

III

(Other acts)

EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY DELEGATED DECISION

No 8/19/COL

of 6 February 2019

amending the list contained in point 39 of Part 1.2 of Chapter I of Annex I to the Agreement on the European Economic Area listing border inspection posts in Iceland and Norway agreed for veterinary checks on live animals and animal products from third countries (‘the list of border inspection posts in Iceland and Norway’) and repealing EFTA Surveillance Authority Decision No 90/18/COL [2019/931]

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to points 4(B)(1) and (3) and 5(b) of the Introductory Part of Chapter I of Annex I to the Agreement on the European Economic Area (‘EEA Agreement’),

Having regard to the Act referred to at point 4 of Part 1.1 of Chapter I of Annex I to the EEA Agreement (Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽¹⁾ (‘Directive 97/78’)), as amended and adapted to the EEA Agreement by the sectoral adaptations referred to in Annex I to that Agreement, and in particular Article 6(2) thereof,

Having regard to the Act referred to at point 111 of Part 1.2 of Chapter I of Annex I to the EEA Agreement (Commission Decision 2001/812/EC of 21 November 2001 laying down the requirements for the approval of border inspection posts responsible for veterinary checks on products introduced into the Community from third countries ⁽²⁾), as amended, and in particular Article 3(5) thereof,

as adapted to the EEA Agreement by point 4(d) of Protocol 1 to the EEA Agreement and Articles 1(2) and 3 of Protocol 1 to the Surveillance and Court Agreement.

Whereas:

By letter dated 25 June 2018 (Doc No 919969), the Norwegian Ministry of Agriculture and Food (‘the Norwegian Ministry’) informed the EFTA Surveillance Authority (‘the Authority’) of the Norwegian Food Safety Authority’s (‘NFSA’s’) request of 4 May 2018 (Doc No 919967) for approval of new facilities at the *Inspection Centre Solstrand* under the *Tromsø Port* border inspection post (NO TOS 1), the addition of packed fishery products for human consumption with no temperature requirements (HC-NT(1)(2)(3)) to the product categories approved for that Inspection Centre and the amendment of the list of border inspection posts in Iceland and Norway accordingly.

In accordance with point 4(B)(3) of the Introductory part of Chapter I of Annex I to the EEA Agreement, the Authority carried out a joint inspection of the *Inspection Centre Solstrand* with Directorate F of DG SANTE from 10 to 12 December 2018 to assess the suitability and readiness of the facilities and equipment for product categories HC-T(FR)(1)(2)(3) and HC-NT(1)(2)(3). A common recommendation that the new facilities at the *Inspection Centre Solstrand* and the addition of packed fishery products for human consumption with no temperature requirements (HC-NT(1)(2)(3)) to the approved product categories (Doc No 1043557) be approved was subsequently signed by the Authority and Directorate F of DG SANTE on 12 December 2018. The *Inspection Centre Solstrand* should therefore be listed for product categories HC-T(FR)(1)(2)(3) and HC-NT(1)(2)(3).

⁽¹⁾ OJ L 24, 30.1.1998, p. 9.

⁽²⁾ OJ L 306, 23.11.2001, p. 28.

By letter dated 7 December 2018 (Doc No 1042406), the Icelandic Food and Veterinary Authority ('MAST') informed the Authority of the closure of the *Akureyri* border inspection post (IS AKU 1) and requested its removal of that border inspection post from the list of border inspection posts in Iceland and Norway.

By letter dated 14 December 2018 (Doc No 1043701), the Norwegian Ministry informed the Authority of the NFSA's withdrawal of approval of the *Honningsvåg Port* border inspection post (NO HVG 1) on 10 December 2018 (Doc Nos 1043697 and 1043699) and its request for removal from the list of border inspection posts in Iceland and Norway.

According to Directive 97/78/EC, the Authority is to draw up and publish a list of approved border inspection posts which may subsequently be amended or supplemented to reflect changes in the national lists. The current list of approved border inspection posts in Iceland and Norway was adopted by the Authority on 11 October 2018 by Decision No 90/18/COL.

It is therefore the Authority's obligation to amend the list of border inspection posts in Iceland and Norway and to publish a new list, reflecting the above changes concerning the *Akureyri* and *Honningsvåg Port* border inspection posts and the *Inspection Centre Solstrand* under the *Tromsø Port* border inspection post.

The Authority, by its Decision No 3/19/COL (Doc No 1045585), referred the matter to the EFTA Veterinary and Phytosanitary Committee assisting the Authority. By emails dated 23, 25 and 30 January 2019 (Docs No 1049988, 1050000 and 1050009), the Committee delivered a positive opinion concerning the proposed modifications to the list according to the examination procedure pursuant to Article 3(2) of the Decision of the Standing Committee of the EFTA States No 3/2012/SC of 26 October 2012. Accordingly, the measures are in accordance with the opinion of the Committee.

Under point 6 of EFTA Surveillance Authority Decision No 494/13/COL of 11 December 2013, the College Member with special responsibility for veterinary and phytosanitary matters is empowered to adopt draft measures amending the list of border inspection posts in Iceland and Norway if such measures are in accordance with the opinion of the EFTA Veterinary and Phytosanitary Committee assisting the Authority.

HAS ADOPTED THIS DECISION:

1. The categories of products for which the *Inspection Centre Solstrand* under the *Tromsø Port* border inspection post (NO TOS 1) is approved are modified in the list of border inspection posts in Iceland and Norway to include packed fishery products for human consumption with no temperature requirements (HC-NT(1)(2)(3)), in addition to packed frozen fishery products for human consumption (HC-T(FR)(1)(2)(3)).
2. The *Akureyri* and *Honningsvåg Port* border inspection posts (IS AKU 1 and NO HVG 1 respectively) are removed from the list of border inspection posts in Iceland and Norway.
3. Veterinary checks on live animals and animal products brought into Iceland and Norway from third countries shall be carried out by the competent national authorities at the agreed border inspection posts listed in the Annex to this Decision.
4. The EFTA Surveillance Authority Decision No 90/18/COL of 11 October 2018 is hereby repealed and replaced by the current decision.
5. This Decision shall enter into force on the day of its signature.
6. This Decision is addressed to Iceland and Norway.

7. This Decision shall be authentic in the English language.

For the EFTA Surveillance Authority, acting under Delegation Decision No 494/13/COL,

Högni S. KRISTJÁNSSON
Responsible College Member

Carsten ZATSCHLER
*Countersigning as Director,
Legal and Executive Affairs*

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ANNEX

LIST OF AGREED BORDER INSPECTION POSTS

Country: **Iceland**

| 1 | 2 | 3 | 4 | 5 | 6 |
|-------------------|-----------|---|---|--|-------|
| Hafnarfjörður | IS HAF 1 | P | | HC(1)(2)(3), NHC-NT(2)(6)(16) | |
| Keflavík Airport | IS KEF 4 | A | | HC(2), NHC(2) | O(15) |
| Reykjavík Eimskip | IS REY 1a | P | | HC(2), NHC(2) | |
| Reykjavík Samskip | IS REY 1b | P | | HC-T(FR)(1)(2)(3), HC-NT(1)(2)(3), NHC-NT(2)(6)(16) | |
| Þorlákshöfn | IS THH1 | P | | HC-T(FR)(1)(2)(3), HC-NT(6), NHC-NT(6) | |

Country: **Norway**

| 1 | 2 | 3 | 4 | 5 | 6 |
|--------------|----------|---|--------------|---|-------|
| Borg | NO BRG 1 | P | | HC (2), NHC(2) | E(7) |
| Båtsfjord | NO BJF 1 | P | | HC-T(FR)(1)(2)(3), HC-NT(1)(2)(3) | |
| Egersund | NO EGE 1 | P | | HC-NT(6), NHC-NT(6)(16) | |
| Hammerfest | NO HFT 1 | P | Rypefjord | HC-T(FR)(1)(2)(3), HC-NT(1)(2)(3) | |
| Kirkenes | NO KKN 1 | P | | HC-T(FR)(1)(2)(3), HC-NT(1)(2)(3) | |
| Kristiansund | NO KSU 1 | P | Kristiansund | HC-T(FR)(1)(2)(3), NHC-T(FR)(2)(3) HC-NT(6), NHC-NT(6) | |
| Larvik | NO LAR 1 | P | | HC(2) | |
| Måløy | NO MAY 1 | P | Gotteberg | HC-T(FR)(1)(2)(3), NHC-T(FR)(2)(3) | |
| Oslo | NO OSL 1 | P | | HC(2), NHC(2) | |
| Oslo | NO OSL 4 | A | | HC(2), NHC(2) | U,E,O |
| Sortland | NO SLX 1 | P | Sortland | HC-T(FR)(1)(2)(3) | |
| Storskog | NO STS 3 | R | | HC, NHC | U,E,O |
| Tromsø | NO TOS 1 | P | Bukta | HC-T(FR)(1)(2)(3) | |
| | | | Solstrand | HC-T(FR)(1)(2)(3), HC-NT(1)(2)(3) | |

| 1 | 2 | 3 | 4 | 5 | 6 |
|---------|----------|---|----------|--|---|
| Ålesund | NO AES 1 | P | Breivika | HC-T(FR)(1)(2)(3), NHC-T(FR)(2)(3) | |
| | | | Skutvik | HC-T(1)(2)(3), HC-NT(6), NHC-T(FR) (2)(3), NHC-NT(6) | |

1 = Name

2 = TRACES Code

3 = Type

A = Airport

F = Rail

P = Port

R = Road

4 = Inspection centre

5 = Products

HC = All products for Human Consumption

NHC = Other Products

NT = No temperature requirements

T = Frozen/chilled products

T(FR) = Frozen products

T(CH) = Chilled products

6 = Live Animals

U = Ungulates: cattle, pigs, sheep, goats, wild and domestic solipeds

E = Registered equidae as defined in Council Directive 90/426/EEC

O = Other animals

5-6 = Special remarks

(1) = Checking in line with the requirements of Commission Decision 93/352/EEC taken in execution of Article 19(3) of Directive 97/78/EC

(2) = Packed products only

(3) = Fishery products only

(4) = Animal proteins only

(5) = Wool hides and skins only

(6) = Only liquid fats, oils, and fish oils

(7) = Icelandic ponies (from April to October only)

(8) = Equidae only

(9) = Tropical fish only

(10) = Only cats, dogs, rodents, lagomorphs, live fish, reptiles and other birds than ratites

(11) = Only feedstuffs in bulk

(12) = For (U) in the case of solipeds, only those consigned to a zoo; and for (O), only day old chicks, fish, dogs, cats, insects, or other animals consigned to a zoo

(13) = Nagylak HU: This is a border inspection post (for products) and crossing point (for Live animals) on the Hungarian Romanian border, subject to transitional measures as negotiated and laid down in the Treaty of Accession for both products and live animals. See Commission Decision 2003/630/EC

(14) = Designated for transit across the European Community for consignments of certain products of animal origin for human consumption, coming to or from Russia under the specific procedures foreseen in relevant Community legislation

(15) = Aquaculture animals only

(16) = Fish meal only