

DECISION OF THE EEA JOINT COMMITTEE No 2/2020**of 7 February 2020****amending Annex I (Veterinary and phytosanitary matters) and Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement [2023/280]**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) 2019/1012 of 12 March 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council by derogating from the rules on the designation of control points and from the minimum requirements for border control posts ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2019/1013 of 16 April 2019 on prior notification of consignments of certain categories of animals and goods entering the Union ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2019/1014 of 12 June 2019 to lay down detailed rules on minimum requirements for border control posts, including inspection centres, and for the format, categories and abbreviations to use for listing border control posts and control points ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Commission Delegated Regulation (EU) 2019/1081 of 8 March 2019 establishing rules on specific training requirements for staff for performing certain physical checks at border control posts ⁽⁴⁾ is to be incorporated into the EEA Agreement.
- (5) This Decision concerns legislation containing provisions regarding plant health. Legislation regarding plant health falls outside the scope of the EEA Agreement and provisions regarding plant health shall therefore not apply to the EFTA States.
- (6) This Decision concerns legislation containing provisions regarding live animals, other than fish and aquaculture animals. Provisions regarding live animals, other than fish and aquaculture animals, shall not apply to Iceland, as specified in paragraph 2 of the Introductory Part of Chapter I of Annex I to the EEA Agreement.
- (7) This Decision concerns legislation regarding veterinary matters, feedingstuffs and foodstuffs. Legislation regarding veterinary matters, feedingstuffs and foodstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I and the introduction to Chapter XII of Annex II to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (8) Implementing Regulation (EU) 2019/1014 repeals, with effect from 14 December 2019, Decisions 2001/812/EC ⁽⁵⁾ and 2009/821/EC ⁽⁶⁾, which are incorporated into the EEA Agreement and which are consequently to be repealed under the EEA Agreement.
- (9) Delegated Regulation (EU) 2019/1081 repeals, with effect from 14 December 2019, Decision 93/352/EEC ⁽⁷⁾ which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.

⁽¹⁾ OJ L 165, 21.6.2019, p. 4.

⁽²⁾ OJ L 165, 21.6.2019, p. 8.

⁽³⁾ OJ L 165, 21.6.2019, p. 10.

⁽⁴⁾ OJ L 171, 26.6.2019, p. 1.

⁽⁵⁾ OJ L 306, 23.11.2001, p. 28.

⁽⁶⁾ OJ L 296, 12.11.2009, p. 1.

⁽⁷⁾ OJ L 144, 16.6.1993, p. 25.

- (10) Regulation (EU) 2017/625 introduces new procedures which shall apply to border control posts under the Introductory Part of Chapter I of Annex I to the Agreement. Consequently, paragraph 4B of the Introductory Part of Chapter I of Annex I is to be amended accordingly and paragraph 5 of the Introductory Part of Chapter I of Annex I is to be deleted.
- (11) Annexes I and II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to the EEA Agreement shall be amended as follows:

- (1) the text of paragraph 4B of the Introductory Part of Chapter I is replaced by the following:

‘Control of border control posts

- 1) Controls of border control posts shall take place in close cooperation between the European Commission and the EFTA Surveillance Authority.
- 2) The EFTA Surveillance Authority shall be entitled to participate in control visits of the European Commission services to the EU Member States with regard to the control to which reference is made in Article 59(3) of Regulation (EU) 2017/625 of the European Parliament and of the Council.
- 3) The European Commission and the EFTA Surveillance Authority may arrange joint control visits to establish a common recommendation on the outcome of the control to which reference is made in Article 59(5) of Regulation (EU) 2017/625 of the European Parliament and of the Council.’;

- (2) the text of paragraph 5 of the Introductory Part of Chapter I is deleted;

3. the following points are inserted after point 11bd (Commission Implementing Regulation (EU) 2019/1715) in Part 1.1 of Chapter I:

‘11be. **32019 R 1012**: Commission Delegated Regulation (EU) 2019/1012 of 12 March 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council by derogating from the rules on the designation of control points and from the minimum requirements for border control posts (OJ L 165, 21.6.2019, p. 4).

11bf. **32019 R 1013**: Commission Implementing Regulation (EU) 2019/1013 of 16 April 2019 on prior notification of consignments of certain categories of animals and goods entering the Union (OJ L 165, 21.6.2019, p. 8).

11bg. **32019 R 1014**: Commission Implementing Regulation (EU) 2019/1014 of 12 June 2019 to lay down detailed rules on minimum requirements for border control posts, including inspection centres, and for the format, categories and abbreviations to use for listing border control posts and control points (OJ L 165, 21.6.2019, p. 10).

11bh. **32019 R 1081**: Commission Delegated Regulation (EU) 2019/1081 of 8 March 2019 establishing rules on specific training requirements for staff for performing certain physical checks at border control posts (OJ L 171, 26.6.2019, p. 1).’;

- (4) the following points are inserted after point 31qd (Commission Implementing Regulation (EU) 2019/1715) of Chapter II:

‘31qe. **32019 R 1012**: Commission Delegated Regulation (EU) 2019/1012 of 12 March 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council by derogating from the rules on the designation of control points and from the minimum requirements for border control posts (OJ L 165, 21.6.2019, p. 4).

31qf. **32019 R 1013**: Commission Implementing Regulation (EU) 2019/1013 of 16 April 2019 on prior notification of consignments of certain categories of animals and goods entering the Union (OJ L 165, 21.6.2019, p. 8).

31qg. **32019 R 1014**: Commission Implementing Regulation (EU) 2019/1014 of 12 June 2019 to lay down detailed rules on minimum requirements for border control posts, including inspection centres, and for the format, categories and abbreviations to use for listing border control posts and control points (OJ L 165, 21.6.2019, p. 10).

31qh. **32019 R 1081**: Commission Delegated Regulation (EU) 2019/1081 of 8 March 2019 establishing rules on specific training requirements for staff for performing certain physical checks at border control posts (OJ L 171, 26.6.2019, p. 1).;

(5) the text of points 21 (Commission Decision 93/352/EEC), 39 (Commission Decision 2009/821/EC) and 111 (Commission Decision 2001/812/EC) in Part 1.2 of Chapter I is deleted.

Article 2

The following points are inserted after point 164d (Commission Implementing Regulation (EU) 2019/1715) of Chapter XII of Annex II to the EEA Agreement:

164e. **32019 R 1012**: Commission Delegated Regulation (EU) 2019/1012 of 12 March 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council by derogating from the rules on the designation of control points and from the minimum requirements for border control posts (OJ L 165, 21.6.2019, p. 4).

164f. **32019 R 1013**: Commission Implementing Regulation (EU) 2019/1013 of 16 April 2019 on prior notification of consignments of certain categories of animals and goods entering the Union (OJ L 165, 21.6.2019, p. 8).

164g. **32019 R 1014**: Commission Implementing Regulation (EU) 2019/1014 of 12 June 2019 to lay down detailed rules on minimum requirements for border control posts, including inspection centres, and for the format, categories and abbreviations to use for listing border control posts and control points (OJ L 165, 21.6.2019, p. 10).

164h. **32019 R 1081**: Commission Delegated Regulation (EU) 2019/1081 of 8 March 2019 establishing rules on specific training requirements for staff for performing certain physical checks at border control posts (OJ L 171, 26.6.2019, p. 1).'

Article 3

The texts of Delegated Regulations (EU) 2019/1012 and (EU) 2019/1081 and Implementing Regulations (EU) 2019/1013 and 2019/1014 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 4

This Decision shall enter into force on 8 February 2020, provided that all the notifications under Article 103(1) of the EEA Agreement have been made *, or on the day of the entry into force of Decision of the EEA Joint Committee No 210/2019 of 27 September 2019 ⁽⁸⁾, whichever is the later.

Article 5

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, 7 February 2020.

For the EEA Joint Committee

The President

Clara GANSLANDT

* No constitutional requirements indicated.

⁽⁸⁾ OJ L 4, 5.1.2023, p. 11.