

DECISION OF THE EEA JOINT COMMITTEE No 46/2005**of 29 April 2005****amending Annex I (Veterinary and phytosanitary matters) 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 43/2005 of 11 March 2005 ⁽¹⁾.
- (2) Commission Decision 2004/25/EC of 22 December 2003 amending Decision 2002/657/EC as regards the setting of minimum required performance limits (MRPLs) for certain residues in food of animal origin ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 445/2004 of 10 March 2004 amending Annex I to Council Directive 92/118/EEC as regards animal casings, lard and rendered fats and rabbit meat and farmed game meat ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Decision 2004/280/EC of 19 March 2004 laying down transitional measures for the marketing of certain products of animal origin obtained in the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Regulation (EC) No 836/2004 of 28 April 2004 laying down the transitional measures to be applied by Cyprus with regard to scrapie ⁽⁵⁾ is to be incorporated into the Agreement.
- (6) Council Directive 2004/68/EC of 26 April 2004 laying down animal health rules for the importation into and transit through the Community of certain live ungulate animals, amending Directives 90/426/EEC and 92/65/EEC and repealing Directive 72/462/EEC ⁽⁶⁾, as corrected by OJ L 226, 25.6.2004, p. 128, is to be incorporated into the Agreement.
- (7) Commission Decision 2004/379/EC of 26 April 2004 amending Decision 2001/471/EC as regards bacteriological tests in certain meat establishments ⁽⁷⁾, as corrected by OJ L 199, 7.6.2004, p. 1, is to be incorporated into the Agreement.
- (8) Commission Decision 2004/433/EC of 29 April 2004 laying down transitional measures for Latvia derogating from Council Directive 1999/74/EC as regards the height of cages for laying hens ⁽⁸⁾, as corrected by OJ L 189, 27.5.2004, p. 40, is to be incorporated into the Agreement.

⁽¹⁾ OJ L 198, 28.7.2005, p. 45.

⁽²⁾ OJ L 6, 10.1.2004, p. 38.

⁽³⁾ OJ L 72, 11.3.2004, p. 60.

⁽⁴⁾ OJ L 87, 25.3.2004, p. 60.

⁽⁵⁾ OJ L 127, 29.4.2004, p. 48.

⁽⁶⁾ OJ L 139, 30.4.2004, p. 321.

⁽⁷⁾ OJ L 144, 30.4.2004, p. 1.

⁽⁸⁾ OJ L 154, 30.4.2004, p. 51.

- (9) Commission Decision 2004/439/EC of 29 April 2004 adopting a transitional measure in favour of certain establishments in the meat sector in Malta ⁽⁹⁾, as corrected by OJ L 189, 27.5.2004, p. 76, is to be incorporated into the Agreement.
- (10) Commission Decision 2004/440/EC of 29 April 2004 adopting a transitional measure in favour of certain establishments in the milk sector in Slovakia ⁽¹⁰⁾, as corrected by OJ L 189, 27.5.2004, p. 79, is to be incorporated into the Agreement.
- (11) Commission Decision 2004/449/EC of 29 April 2004 approving the residues monitoring plans submitted by the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia in accordance with the Council Directive 96/23/EC ⁽¹¹⁾, as corrected by OJ L 193, 1.6.2004, p. 69, is to be incorporated into the Agreement.
- (12) This Decision is not to apply to Iceland and Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

Chapter I of Annex I to the Agreement shall be amended as specified in the Annex to this Decision.

Article 2

The texts of Directive 2004/68/EC, as corrected by OJ L 226, 25.6.2004, p. 128, Regulations (EC) No 445/2004 and (EC) No 836/2004, and Decisions 2004/25/EC, 2004/280/EC, 2004/433/EC, as corrected by OJ L 189, 27.5.2004, p. 40, 2004/379/EC, as corrected by OJ L 199, 7.6.2004, p. 1, 2004/439/EC, as corrected by OJ L 189, 27.5.2004, p. 76, 2004/440/EC, as corrected by OJ L 189, 27.5.2004, p. 79, and 2004/449/EC, as corrected by OJ L 193, 1.6.2004, p. 69, in the Norwegian language, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 30 April 2005, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

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, 29 April 2005.

For the EEA Joint Committee

The President

Richard WRIGHT

⁽⁹⁾ OJ L 154, 30.4.2004, p. 93.

⁽¹⁰⁾ OJ L 154, 30.4.2004, p. 97.

⁽¹¹⁾ OJ L 155, 30.4.2004, p. 86.

(*) No constitutional requirements indicated.

ANNEX

Chapter I of Annex I to the Agreement shall be amended as specified below:

1. the following indent shall be added in points 3 (Council Directive 90/426/EEC) and 9 (Council Directive 92/65/EEC) in Part 4.1 and in points 2 (Council Directive 90/426/EEC) and 15 (Council Directive 92/65/EEC) in Part 8.1:

‘— **32004 L 0068**: Council Directive 2004/68/EC of 26 April 2004 (OJ L 139, 30.4.2004, p. 321), as corrected by OJ L 226, 25.6.2004, p. 128.’;
2. the following indent shall be added in points 7 (Council Directive 92/118/EEC) in Part 5.1, 15 (Council Directive 92/118/EEC) in Part 6.1 and 16 (Council Directive 92/118/EEC) in Part 8.1:

‘— **32004 R 0445**: Commission Regulation (EC) No 445/2004 of 10 March 2004 (OJ L 72, 11.3.2004, p. 60).’;
3. the following shall be added in point 40 (Commission Decision 2001/471/EC) in Part 6.2:

‘, as amended by:

— **32004 D 0379**: Commission Decision 2004/379/EC of 26 April 2004 (OJ L 144, 30.4.2004, p. 1), as corrected by OJ L 199, 7.6.2004, p. 1.’;
4. the following points shall be inserted after point 47 (Commission Decision 2003/774/EC) in Part 6.2:

‘48. **32004 D 0280**: Commission Decision 2004/280/EC of 19 March 2004 laying down transitional measures for the marketing of certain products of animal origin obtained in the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (OJ L 87, 25.3.2004, p. 60).

49. **32004 D 0439**: Commission Decision 2004/439/EC of 29 April 2004 adopting a transitional measure in favour of certain establishments in the meat sector in Malta (OJ L 154, 30.4.2004, p. 93), as corrected by OJ L 189, 27.5.2004, p. 76.

50. **32004 D 0440**: Commission Decision 2004/440/EC of 29 April 2004 adopting a transitional measure in favour of certain establishments in the milk sector in Slovakia (OJ L 154, 30.4.2004, p. 97), as corrected by OJ L 189, 27.5.2004, p. 79.’;
5. the following indent shall be added in point 19 (Commission Decision 2002/657/EC) in Part 7.2:

‘— **32004 D 0025**: Commission Decision 2004/25/EC of 22 December 2003 (OJ L 6, 10.1.2004, p. 38).’;
6. the following point shall be inserted after point 21 (Commission Regulation (EC) No 1874/2003) in Part 7.2:

‘22. **32004 R 0836**: Commission Regulation (EC) No 836/2004 of 28 April 2004 laying down the transitional measures to be applied by Cyprus with regard to scrapie (OJ L 127, 29.4.2004, p. 48).’;

7. under the heading 'ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT' in Part 7.2, the following point shall be inserted after point 39 ([Commission Decision 2000/629/EC, deleted]):

'40. **32004 D 0449:** Commission Decision 2004/449/EC of 29 April 2004 approving the residues monitoring plans submitted by the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia in accordance with the Council Directive 96/23/EC (OJ L 155, 30.4.2004, p. 86), as corrected by OJ L 193, 1.6.2004, p. 69.:'

8. the following shall be inserted after point 16 (Council Directive 92/118/EEC) in Part 8.1:

'Ungulates

16a. **32004 L 0068:** Council Directive 2004/68/EC of 26 April 2004 laying down animal health rules for the importation into and transit through the Community of certain live ungulate animals, amending Directives 90/426/EEC and 92/65/EEC and repealing Directive 72/462/EEC (OJ L 139, 30.4.2004, p. 321), as corrected by OJ L 226, 25.6.2004, p. 128.:'

9. the text of point 1 (Council Directive 72/462/EEC) in Part 8.1 shall be deleted with effect from 14 January 2006;

10. the following point shall be inserted after point 2 (Commission Directive 2002/4/EC) in Part 9.2:

'3. **32004 D 0433:** Commission Decision 2004/433/EC of 29 April 2004 laying down transitional measures for Latvia derogating from Council Directive 1999/74/EC as regards the height of cages for laying hens (OJ L 154, 30.4.2004, p. 51), as corrected by OJ L 189, 27.5.2004, p. 40.'
