

III

(Other acts)

EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY DECISION

No 226/17/COL

of 19 December 2017

releasing Norway from the obligation to apply to certain species the Act referred to at point 2 of Part 1 of Chapter III of Annex I to the Agreement on the European Economic Area, Council Directive 66/401/EEC on the marketing of fodder plant seed [2018/564]

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Act referred to at point 2 of Part 1 of Chapter III of Annex I to the Agreement on the European Economic Area (‘the EEA Agreement’),

Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed ⁽¹⁾ (‘Directive 66/401/EEC’), and in particular Article 23a thereof,

as adapted to the EEA Agreement by point 4(d) of Protocol 1 to the EEA Agreement, Article 5(2)(d) of the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice and Articles 1(1)(c), 1(2) and 3 of Protocol 1 to the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice,

Having regard to the application submitted by Norway on 3 July 2017,

Whereas:

- (1) Directive 66/401/EEC sets out certain provisions for the marketing of fodder plant seed, and provides in its Article 23a that an EEA State may be wholly or partially released from the obligation to apply this Directive in respect of certain species if seed of those species is not normally reproduced or marketed in its territory.
- (2) Norway submitted on 3 July 2017 (Doc No 864007) an application to be released from the obligation to apply Directive 66/401/EEC for the 22 new species included in that directive by *Commission Implementing Directive (EU) 2016/2109 of 1 December 2016 amending Council Directive 66/401/EEC as regards the inclusion of new species and the botanical name of the species *Lolium x boucheanum* Kunth* ⁽²⁾, referred to at point 2 of Part 1 of Chapter III of Annex I to the EEA Agreement, as these species are not normally reproduced or marketed in Norway.
- (3) Accordingly, and as long as those conditions remain, Norway should be released from the obligation to apply Directive 66/401/EEC in respect of these species.
- (4) Such release should be without prejudice to the marketing in Norway of seeds produced, in accordance with Directive 66/401/EEC, in another Contracting Party to the EEA Agreement.
- (5) The measures provided for in this Decision are in accordance with the opinion of the EFTA Veterinary and Phytosanitary Committee,

⁽¹⁾ OJ L25, 11.7.1966, p. 2298/66.

⁽²⁾ OJ L 327, 2.12.2016, p. 59.

HAS ADOPTED THIS DECISION:

Article 1

Norway is hereby released from the obligation to apply the Act referred to at point 2 of Part 1 of Chapter III of Annex I to the Agreement on the European Economic Area, Council Directive 66/401/EEC on the marketing of fodder plant seed, with the exception of Article 14(1), to the following species:

- *Biserrula pelecinus*
- *Lathyrus cicera*
- *Medicago doliata*
- *Medicago italica*
- *Medicago littoralis*
- *Medicago murex*
- *Medicago polymorpha*
- *Medicago rugosa*
- *Medicago scutellata*
- *Medicago truncatula*
- *Ornithopus compressus*
- *Ornithopus sativus*
- *Plantago lanceolata*
- *Trifolium fragiferum*
- *Trifolium glanduliferum*
- *Trifolium hirtum*
- *Trifolium isthmocarpum*
- *Trifolium michelianum*
- *Trifolium squarrosum*
- *Trifolium subterraneum*
- *Trifolium vesiculosum*
- *Vicia benghalensis*

Article 2

This Decision is addressed to Norway.

Article 3

This Decision shall be authentic in the English language.

Done at Brussels, 19 December 2017.

For the EFTA Surveillance Authority

Sven Erik SVEDMAN
President

Helga JÓNSDÓTTIR
College Member
