

DECISION OF THE EEA JOINT COMMITTEE**No 92/2005****of 8 July 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 51/2005 of 29 April 2005 ⁽¹⁾.
- (2) Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Decision 2003/803/EC of 26 November 2003 establishing a model passport for the intra-Community movements of dogs, cats and ferrets ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Regulation (EC) No 592/2004 of 30 March 2004 amending Regulation (EC) No 998/2003 of the European Parliament and of the Council as regards the lists of countries and territories ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Decision 2004/301/EC of 30 March 2004 derogating from Decisions 2003/803/EC and 2004/203/EC as regards the format for certificates and passports for the non-commercial movement of dogs, cats and ferrets and amending Decision 2004/203/EC ⁽⁵⁾ is to be incorporated into the Agreement.
- (6) Commission Decision 2004/539/EC of 1 July 2004 establishing a transitional measure for the implementation of Regulation (EC) No 998/2003 on the animal health requirements applicable to the non-commercial movement of pet animals ⁽⁶⁾ is to be incorporated into the Agreement.
- (7) Commission Decision 2004/557/EC of 2 July 2004 laying down a derogation to the transitional regime established by Article 6 of Regulation (EC) No 998/2003 for the transit of pet animals through the territory of Sweden between the Island of Bornholm and the other parts of the territory of Denmark ⁽⁷⁾ is to be incorporated into the Agreement.

⁽¹⁾ OJ L 239, 15.9.2005, p. 22.

⁽²⁾ OJ L 146, 13.6.2003, p. 1.

⁽³⁾ OJ L 312, 27.11.2003, p. 1.

⁽⁴⁾ OJ L 94, 31.3.2004, p. 7.

⁽⁵⁾ OJ L 98, 2.4.2004, p. 55.

⁽⁶⁾ OJ L 237, 8.7.2004, p. 21.

⁽⁷⁾ OJ L 249, 23.7.2004, p. 18.

- (8) Commission Decision 2004/595/EC of 29 July 2004 establishing a model health certificate for the importation into the Community for trade of dogs, cats and ferrets ⁽⁸⁾ is to be incorporated into the Agreement.
- (9) Council Decision 2004/650/EC of 13 September 2004 amending Regulation (EC) No 998/2003 of the European Parliament and of the Council on the animal health requirements applicable to the non-commercial movement of pet animals to take account of the accession of Malta ⁽⁹⁾ is to be incorporated into the Agreement.
- (10) Commission Decision 2004/824/EC of 1 December 2004 establishing a model health certificate for non-commercial movements of dogs, cats and ferrets from third countries into the Community ⁽¹⁰⁾ is to be incorporated into the Agreement.
- (11) Commission Decision 2004/839/EC of 3 December 2004 establishing conditions for non-commercial movements of young dogs and cats from third countries into the Community ⁽¹¹⁾ is to be incorporated into the Agreement.
- (12) Commission Decision 2005/91/EC of 2 February 2005 establishing the period after which the anti-rabies vaccination is considered as valid ⁽¹²⁾ is to be incorporated into the Agreement.
- (13) Simplified procedures should be introduced for certain acts concerning non-commercial movement of pet animals.
- (14) Decision 2004/595/EC repeals Commission Decision 94/273/EEC ⁽¹³⁾ which is incorporated into the Agreement and is consequently to be repealed under the Agreement.
- (15) 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 Regulations (EC) No 998/2003 and (EC) No 592/2004, Decisions 2003/803/EC, 2004/301/EC, 2004/539/EC, 2004/557/EC, 2004/595/EC, 2004/650/EC, 2004/824/EC, 2004/839/EC and 2005/91/EC in the Norwegian language, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

⁽⁸⁾ OJ L 266, 13.8.2004, p. 11.

⁽⁹⁾ OJ L 298, 23.9.2004, p. 22.

⁽¹⁰⁾ OJ L 358, 3.12.2004, p. 12.

⁽¹¹⁾ OJ L 361, 8.12.2004, p. 40.

⁽¹²⁾ OJ L 31, 4.2.2005, p. 61.

⁽¹³⁾ OJ L 117, 7.5.1994, p. 37.

Article 3

This Decision shall enter into force on 9 July 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, 8 July 2005.

For the EEA Joint Committee

The President

HSH Prinz Nikolaus von LIECHTENSTEIN

(*) No constitutional requirements indicated.

ANNEX

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

1. The following shall be inserted after point 9 (Council Directive 96/93/EC) in Part 1.1:

'Movement of pet animals

10. **32003 R 0998:** Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 on the animal health requirements applicable to the non-commercial movement of pet animals and amending Council Directive 92/65/EEC (OJ L 146, 13.6.2003, p. 1), as amended by:

- **32004 R 0592:** Commission Regulation (EC) No 592/2004 of 30 March 2004 (OJ L 94, 31.3.2004, p. 7),
- **32004 D 0539:** Commission Decision 2004/539/EC of 1 July 2004 (OJ L 237, 8.7.2004, p. 21),
- **32004 D 0650:** Council Decision 2004/650/EC of 13 September 2004 (OJ L 298, 23.9.2004, p. 22).

The provisions of this Regulation shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) In Article 6 (1), first paragraph, the word, "Norway" shall be added after the word "Sweden".
 - (b) In Annex II, Part A, the word "Norway" shall be added.
 - (c) In Annex II, Part B, the word "Norway" shall be deleted.'
2. The following point shall be inserted after point 12 in the Introductory Part:

- '13. Non-commercial movement of pet animals - List of countries/territories and safeguard measures

- (a) The EFTA States shall simultaneously with the Member States take measures corresponding to those taken by the latter on the basis of the relevant Community acts as regards the list of countries and territories and safeguard measures.
- (b) In the case of any difficulty relating to the application of a Community act, the EFTA State concerned shall immediately report the matters to the EEA Joint Committee.
- (c) The EEA Joint Committee may take note of the Community decisions.
- (d) The obligation laid down in (a) shall apply to all relevant acts in force at any given moment, whatever their date of adoption.'

3. The following points shall be inserted after point 121 (Commission Decision 2004/775/EC) in Part 1.2:
- '121. **32003 D 0803**: Commission Decision 2003/803/EC of 26 November 2003 establishing a model passport for the intra-Community movements of dogs, cats and ferrets (OJ L 312, 27.11.2003, p. 1).
- The provisions of this Decision shall, for the purposes of the present Agreement, be read with the following adaptations:
- (a) The words "European Union" on the cover of the model passport shall be replaced by the words "European Union/Norway".
- (b) The image of the Norwegian flag may be used on the cover of the passport in addition to the EU flag.
122. **32004 D 0301**: Commission Decision 2004/301/EC of 30 March 2004 derogating from Decisions 2003/803/EC and 2004/203/EC as regards the format for certificates and passports for the non-commercial movement of dogs, cats and ferrets and amending Decision 2004/203/EC (OJ L 98, 2.4.2004, p. 55).
- The provisions of this Decision shall, for the purposes of the present Agreement, be read with the following adaptation:
- In Article 1 the word, "Norway" shall be added after the word "Ireland".
123. **32004 D 0595**: Commission Decision 2004/595/EC of 29 July 2004 establishing a model health certificate for the importation into the Community for trade of dogs, cats and ferrets (OJ L 266, 13.8.2004, p. 11).
- The provisions of this Decision shall, for the purposes of the present Agreement, be read with the following adaptation:
- In Article 1 and in the Notes for guidance to the certificate in the Annex to the Decision the word, "Norway" shall be added after the word "Ireland".
124. **32004 D 0824**: Commission Decision 2004/824/EC of 1 December 2004 establishing a model health certificate for non-commercial movements of dogs, cats and ferrets from third countries into the Community (OJ L 358, 3.12.2004, p. 12).
- The provisions of this Decision shall, for the purposes of the present Agreement, be read with the following adaptation:
- In Article 2 and in the Annex to the Decision the word, "Norway" shall be added after the word "Sweden".
125. **32004 D 0839**: Commission Decision 2004/839/EC of 3 December 2004 establishing conditions for non-commercial movements of young dogs and cats from third countries into the Community (OJ L 361, 8.12.2004, p. 40).
126. **32005 D 0091**: Commission Decision 2005/91/EC of 2 February 2005 establishing the period after which the anti-rabies vaccination is considered as valid (OJ L 31, 4.2.2005, p. 61).'
4. Under the heading '*ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT*' in Part 1.2, the following point shall be inserted after point 17 (Commission Decision 2004/590/EC):
- '18. **32004 D 0557**: Commission Decision 2004/557/EC of 2 July 2004 laying down a derogation to the transitional regime established by Article 6 of Regulation (EC) No 998/2003 for the transit of pet animals through the territory of Sweden between the Island of Bornholm and the other parts of the territory of Denmark (OJ L 249, 23.7.2004, p. 18).'

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5. The following indent shall be added in point 9 (Council Directive 92/65/EEC) in Part 4.1:
- ‘— **32003 R 0998**: Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 (OJ L 146, 13.6.2003, p. 1).’
6. The adaptation text in point 9 (Council Directive 92/65/EEC) in Part 4.1 shall be amended as follows:
- 6.1 The following new adaptation text shall be inserted before present adaptation (a):
- ‘(a) in Article 10 (3), first paragraph, the word “Norway” shall be added after the word “Sweden”.’
- 6.2 Present adaptations (a) and (b) shall become adaptations (b) and (c), respectively.
7. The text in point 20 (Commission Decision 94/273/EEC) in Part 4.2 shall be deleted.
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