

EFTA SURVEILLANCE AUTHORITY DECISION

No 160/10/COL

of 21 April 2010

concerning additional guarantees for Norway relating to Aujeszky's disease

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Agreement on the European Economic Area, in particular Article 17 and Protocol 1 to the Agreement, in particular Article (4)(d) thereof,

Having regard to the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice, in particular Article 5 (2)(d) and Protocol 1 to the Agreement, in particular Article 1(c) thereof,

Having regard to the Act referred to in point 4.1.1 of Chapter I in Annex I to the Agreement on European Economic Area concerning animal health problems affecting intra-Community trade in bovine animals and swine, Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine⁽¹⁾, as amended, and adapted to the EEA Agreement by Protocol 1 thereto, in particular Articles 8 and 10(1) thereof,

Having regard to the Act referred to at point 4.2.84 of Chapter I of Annex I to the EEA Agreement, Commission Decision 2008/185/EC of 21 February 2008 in intra-Community trade of pigs relating to Aujeszky's disease and criteria to provide information on this disease⁽²⁾, as amended,

Having regard to the EFTA Surveillance Authority Decision No 226/96/COL of 4 December 1996 replacing Decision No 31/94/COL concerning additional guarantees relating to Aujeszky's disease for pigs destined to EFTA States or regions free of the disease, as amended by Decision No 75/94/COL, in so far as these Decisions concern Norway⁽³⁾,

Whereas:

(1) By Decision No 226/96/COL Norway was granted additional guarantees relating to Aujeszky's disease.

(2) Since the adoption of Decision No 226/96/COL the European Union's legislation on additional guarantees for Aujeszky's disease has been amended to ensure consistency with the international rules on this disease and better control over it within the Union.

(3) By Decision of the EEA Joint Committee No 55/2009⁽⁴⁾, Decision 2008/185/EC, as amended, was incorporated

into the EEA Agreement as point 4.2.84 of Chapter I of Annex I to that Agreement.

(4) The Norwegian Government considers that its territory is free from Aujeszky's disease in accordance with Article 10(1) of Directive 64/432/EEC. Norway has submitted supporting documentation to the EFTA Surveillance Authority, in particular, substantiating that monitoring of the situation is continued and, hence, that adequate surveillance is in place to make sure that the Norwegian territory is free from Aujeszky's disease.

(5) Norway has requested the EFTA Surveillance Authority to update Decision No 226/96/COL in order to take account of the new legislative changes in the field of additional guarantees for intra-Union trade in pigs relating to Aujeszky's disease.

(6) It is therefore appropriate to repeal Decision No 226/96/COL in accordance to the latest legislative changes in the field of additional guarantees for intra-Union trade in pigs relating to Aujeszky's disease.

(7) The new Decision will maintain the same guarantees previously granted to Norway as well as aligning them with the new criteria set out in relevant EEA legislation, in particular Decision 2008/185/EC, as amended.

(8) The measures provided for in this Decision are in accordance with the opinion of the EFTA Veterinary Committee assisting the EFTA Surveillance Authority,

HAS ADOPTED THIS DECISION:

Article 1

All regions in Norway are free of the Aujeszky's disease and vaccination is prohibited.

Article 2

Norway is granted the additional guarantees relating to Aujeszky's disease laid down in Decision 2008/185/EC, as amended, when trading pigs within the European Economic Area (EEA).

⁽¹⁾ OJ L 21, 29.7.1964, p. 1977/64.

⁽²⁾ OJ L 59, 4.3.2008, p. 19.

⁽³⁾ OJ L 78, 20.3.1997, p. 46.

⁽⁴⁾ OJ L 232, 3.9.2009, p. 1.

Article 3

Norway has the same status as those EU Member States listed in Annex I to Decision 2008/185/EC.

Article 4

The institution referred to in paragraph 1 of Annex III to Decision 2008/185/EC is the Veterinærinstituttet, Oslo, Norway.

Article 5

Decision No 226/96/COL is hereby repealed.

Article 6

This Decision shall enter into force on 21 April 2010.

Article 7

This Decision is addressed to Norway.

Article 8

Only the English version is authentic.

Done at Brussels, 21 April 2010.

For the EFTA Surveillance Authority

Per SANDERUD
President

Sverrir Haukur GUNNLAUGSSON
College Member
