'This Chapter 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.';

4. the following text shall be added in the introductory part of Protocol 47:

'However, this Protocol 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.'
