

DECISION OF THE EEA JOINT COMMITTEE**No 135/2007****of 26 October 2007****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 99/2007 of 28 September 2007 ⁽¹⁾.
- (2) Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption ⁽²⁾, as corrected by OJ L 30, 3.2.2007, p. 3, is to be incorporated into the Agreement.
- (3) Directive 2002/33/EC of the European Parliament and of the Council of 21 October 2002 amending Council Directives 90/425/EEC and 92/118/EEC as regards health requirements for animal by-products ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Regulation (EC) No 808/2003 of 12 May 2003 amending Regulation (EC) No 1774/2002 of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Regulation (EC) No 809/2003 of 12 May 2003 on transitional measures under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the processing standards for category 3 material and manure used in composting plants ⁽⁵⁾ is to be incorporated into the Agreement.
- (6) Commission Regulation (EC) No 810/2003 of 12 May 2003 on transitional measures under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards processing standards for category 3 material and manure used in biogas plants ⁽⁶⁾ is to be incorporated into the Agreement.
- (7) Commission Regulation (EC) No 811/2003 of 12 May 2003 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the intra-species recycling ban for fish, the burial and burning of animal by-products and certain transitional measures ⁽⁷⁾ is to be incorporated into the Agreement.
- (8) Commission Regulation (EC) No 446/2004 of 10 March 2004 repealing a number of Decisions concerning animal by-products ⁽⁸⁾ is to be incorporated into the Agreement.
- (9) Commission Regulation (EC) No 668/2004 of 10 March 2004 amending certain Annexes to Regulation (EC) No 1774/2002 of the European Parliament and of the Council, as regards the importation from third countries of animal by-products ⁽⁹⁾, as corrected by OJ L 109, 22.4.2006, p. 12, is to be incorporated into the Agreement.

⁽¹⁾ OJ L 47, 21.2.2008, p. 10.

⁽²⁾ OJ L 273, 10.10.2002, p. 1.

⁽³⁾ OJ L 315, 19.11.2002, p. 14.

⁽⁴⁾ OJ L 117, 13.5.2003, p. 1.

⁽⁵⁾ OJ L 117, 13.5.2003, p. 10.

⁽⁶⁾ OJ L 117, 13.5.2003, p. 12.

⁽⁷⁾ OJ L 117, 13.5.2003, p. 14.

⁽⁸⁾ OJ L 72, 11.3.2004, p. 62.

⁽⁹⁾ OJ L 112, 19.4.2004, p. 1.

- (10) Commission Regulation (EC) No 878/2004 of 29 April 2004 laying down transitional measures in accordance with Regulation (EC) No 1774/2002 for certain animal by-products classified as Category 1 and 2 materials and intended for technical purposes ⁽¹⁾ is to be incorporated into the Agreement.
- (11) Commission Regulation (EC) No 92/2005 of 19 January 2005 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards means of disposal or uses of animal by-products and amending its Annex VI as regards biogas transformation and processing of rendered fats ⁽²⁾ is to be incorporated into the Agreement.
- (12) Commission Regulation (EC) No 93/2005 of 19 January 2005 amending Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards processing of animal by-products of fish origin and commercial documents for the transportation of animal by-products ⁽³⁾ is to be incorporated into the Agreement.
- (13) Commission Regulation (EC) No 2067/2005 of 16 December 2005 amending Regulation (EC) No 92/2005 as regards alternative means of disposal and use of animal by-products ⁽⁴⁾ is to be incorporated into the Agreement.
- (14) Commission Regulation (EC) No 209/2006 of 7 February 2006 amending Regulations (EC) No 809/2003 and (EC) No 810/2003 as regards the extension of the validity of the transitional measures for composting and biogas plants under Regulation (EC) No 1774/2002 of the European Parliament and of the Council ⁽⁵⁾ is to be incorporated into the Agreement.
- (15) Commission Regulation (EC) No 1192/2006 of 4 August 2006 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards lists of approved plants in Member States ⁽⁶⁾ is to be incorporated into the Agreement.
- (16) Commission Regulation (EC) No 1678/2006 of 14 November 2006 amending Regulation (EC) No 92/2005 as regards alternative means of disposal of and use of animal by-products ⁽⁷⁾ is to be incorporated into the Agreement.
- (17) Commission Regulation (EC) No 1877/2006 of 18 December 2006 amending Regulation (EC) No 878/2004 laying down transitional measures in accordance with Regulation (EC) No 1774/2002 for certain animal by-products classified as Category 1 and 2 materials and intended for technical purposes ⁽⁸⁾ is to be incorporated into the Agreement.
- (18) Commission Regulation (EC) No 2007/2006 of 22 December 2006 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the importation and transit of certain intermediate products derived from Category 3 material intended for technical uses in medical devices, in vitro diagnostics and laboratory reagents and amending that Regulation ⁽⁹⁾ is to be incorporated into the Agreement.
- (19) Regulation (EC) No 1774/2002 repeals Council Directive 90/667/EEC ⁽¹⁰⁾, Council Decision 95/348/EC ⁽¹¹⁾ and Council Decision 1999/534/EC ⁽¹²⁾, which are incorporated into the Agreement and which are consequently to be repealed under the Agreement.

⁽¹⁾ OJ L 162, 30.4.2004, p. 62.

⁽²⁾ OJ L 19, 21.1.2005, p. 27.

⁽³⁾ OJ L 19, 21.1.2005, p. 34.

⁽⁴⁾ OJ L 331, 17.12.2005, p. 12.

⁽⁵⁾ OJ L 36, 8.2.2006, p. 32.

⁽⁶⁾ OJ L 215, 5.8.2006, p. 10.

⁽⁷⁾ OJ L 314, 15.11.2006, p. 4.

⁽⁸⁾ OJ L 360, 19.12.2006, p. 133.

⁽⁹⁾ OJ L 379, 28.12.2006, p. 98.

⁽¹⁰⁾ OJ L 363, 27.12.1990, p. 51.

⁽¹¹⁾ OJ L 202, 26.8.1995, p. 8.

⁽¹²⁾ OJ L 204, 4.8.1999, p. 37.

- (20) Regulation (EC) No 446/2004 repeals Commission Decisions 92/562/EEC ⁽¹⁾, 97/735/EC ⁽²⁾ and 2001/25/EC ⁽³⁾, which are incorporated into the Agreement and which are consequently to be repealed under the Agreement.
- (21) This Decision is not to apply to Liechtenstein.
- (22) This Decision shall apply to Iceland with the transitional period specified in paragraph 2 of the Introductory Part of Chapter I of Annex I for the areas which did not apply to Iceland prior to the review of this Chapter by Decision of the EEA Joint Committee No 133/2007 of 26 October 2007,

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 1774/2002 (as corrected by OJ L 30, 3.2.2007, p. 3), (EC) No 808/2003, (EC) No 809/2003, (EC) No 810/2003, (EC) No 811/2003, (EC) No 446/2004, 668/2004 (as corrected by OJ L 109, 22.4.2006, p. 12), (EC) No 878/2004, (EC) No 92/2005, (EC) No 93/2005, (EC) No 2067/2005, (EC) No 209/2006, (EC) No 1192/2006, (EC) No 1678/2006, (EC) No 1877/2006 and (EC) No 2007/2006 and Directive 2002/33/EC 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 3

This Decision shall enter into force on 27 October 2007, provided that all the notifications under Article 103 (1) of the Agreement have been made to the EEA Joint Committee (*) or at the day of the entry into force of the Decision on the EEA Joint Committee No 133/2007 of 26 October 2007, whichever is the later.

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, 26 October 2007.

For the EEA Joint Committee

The President

Stefán Haukur JÓHANNESSON

⁽¹⁾ OJ L 359, 9.12.1992, p. 23.

⁽²⁾ OJ L 294, 28.10.1997, p. 7.

⁽³⁾ OJ L 6, 11.1.2001, p. 16.

(*) Constitutional requirements indicated.

ANNEX

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

- 1) The following point shall be inserted after point 9a (Council Decision 1999/534/EC) in Part 7.1:
 - '9b. **32002 R 1774**: Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption (OJ L 273, 10.10.2002, p. 1), as corrected by OJ L 30, 3.2.2007, p. 3, as amended by:
 - **32003 R 0808**: Commission Regulation (EC) No 808/2003 of 12 May 2003 (OJ L 117, 13.5.2003, p. 1),
 - **32004 R 0668**: Commission Regulation (EC) No 668/2004 of 10 March 2004 (OJ L 112, 19.4.2004, p. 1), as corrected by OJ L 109, 22.4.2006, p. 12,
 - **32005 R 0092**: Commission Regulation (EC) No 92/2005 of 19 January 2005 (OJ L 19, 21.1.2005, p. 27),
 - **32005 R 0093**: Commission Regulation (EC) No 93/2005 of 19 January 2005 (OJ L 19, 21.1.2005, p. 34).'
- 2) The heading 'Animal waste, pathogens' in Part 7.1 shall be replaced by the heading 'Animal by-products not intended for human consumption'.
- 3) The following indent shall be added in points 2 (Council Directive 90/425/EEC) in Part 1.1, 7 (Council Directive 92/118/EC) in Part 5.1 and 16 (Council Directive 92/118/EC) in Part 8.1:
 - **32002 L 0033**: Directive 2002/33/EC of the European Parliament and of the Council of 21 October 2002 (OJ L 315, 19.11.2002, p. 14).'
- 4) The following points shall be inserted after point 33 (Council Decision 2006/478/EC) in Part 7.2:
 - '34. **32003 R 0809**: Commission Regulation (EC) No 809/2003 of 12 May 2003 on transitional measures under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the processing standards for category 3 material and manure used in composting plants (OJ L 117, 13.5.2003, p. 10), as amended by:
 - **32006 R 0209**: Commission Regulation (EC) No 209/2006 of 7 February 2006 (OJ L 36, 8.2.2006, p. 32).
 35. **32003 R 0810**: Commission Regulation (EC) No 810/2003 of 12 May 2003 on transitional measures under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards processing standards for category 3 material and manure used in biogas plants (OJ L 117, 13.5.2003, p. 12), as amended by:
 - **32006 R 0209**: Commission Regulation (EC) No 209/2006 of 7 February 2006 (OJ L 36, 8.2.2006, p. 32).
 36. **32003 R 0811**: Commission Regulation (EC) No 811/2003 of 12 May 2003 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the intra-species recycling ban for fish, the burial and burning of animal by-products and certain transitional measures (OJ L 117, 13.5.2003, p. 14).
 37. **32004 R 0446**: Commission Regulation (EC) No 446/2004 of 10 March 2004 repealing a number of Decisions concerning animal by-products (OJ L 72, 11.3.2004, p. 62).
 38. **32004 R 0878**: Commission Regulation (EC) No 878/2004 of 29 April 2004 laying down transitional measures in accordance with Regulation (EC) No 1774/2002 for certain animal by-products classified as Category 1 and 2 materials and intended for technical purposes (OJ L 162, 30.4.2004, p. 62), as amended by:
 - **32006 R 1877**: Commission Regulation (EC) No 1877/2006 of 18 December 2006 (OJ L 360, 19.12.2006, p. 133).

39. **32005 R 0092**: Commission Regulation (EC) No 92/2005 of 19 January 2005 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards means of disposal or uses of animal by-products and amending its Annex VI as regards biogas transformation and processing of rendered fats (OJ L 19, 21.1.2005, p. 27), as amended by:
- **32005 R 2067**: Commission Regulation (EC) No 2067/2005 of 16 December 2005 (OJ L 331, 17.12.2005, p. 12).
 - **32006 R 1678**: Commission Regulation (EC) No 1678/2006 of 14 November 2006 (OJ L 314, 15.11.2006, p. 4).
40. **32006 R 1192**: Commission Regulation (EC) No 1192/2006 of 4 August 2006 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards lists of approved plants in Member States (OJ L 215, 5.8.2006, p. 10).
41. **32006 R 2007**: Commission Regulation (EC) No 2007/2006 of 22 December 2006 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the importation and transit of certain intermediate products derived from Category 3 material intended for technical uses in medical devices, in vitro diagnostics and laboratory reagents and amending that Regulation (OJ L 379, 28.12.2006, p. 98).'
- 5) The text of points 9 (Council Directive 90/667/EEC) and 9a (Council Decision 1999/534/EC) in Part 7.1 and points 7 (Commission Decision 92/562/EEC) and 11 (Council Decision 95/348/EC) in Part 7.2 shall be deleted.
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