

DECISION OF THE EEA JOINT COMMITTEE**No 136/2007****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) Commission Decision 2003/322/EC of 12 May 2003 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the feeding of certain necrophagous birds with certain category 1 materials ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Decision 2003/324/EC of 12 May 2003 as regards a derogation from the intra-species recycling ban for fur animals under Regulation (EC) No 1774/2002 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Decision 2004/407/EC of 26 April 2004 on transitional sanitary and certification rules under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards imports from certain third countries of photographic gelatine ⁽⁴⁾, as corrected by OJ L 208, 10.6.2004, p. 9 and OJ L 396, 31.12.2004, p. 63, is to be incorporated into the Agreement.
- (5) Commission Decision 2004/434/EC of 29 April 2004 adapting Decision 2003/324/EC as regards a derogation from the intra-species recycling ban for fur animals under Regulation (EC) No 1774/2002 of the European Parliament and of the Council by reason of the accession of Estonia ⁽⁵⁾, as corrected by OJ L 189, 27.5.2004, p. 43, is to be incorporated into the Agreement.
- (6) Commission Decision 2004/455/EC of 29 April 2004 adapting Decision 2003/322/EC implementing Regulation (EC) No 1774/2002 as regards the feeding of certain necrophagous birds with certain Category 1 materials by reason of the accession of Cyprus ⁽⁶⁾, as corrected by OJ L 202, 7.6.2004, p. 31, is to be incorporated into the Agreement.
- (7) Commission Regulation (EC) No 79/2005 of 19 January 2005 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the use of milk, milk-based products and milk-derived products, defined as Category 3 material in that Regulation ⁽⁷⁾ is to be incorporated into the Agreement.
- (8) Commission Regulation (EC) No 416/2005 of 11 March 2005 amending Annex XI to Regulation (EC) No 1774/2002 of the European Parliament and of the Council, as regards the importation from Japan of certain animal by-products intended for technical purposes ⁽⁸⁾ is to be incorporated into the Agreement.

⁽¹⁾ OJ L 47, 21.2.2008, p. 10.

⁽²⁾ OJ L 117, 13.5.2003, p. 32.

⁽³⁾ OJ L 117, 13.5.2003, p. 37.

⁽⁴⁾ OJ L 151, 30.4.2004, p. 11.

⁽⁵⁾ OJ L 154, 30.4.2004, p. 54.

⁽⁶⁾ OJ L 156, 30.4.2004, p. 41.

⁽⁷⁾ OJ L 16, 20.1.2005, p. 46.

⁽⁸⁾ OJ L 66, 12.3.2005, p. 10.

- (9) Commission Decision 2005/830/EC of 25 November 2005 amending Decision 2003/322/EC as regards the feeding of certain necrophagous birds with certain category 1 material ⁽¹⁾ is to be incorporated into the Agreement.
- (10) Commission Regulation (EC) No 181/2006 of 1 February 2006 implementing Regulation (EC) No 1774/2002 as regards organic fertilisers and soil improvers other than manure and amending that Regulation ⁽²⁾ is to be incorporated into the Agreement.
- (11) Commission Regulation (EC) No 197/2006 of 3 February 2006 on transitional measures under Regulation (EC) No 1774/2002 as regards the collection, transport, treatment, use and disposal of former foodstuffs ⁽³⁾ is to be incorporated into the Agreement.
- (12) Commission Regulation (EC) No 208/2006 of 7 February 2006 amending Annexes VI and VIII to Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards processing standards for biogas and composting plants and requirements for manure ⁽⁴⁾ is to be incorporated into the Agreement.
- (13) Commission Decision 2006/311/EC of 21 April 2006 amending Commission Decision 2004/407/EC as regards imports of photographic gelatine ⁽⁵⁾ is to be incorporated into the Agreement.
- (14) This Decision is not to apply to Liechtenstein.
- (15) 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 79/2005, (EC) No 416/2005, (EC) No 181/2006, (EC) No 197/2006 and (EC) No 208/2006 and Decisions 2003/322/EC, 2003/324/EC, 2004/407/EC (as corrected by OJ L 208, 10.6.2004, p. 9 and OJ L 396, 31.12.2004, p. 63), 2004/434/EC (as corrected by OJ L 189, 27.5.2004, p. 43), 2004/455/EC (as corrected by OJ L 202, 7.6.2004, p. 31), 2005/830/EC, and 2006/311/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.

⁽¹⁾ OJ L 311, 26.11.2005, p. 40.

⁽²⁾ OJ L 29, 2.2.2006, p. 31.

⁽³⁾ OJ L 32, 4.2.2006, p. 13.

⁽⁴⁾ OJ L 36, 8.2.2006, p. 25.

⁽⁵⁾ OJ L 115, 28.4.2006, p. 40.

(*) Constitutional requirements indicated.

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

ANNEX

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

1. The following indents shall be added in point 9b (Regulation (EC) No 1774/2002 of the European Parliament and of the Council) in Part 7.1:

- **32005 R 0416**: Commission Regulation (EC) No 416/2005 of 11 March 2005 (OJ L 66, 12.3.2005, p. 10),
- **32006 R 0181**: Commission Regulation (EC) No 181/2006 of 1 February 2006 (OJ L 29, 2.2.2006, p. 31),
- **32006 R 0208**: Commission Regulation (EC) No 208/2006 of 7 February 2006 (OJ L 36, 8.2.2006, p. 25).'

2. The following shall be inserted after point 41 (Commission Regulation (EC) No 2007/2006) in Part 7.2:

'42. **32004 D 0407**: Commission Decision 2004/407/EC of 26 April 2004 on transitional sanitary and certification rules under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards imports from certain third countries of photographic gelatine (OJ L 151, 30.4.2004, p. 11), as corrected by OJ L 208, 10.6.2004, p. 9 and OJ L 396, 31.12.2004, p. 63, as amended by:

- **32006 D 0311**: Commission Decision 2006/311/EC of 21 April 2006 (OJ L 115, 28.4.2006, p. 40).

43. **32005 R 0079**: Commission Regulation (EC) No 79/2005 of 19 January 2005 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the use of milk, milk-based products and milk-derived products, defined as Category 3 material in that Regulation (OJ L 16, 20.1.2005, p. 46).

44. **32006 R 0181**: Commission Regulation (EC) No 181/2006 of 1 February 2006 implementing Regulation (EC) No 1774/2002 as regards organic fertilisers and soil improvers other than manure and amending that Regulation (OJ L 29, 2.2.2006, p. 31).

45. **32006 R 0197**: Commission Regulation (EC) No 197/2006 of 3 February 2006 on transitional measures under Regulation (EC) No 1774/2002 as regards the collection, transport, treatment, use and disposal of former foodstuffs (OJ L 32, 4.2.2006, p. 13).'

3. Under the heading '*ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT*' in Part 7.2, the following shall be inserted after point 41 (Commission Decision 2005/598/EC):

'Animal by-products not intended for human consumption

42. **32003 D 0322**: Commission Decision 2003/322/EC of 12 May 2003 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the feeding of certain necrophagous birds with certain category 1 materials (OJ L 117, 13.5.2003, p. 32), as amended by:

- **32004 D 0455**: Commission Decision 2004/455/EC of 29 April 2004 (OJ L 156, 30.4.2004, p. 41), as corrected by OJ L 202, 7.6.2004, p. 31,
- **32005 D 0830**: Commission Decision 2005/830/EC of 25 November 2005 (OJ L 311, 26.11.2005, p. 40).

43. **32003 D 0324**: Commission Decision 2003/324/EC of 12 May 2003 as regards a derogation from the intra-species recycling ban for fur animals under Regulation (EC) No 1774/2002 of the European Parliament and of the Council (OJ L 117, 13.5.2003, p. 37), as amended by:

- **32004 D 0434**: Commission Decision 2004/434/EC of 29 April 2004 (OJ L 154, 30.4.2004, p. 54), as corrected by OJ L 189, 27.5.2004, p. 43.'