

DECISION OF THE EEA JOINT COMMITTEE

No 18/2010

of 1 March 2010

amending Annex I (Veterinary and phytosanitary matters) and Annex II (Technical regulations, standards, testing and certification) 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 1/2010 of 29 January 2010 ⁽¹⁾.
- (2) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 4/2010 of 29 January 2010 ⁽²⁾.
- (3) Council Regulation (EC) No 301/2008 of 17 March 2008 adapting Annex I to Regulation (EC) No 882/2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Regulation (EC) No 737/2008 of 28 July 2008 designating the Community reference laboratories for crustacean diseases, rabies and bovine tuberculosis, laying down additional responsibilities and tasks for the Community reference laboratories for rabies and bovine tuberculosis and amending Annex VII to Regulation (EC) No 882/2004 of the European Parliament and of the Council ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Regulation (EC) No 1019/2008 of 17 October 2008 amending Annex II to Regulation (EC) No 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs ⁽⁵⁾ is to be incorporated into the Agreement.
- (6) Commission Regulation (EC) No 1020/2008 of 17 October 2008 amending Annexes II and III to Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for

food of animal origin and Regulation (EC) No 2076/2005 as regards identification marking, raw milk and dairy products, eggs and egg products and certain fishery products ⁽⁶⁾ is to be incorporated into the Agreement.

- (7) Commission Regulation (EC) No 1021/2008 of 17 October 2008 amending Annexes I, II and III to Regulation (EC) No 854/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption and Regulation (EC) No 2076/2005 as regards live bivalve molluscs, certain fishery products and staff assisting with official controls in slaughterhouses ⁽⁷⁾ is to be incorporated into the Agreement.
- (8) Commission Regulation (EC) No 1022/2008 of 17 October 2008 amending Regulation (EC) No 2074/2005 as regards the total volatile basic nitrogen (TVB-N) limits ⁽⁸⁾ is to be incorporated into the Agreement.
- (9) Commission Regulation (EC) No 1023/2008 of 17 October 2008 amending Regulation (EC) No 2076/2005 as regards the extension of the transitional period granted to food business operators importing fish oil intended for human consumption ⁽⁹⁾ is to be incorporated into the Agreement.
- (10) Commission Regulation (EC) No 1029/2008 of 20 October 2008 amending Regulation (EC) No 882/2004 of the European Parliament and of the Council to update a reference to certain European standards ⁽¹⁰⁾ is to be incorporated into the Agreement.
- (11) Commission Regulation (EC) No 1250/2008 of 12 December 2008 amending Regulation (EC) No 2074/2005 as regards certification requirements for import of fishery products, live bivalve molluscs, echinoderms, tunicates and marine gastropods intended for human consumption ⁽¹¹⁾ is to be incorporated into the Agreement.

⁽¹⁾ OJ L 101, 22.4.2010, p. 1.

⁽²⁾ OJ L 101, 22.4.2010, p. 10.

⁽³⁾ OJ L 97, 9.4.2008, p. 85.

⁽⁴⁾ OJ L 201, 30.7.2008, p. 29.

⁽⁵⁾ OJ L 277, 18.10.2008, p. 7.

⁽⁶⁾ OJ L 277, 18.10.2008, p. 8.

⁽⁷⁾ OJ L 277, 18.10.2008, p. 15.

⁽⁸⁾ OJ L 277, 18.10.2008, p. 18.

⁽⁹⁾ OJ L 277, 18.10.2008, p. 21.

⁽¹⁰⁾ OJ L 278, 21.10.2008, p. 6.

⁽¹¹⁾ OJ L 337, 16.12.2008, p. 31.

- (12) Commission Decision 2008/337/EC of 24 April 2008 amending Decision 2006/968/EC implementing Council Regulation (EC) No 21/2004 as regards guidelines and procedures for the electronic identification of ovine and caprine animals⁽¹²⁾ is to be incorporated into the Agreement.
- (13) Commission Decision 2008/654/EC of 24 July 2008 on guidelines to assist Member States in preparing the annual report on the single integrated multiannual national control plan provided for in Regulation (EC) No 882/2004 of the European Parliament and of the Council⁽¹³⁾ is to be incorporated into the Agreement.
- (14) As far as Chapter I of Annex I is concerned, 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⁽¹⁴⁾.
- (15) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

Annex I and Annex II to the Agreement shall be amended as specified in the Annex to this Decision.

Article 2

The texts of Regulations (EC) No 301/2008, (EC) No 737/2008, (EC) No 1019/2008, (EC) No 1020/2008, (EC) No 1021/2008, (EC) No 1022/2008, (EC) No 1023/2008, (EC) No 1029/2008 and (EC) No 1250/2008 and Decisions 2008/337/EC and 2008/654/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 the day of the entry into force of the Decision of the EEA Joint Committee No 137/2007 of 26 October 2007, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*). In case not all the notifications would have been made by that day, it shall enter into force on the day following the last notification to the EEA Joint Committee. This Decision shall apply provisionally from 1 March 2010 until its entry into force.

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, 1 March 2010.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹²⁾ OJ L 115, 29.4.2008, p. 33.

⁽¹³⁾ OJ L 214, 9.8.2008, p. 56.

⁽¹⁴⁾ OJ L 100, 10.4.2008, p. 27.

(*) No constitutional requirements indicated.

ANNEX

Annex I and Annex II to the Agreement shall be amended as follows:

1. the following indents shall be added in point 11 (Regulation (EC) No 882/2004 of the European Parliament and of the Council) in Part 1.1 of Chapter I of Annex I:

‘— **32008 R 0301**: Council Regulation (EC) No 301/2008 of 17 March 2008 (OJ L 97, 9.4.2008, p. 85),

— **32008 R 0737**: Commission Regulation (EC) No 737/2008 of 28 July 2008 (OJ L 201, 30.7.2008, p. 29),

— **32008 R 1029**: Commission Regulation (EC) No 1029/2008 of 20 October 2008 (OJ L 278, 21.10.2008, p. 6).;’

2. the following indent shall be added in point 12 (Regulation (EC) No 854/2004 of the European Parliament and of the Council) in Part 1.1 and point 135 (Commission Regulation (EC) No 2076/2005) in Part 1.2 of Chapter I of Annex I:

‘— **32008 R 1021**: Commission Regulation (EC) No 1021/2008 of 17 October 2008 (OJ L 277, 18.10.2008, p. 15).;’

3. the following shall be added in point 132 (Commission Decision 2006/968/EC) in Part 1.2 of Chapter I of Annex I:

‘, as amended by:

— **32008 D 0337**: Commission Decision 2008/337/EC of 24 April 2008 (OJ L 115, 29.4.2008, p. 33).;’

4. the following point shall be inserted after point 143 (Commission Decision 2006/28/EC) in Part 1.2 of Chapter I of Annex I:

‘144. **32008 D 0654**: Commission Decision 2008/654/EC of 24 July 2008 on guidelines to assist Member States in preparing the annual report on the single integrated multiannual national control plan provided for in Regulation (EC) No 882/2004 of the European Parliament and of the Council (OJ L 214, 9.8.2008, p. 56).;’

5. the following point shall be inserted after point 40 (Commission Regulation (EC) No 1266/2007) in Part 3.2 of Chapter I of Annex I:

‘41. **32008 R 0737**: Commission Regulation (EC) No 737/2008 of 28 July 2008 designating the Community reference laboratories for crustacean diseases, rabies and bovine tuberculosis, laying down additional responsibilities and tasks for the Community reference laboratories for rabies and bovine tuberculosis and amending Annex VII to Regulation (EC) No 882/2004 of the European Parliament and of the Council (OJ L 201, 30.7.2008, p. 29).’

This act applies to Iceland for the areas referred to in paragraph 2 of the Introductory Part.’;

6. the following shall be added in point 16 (Regulation (EC) No 852/2004 of the European Parliament and of the Council) in Part 6.1 of Chapter I of Annex I:

‘, as amended by:

— **32008 R 1019**: Commission Regulation (EC) No 1019/2008 of 17 October 2008 (OJ L 277, 18.10.2008, p. 7).;’

7. the following indent shall be added in point 17 (Regulation (EC) No 853/2004 of the European Parliament and of the Council) in Part 6.1 of Chapter I of Annex I:

‘— **32008 R 1020**: Commission Regulation (EC) No 1020/2008 of 17 October 2008 (OJ L 277, 18.10.2008, p. 8).;’

8. the following indents shall be added in point 53 (Commission Regulation (EC) No 2074/2005) in Part 6.2 of Chapter I of Annex I:
- **32008 R 1022**: Commission Regulation (EC) No 1022/2008 of 17 October 2008 (OJ L 277, 18.10.2008, p. 18),
 - **32008 R 1250**: Commission Regulation (EC) No 1250/2008 of 12 December 2008 (OJ L 337, 16.12.2008, p. 31).;
9. the following indents shall be added in point 55 (Commission Regulation (EC) No 2076/2005) in Part 6.2 of Chapter I of Annex I:
- **32008 R 1020**: Commission Regulation (EC) No 1020/2008 of 17 October 2008 (OJ L 277, 18.10.2008, p. 8),
 - **32008 R 1023**: Commission Regulation (EC) No 1023/2008 of 17 October 2008 (OJ L 277, 18.10.2008, p. 21).;
10. the following indents shall be added in point 31j (Regulation (EC) No 882/2004 of the European Parliament and of the Council) of Chapter II of Annex I:
- **32008 R 0301**: Council Regulation (EC) No 301/2008 of 17 March 2008 (OJ L 97, 9.4.2008, p. 85),
 - **32008 R 1029**: Commission Regulation (EC) No 1029/2008 of 20 October 2008 (OJ L 278, 21.10.2008, p. 6).;
11. the following point shall be inserted after point 31o (Commission Regulation (EC) No 152/2009) of Chapter II of Annex I:
- ‘31p. **32008 D 0654**: Commission Decision 2008/654/EC of 24 July 2008 on guidelines to assist Member States in preparing the annual report on the single integrated multiannual national control plan provided for in Regulation (EC) No 882/2004 of the European Parliament and of the Council (OJ L 214, 9.8.2008, p. 56).;
12. the following shall be added in point 54zzzh (Regulation (EC) No 852/2004 of the European Parliament and of the Council) of Chapter XII of Annex II:
- ‘, as amended by:
- **32008 R 1019**: Commission Regulation (EC) No 1019/2008 of 17 October 2008 (OJ L 277, 18.10.2008, p. 7).;
13. the following indents shall be added in point 54zzzi (Regulation (EC) No 882/2004 of the European Parliament and of the Council) of Chapter XII of Annex II:
- **32008 R 0301**: Council Regulation (EC) No 301/2008 of 17 March 2008 (OJ L 97, 9.4.2008, p. 85),
 - **32008 R 1029**: Commission Regulation (EC) No 1029/2008 of 20 October 2008 (OJ L 278, 21.10.2008, p. 6).;
14. the following point shall be inserted after point 54zzzzd (Directive 2009/54/EC of the European Parliament and of the Council) of Chapter XII of Annex II:
- ‘54zzzze. **32008 D 0654**: Commission Decision 2008/654/EC of 24 July 2008 on guidelines to assist Member States in preparing the annual report on the single integrated multiannual national control plan provided for in Regulation (EC) No 882/2004 of the European Parliament and of the Council (OJ L 214, 9.8.2008, p. 56).’
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