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### Legislation

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## II

(Acts whose publication is not obligatory)

## EUROPEAN ECONOMIC AREA

## THE EEA JOINT COMMITTEE

## DECISION OF THE EEA JOINT COMMITTEE

No 115/2004

of 6 August 2004

**amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms**

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 Articles 86 and 98 thereof,

Whereas:

- (1) Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No 90/2004 of 8 June 2004 <sup>(1)</sup>.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include the pilot projects for participation of young people.
- (3) Protocol 31 to the Agreement should therefore be amended in order to allow for this cooperation to take place with effect from 1 January 2004,

HAS DECIDED AS FOLLOWS:

*Article 1*

Article 4 of Protocol 31 to the Agreement shall be amended as follows:

1. the following paragraph shall be inserted after paragraph 2i:
  - '2j. The EFTA States shall, as from 1 January 2004, participate in the Community actions related to the following budget heading, entered in the general budget of the European Union for the financial year 2004:  
  
— **budget heading 15 07 03: "Pilot projects for participation of young people".**;

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<sup>(1)</sup> OJ L 349, 25.11.2004, p. 52.

2. the text of paragraph 3 shall be replaced with the following:
  - '3. The EFTA States shall contribute financially in accordance with Article 82(1)(a) of the Agreement to the programmes and actions referred to in paragraphs 1, 2, 2a, 2b, 2c, 2d, 2e, 2f, 2g, 2h, 2i and 2j.'

*Article 2*

This Decision shall enter into force on the day following the last notification to the EEA Joint Committee under Article 103(1) of the Agreement (\*).

*Article 3*

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, 6 August 2004.

*For the EEA Joint Committee*  
*The President*  
Kjartan JÓHANNSSON

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(\*) No constitutional requirements indicated.

**DECISION OF THE EEA JOINT COMMITTEE****No 116/2004****of 6 August 2004****amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms**

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 Articles 86 and 98 thereof,

Whereas:

- (1) Protocol 31 to the Agreement was amended by the Agreement on the participation of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the European Economic Area signed on 14 October 2003 in Luxembourg <sup>(1)</sup>.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include cooperation in the implementation and development of the Internal Market.
- (3) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to take place with effect from 1 January 2004,

HAS DECIDED AS FOLLOWS:

*Article 1*

Article 7 of Protocol 31 to the Agreement shall be amended as follows:

1. the following paragraph shall be inserted after paragraph 5:
  - '6. The EFTA States shall, as from 1 January 2004, participate in the Community actions related to the following budget headings, entered in the general budget of the European Union for the financial year 2004:
    - **budget heading 12 01 04 01**: "Implementation and development of the internal market — Expenditure on administrative management",
    - **budget heading 12 02 01**: "Implementation and development of the internal market".';
2. the words 'paragraph 5' in paragraphs 3 and 4 shall be replaced by 'paragraphs 5 and 6'.

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<sup>(1)</sup> OJ L 130, 29.4.2004, p. 3.

*Article 2*

This Decision shall enter into force on the day following the last notification to the EEA Joint Committee under Article 103(1) of the Agreement (\*).

It shall apply from 1 January 2004.

*Article 3*

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, 6 August 2004.

*For the EEA Joint Committee*  
*The President*  
Kjartan JÓHANNSSON

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(\*) No constitutional requirements indicated.

**DECISION OF THE EEA JOINT COMMITTEE****No 117/2004****of 6 August 2004****amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms**

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 Articles 86 and 98 thereof,

Whereas:

- (1) Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No 90/2004 of 8 June 2004 <sup>(1)</sup>.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include the preparatory actions for cooperation on cultural matters.
- (3) Protocol 31 to the Agreement should therefore be amended in order to allow for this cooperation to take place with effect from 1 January 2004,

HAS DECIDED AS FOLLOWS:

*Article 1*

Article 13 of Protocol 31 to the Agreement shall be amended as follows:

1. paragraph 2 shall be replaced with the following:
  - '2. The EFTA States shall contribute financially to the activities referred to in paragraphs 1, 4, 5 and 6 in accordance with Article 82(1)(a) of the Agreement.'
2. paragraph 3 shall be replaced with the following:
  - '3. The EFTA States shall participate fully in the EC committees and other bodies which assist the Commission in the management, development and implementation of the activities referred to in paragraphs 1, 4, 5 and 6.'
3. the following paragraph shall be inserted after paragraph 5:
  - '6. The EFTA States shall, as from 1 January 2004, participate in the Community actions related to the following budget heading, entered in the general budget of the European Union for the financial year 2004:  
  
— **budget heading 15 04 02 03:** "Preparatory actions for cooperation on cultural matters"'

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<sup>(1)</sup> OJ L 349, 25.11.2004, p. 52.

*Article 2*

This Decision shall enter into force on the day following the last notification to the EEA Joint Committee under Article 103(1) of the Agreement (\*).

*Article 3*

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, 6 August 2004.

*For the EEA Joint Committee*  
*The President*  
Kjartan JÓHANNSSON

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(\*) No constitutional requirements indicated.



**DECISION OF THE EEA JOINT COMMITTEE****No 118/2004****of 24 September 2004****amending Annex I (Veterinary and phytosanitary matters) 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 95/2004 of 9 July 2004 <sup>(1)</sup>.
- (2) Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease repealing Directive 85/511/EEC and Decisions 89/531/EEC and 91/665/EEC and amending Directive 92/46/EEC <sup>(2)</sup> is to be incorporated into the Agreement.
- (3) This Directive is not to apply to Iceland and Liechtenstein,

HAS DECIDED AS FOLLOWS:

*Article 1*

Chapter I of Annex I to the Agreement shall be amended as follows:

1. the following point shall be inserted after point 1 (Council Directive 85/511/EEC) in part 3.1:

'1a. **32003 L 0085**: Council Directive 2003/85/EC of 29 September 2003 on Community measures for the control of foot-and-mouth disease repealing Directive 85/511/EEC and Decisions 89/531/EEC and 91/665/EEC and amending Directive 92/46/EEC (OJ L 306, 22.11.2003, p. 1).

The provisions of the Directive shall, for the purpose of the present Agreement, be read with the following adaptations:

in Annex XI part A the word "Norway" shall be added to the list of Member States using the services of the Danish Veterinary Institute, Department of Virology, Lindholm in Denmark.;

2. point 1 (Council Directive 85/511/EEC) in part 3.1. and points 3 (Council Decision 89/531/EEC) and 6 (Council Decision 91/665/EEC) in part 3.2. shall be deleted;

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<sup>(1)</sup> OJ L 376, 23.12.2004, p. 14.

<sup>(2)</sup> OJ L 306, 22.11.2003, p. 1.

3. the following indent shall be added in points 4 (Council Directive 92/46/EEC) in part 5.1, 11 (Council Directive 92/46/EEC) in part 6.1. and 13 (Council Directive 92/46/EEC) in part 8.1:

‘— **32003 L 0085**: Council Directive 2003/85/EC of 29 September 2003 (OJ L 306, 22.11.2003, p. 1).’

*Article 2*

The text of Directive 2003/85/EC in the Norwegian language, 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 25 September 2004, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (\*).

*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, 24 September 2004.

*For the EEA Joint Committee*  
*The President*  
Kjartan JÓHANNSSON

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(\*) No constitutional requirements indicated.

**DECISION OF THE EEA JOINT COMMITTEE****No 119/2004****of 24 September 2004****amending Annex I (Veterinary and phytosanitary matters) 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 95/2004 of 9 July 2004 <sup>(1)</sup>.
- (2) Commission Regulation (EC) No 1874/2003 of 24 October 2003 approving the national scrapie control programmes of certain Member States, and defining additional guarantees, and granting derogations concerning breeding programmes for TSE resistance in sheep pursuant to Decision 2003/100/EC <sup>(2)</sup> is to be incorporated into the Agreement.
- (3) Commission Decision 2003/828/EC of 25 November 2003 on protection and surveillance zones in relation to bluetongue <sup>(3)</sup> is to be incorporated into the Agreement.
- (4) Commission Decision 2003/859/EC of 5 December 2003 amending Decision 2002/106/EC as regards the establishment of a classical swine fever discriminatory test <sup>(4)</sup> is to be incorporated into the Agreement.
- (5) Commission Decision 2003/886/EC of 10 December 2003 laying down criteria for information to be provided in accordance with Council Directive 64/432/EEC <sup>(5)</sup> is to be incorporated into the Agreement.
- (6) Decision 2003/828/EC repeals Decision 2003/218/EC <sup>(6)</sup>, which is incorporated into the Agreement and which is consequently to be deleted from the Agreement.
- (7) This Decision is not to apply to Iceland and Liechtenstein,

HAS DECIDED AS FOLLOWS:

*Article 1*

Chapter I of Annex I to the Agreement shall be amended as specified in the Annex to this Decision.

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<sup>(1)</sup> OJ L 376, 23.12.2004, p. 14.

<sup>(2)</sup> OJ L 275, 25.10.2003, p. 12.

<sup>(3)</sup> OJ L 311, 27.11.2003, p. 41.

<sup>(4)</sup> OJ L 324, 11.12.2003, p. 55.

<sup>(5)</sup> OJ L 332, 19.12.2003, p. 53.

<sup>(6)</sup> OJ L 82, 29.3.2003, p. 35.

*Article 2*

The texts of Regulation (EC) No 1874/2003 and Decisions 2003/828/EC, 2003/859/EC and 2003/886/EC in the Norwegian language, 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 25 September 2004 provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (\*).

*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, 24 September 2004.

*For the EEA Joint Committee*

*The President*

Kjartan JÓHANNSSON

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(\*) No constitutional requirements indicated.

## ANNEX

**to Decision of the EEA Joint Committee No 119/2004**

Chapter I of Annex I to the Agreement shall be amended as specified below:

1. the following shall be added in point 23 (Commission Decision 2002/106/EC) in part 3.2:  
  
' as amended by:  
  
— **32003 D 0859**: Commission Decision 2003/859/EC of 5 December 2003 (OJ L 324, 11.12.2003, p. 55).';
  2. the following point shall be inserted after point 29 (Commission Decision 2003/466/EC) in part 3.2:  
  
'30. **32003 D 0828**: Commission Decision 2003/828/EC of 25 November 2003 on protection and surveillance zones in relation to bluetongue (OJ L 311, 27.11.2003, p. 41).';
  3. point 27 (Commission Decision 2003/218/EC) in part 3.2. shall be deleted;
  4. the following point shall be inserted after point 73 (Commission Decision 2003/466/EC) in part 4.2:  
  
'74. **32003 D 0886**: Commission Decision 2003/886/EC of 10 December 2003 laying down criteria for information to be provided in accordance with Council Directive 64/432/EEC (OJ L 332, 19.12.2003, p. 53).';
  5. the following point shall be inserted after point 20 (Commission Decision 2003/100/EC) in part 7.2:  
  
'21. **32003 R 1874**: Commission Regulation (EC) No 1874/2003 of 24 October 2003 approving the national scrapie control programmes of certain Member States, and defining additional guarantees, and granting derogations concerning breeding programmes for TSE resistance in sheep pursuant to Decision 2003/100/EC (OJ L 275, 25.10.2003, p. 12).'
-

**DECISION OF THE EEA JOINT COMMITTEE****No 120/2004****of 24 September 2004****amending Annex I (Veterinary and phytosanitary matters) 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 95/2004 of 9 July 2004 <sup>(1)</sup>.
- (2) Commission Decision 2003/774/EC of 30 October 2003 approving certain treatments to inhibit the development of pathogenic micro-organisms in bivalve molluscs and marine gastropods <sup>(2)</sup> is to be incorporated into the Agreement.
- (3) Commission Decision 2003/831/EC of 20 November 2003 amending Decisions 2001/881/EC and 2002/459/EC as regards changes and further additions to the list of border inspection posts <sup>(3)</sup> is to be incorporated into the Agreement.
- (4) Commission Decision 2003/839/EC of 21 November 2003 amending Annexes I and II to Decision 2002/308/EC establishing lists of approved zones and approved farms with regard to one or more of the fish diseases viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN) <sup>(4)</sup> is to be incorporated into the Agreement.
- (5) Commission Decision 2003/904/EC of 15 December 2003 approving programmes for the purpose of obtaining the status of approved zones and of approved farms in non-approved zones with regard to viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN) in fish, and amending Annexes I and II to Decision 2003/634/EC <sup>(5)</sup> is to be incorporated into the Agreement.
- (6) Council Decision 2003/912/EC of 17 December 2003 amending Decision 95/408/EC on the conditions for drawing up, for an interim period, provisional lists of third-country establishments from which Member States are authorised to import certain products of animal origin, fishery products or live bivalve molluscs, as regards the extension of its validity <sup>(6)</sup> is to be incorporated into the Agreement.
- (7) Decision 2003/774/EC repeals Commission Decision 93/25/EEC <sup>(7)</sup>, which is incorporated into the Agreement and which is consequently to be deleted from the Agreement.

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<sup>(1)</sup> OJ L 376, 23.12.2004, p. 14

<sup>(2)</sup> OJ L 283, 31.10.2003, p. 78.

<sup>(3)</sup> OJ L 313, 28.11.2003, p. 61.

<sup>(4)</sup> OJ L 319, 4.12.2003, p. 21.

<sup>(5)</sup> OJ L 340, 24.12.2003, p. 69.

<sup>(6)</sup> OJ L 345, 31.12.2003, p. 112.

<sup>(7)</sup> OJ L 16, 25.1.1993, p. 22.

(8) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

*Article 1*

Chapter I of Annex I to the Agreement shall be amended as specified in the Annex to this Decision.

*Article 2*

The texts of Decisions 2003/774/EC, 2003/831/EC, 2003/839/EC, 2003/904/EC and 2003/912/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 25 September 2004, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (\*).

*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, 24 September 2004.

*For the EEA Joint Committee*

*The President*

Kjartan JÓHANNSSON

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(\*) No constitutional requirements indicated.

## ANNEX

**to Decision of the EEA Joint Committee No 120/2004**

Chapter I of Annex I to the Agreement shall be amended as specified below:

1. the following indent shall be added in points 39 (Commission Decision 2001/881/EC) and 46 (Commission Decision 2002/459/EC) in part 1.2:  
  
    ‘— **32003 D 0831**: Commission Decision 2003/831/EC of 20 November 2003 (OJ L 313, 28.11.2003, p. 61).’;
2. the following indent shall be added in point 66 (Commission Decision 2002/308/EC) in part 4.2:  
  
    ‘— **32003 D 0839**: Commission Decision 2003/839/EC of 21 November 2003 (OJ L 319, 4.12.2003, p. 21).’;
3. under the heading ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT in part 4.2, the following shall be inserted in point 55 (Commission Decision 2003/634/EC):  
  
    “, as amended by:  
  
    — **32003 D 0904**: Commission Decision 2003/904/EC of 15 December 2003 (OJ L 340, 24.12.2003, p. 69).”;
4. under the heading “ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT” in part 4.2, the following point shall be inserted after point 55 (Commission Decision 2003/634/EC):  
  
    56. **32003 D 0904**: Commission Decision 2003/904/EC of 15 December 2003 approving programmes for the purpose of obtaining the status of approved zones and of approved farms in non-approved zones with regard to viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN) in fish, and amending Annexes I and II to Decision 2003/634/EC (OJ L 340, 24.12.2003, p. 69).  
  
    This act applies also to Iceland.”;
5. the following point shall be inserted after point 46 (Commission Decision 2003/470/EC) in part 6.2:  
  
    “47. **32003 D 0774**: Commission Decision 2003/774/EC of 30 October 2003 approving certain treatments to inhibit the development of pathogenic micro-organisms in bivalve molluscs and marine gastropods (OJ L 283, 31.10.2003, p. 78).  
  
    This act applies also to Iceland.”;
6. point 12 (Commission Decision 93/25/EEC) in part 6.2. shall be deleted;
7. the following indent shall be added in point 18 (Council Decision 95/408/EC) in part 8.1:  
  
    “— **32003 D 0912**: Council Decision 2003/912/EC of 17 December 2003 (OJ L 345, 31.12.2003, p. 112).”



**DECISION OF THE EEA JOINT COMMITTEE****No 121/2004****of 24 September 2004****amending Annex I (Veterinary and phytosanitary matters) 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 68/2004 of 4 May 2004 <sup>(1)</sup>.
- (2) Commission Decision 2004/11/EC of 18 December 2003 setting out the arrangements for Community comparative trials and tests on seeds and propagating material of certain plants of agricultural and vegetable species and vine under Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 92/33/EEC, 2002/54/EC, 2002/55/EC, 2002/56/EC and 2002/57/EC for the years 2004 and 2005 <sup>(2)</sup> is to be incorporated into the Agreement.
- (3) Commission Decision 2004/57/EC of 23 December 2003 on the continuation in the year 2004 of Community comparative trials and tests on seeds and propagating material of gramineae, *Triticum aestivum*, *Brassica napus* and *Allium ascalonicum* under Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 92/33/EEC, 2002/54/EC, 2002/55/EC, 2002/56/EC and 2002/57/EC started in 2003 <sup>(3)</sup> is to be incorporated into the Agreement.
- (4) Commission Decision 2004/266/EC of 17 March 2004 authorising the indelible printing of prescribed information on packages of seed of fodder plants <sup>(4)</sup> is to be incorporated into the Agreement.
- (5) Commission Decision 2004/287/EC of 24 March 2004 providing for the temporary marketing of certain seed of the species *Vicia faba* and *Glycine max* not satisfying the requirements of Council Directives 66/401/EEC or 2002/57/EC respectively <sup>(5)</sup> is to be incorporated into the Agreement.
- (6) Commission Decision 2004/329/EC of 6 April 2004 providing for the temporary marketing of certain seed of the species *Glycine max* not satisfying the requirements of Council Directive 2002/57/EC <sup>(6)</sup> is to be incorporated into the Agreement.

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<sup>(1)</sup> OJ L 277, 26.8.2004, p. 187.

<sup>(2)</sup> OJ L 3, 7.1.2004, p. 38.

<sup>(3)</sup> OJ L 12, 17.1.2004, p. 49.

<sup>(4)</sup> OJ L 83, 20.3.2004, p. 23.

<sup>(5)</sup> OJ L 91, 30.3.2004, p. 56.

<sup>(6)</sup> OJ L 104, 8.4.2004, p. 133.

- (7) Decision 2004/266/EC repeals Commission Decision 87/309/EEC of 2 June 1987 <sup>(1)</sup>, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement,

HAS DECIDED AS FOLLOWS:

#### Article 1

Part 2 of Chapter III of Annex I to the Agreement shall be amended as follows:

1. the following points shall be inserted after point 27 (Commission Decision 2003/795/EC):
  - '28. **32004 D 0011**: Commission Decision 2004/11/EC of 18 December 2003 setting out the arrangements for Community comparative trials and tests on seeds and propagating material of certain plants of agricultural and vegetable species and vine under Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 92/33/EEC, 2002/54/EC, 2002/55/EC, 2002/56/EC and 2002/57/EC for the years 2004 and 2005 (OJ L 3, 7.1.2004, p. 38).
  29. **32004 D 0057**: Commission Decision 2004/57/EC of 23 December 2003 on the continuation in the year 2004 of Community comparative trials and tests on seeds and propagating material of gramineae, *Triticum aestivum*, *Brassica napus* and *Allium ascalonicum* under Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 92/33/EEC, 2002/54/EC, 2002/55/EC, 2002/56/EC and 2002/57/EC started in 2003 (OJ L 12, 17.1.2004, p. 49).
  30. **32004 D 0266**: Commission Decision 2004/266/EC of 17 March 2004 authorising the indelible printing of prescribed information on packages of seed of fodder plants (OJ L 83, 20.3.2004, p. 23).
  31. **32004 D 0287**: Commission Decision 2004/287/EC of 24 March 2004 providing for the temporary marketing of certain seed of the species *Vicia faba* and *Glycine max* not satisfying the requirements of Council Directives 66/401/EEC or 2002/57/EC respectively (OJ L 91, 30.3.2004, p. 56).
  32. **32004 D 0329**: Commission Decision 2004/329/EC of 6 April 2004 providing for the temporary marketing of certain seed of the species *Glycine max* not satisfying the requirements of Council Directive 2002/57/EC (OJ L 104, 8.4.2004, p. 133).';
2. point 5 (Commission Decision 87/309/EEC) shall be deleted.

#### Article 2

The texts of Decisions 2004/11/EC, 2004/57/EC, 2004/266/EC, 2004/287/EC and 2004/329/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 25 September 2004, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (\*).

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<sup>(1)</sup> OJ L 155, 16.6.1987, p. 26.

(\*) No constitutional requirements indicated.

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*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, 24 September 2004.

*For the EEA Joint Committee*  
*The President*  
Kjartan JÓHANNSSON

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**DECISION OF THE EEA JOINT COMMITTEE****No 122/2004****of 24 September 2004****amending 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 II to the Agreement was amended by the Agreement on the participation of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the European Economic Area signed on 14 October 2003 in Luxemburg <sup>(1)</sup>.
- (2) Directive 2003/97/EC of the European Parliament and of the Council of 10 November 2003 on the approximation of the laws of the Member States relating to the type-approval of devices for indirect vision and of vehicles equipped with these devices, amending Directive 70/156/EEC and repealing Directive 71/127/EEC <sup>(2)</sup> is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

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

1. the following indent shall be added in point 1 (Council Directive 70/156/EEC):

— **32003 L 0097**: Directive 2003/97/EC of the European Parliament and of the Council of 10 November 2003 (OJ L 25, 29.1.2004, p. 1).;

2. the following point shall be inserted after point 45zb (Directive 2002/51/EC of the European Parliament and of the Council):

'45zc. **32003 L 0097**: Directive 2003/97/EC of the European Parliament and of the Council of 10 November 2003 on the approximation of the laws of the Member States relating to the type-approval of devices for indirect vision and of vehicles equipped with these devices, amending Directive 70/156/EEC and repealing Directive 71/127/EEC (OJ L 25, 29.1.2004, p. 1).

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<sup>(1)</sup> OJ L 130, 29.4.2004, p. 3.

<sup>(2)</sup> OJ L 25, 29.1.2004, p. 1.

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

In Annex I, the following shall be added to point 1.1.1. of Appendix 5:

“IS for Iceland, FL for Liechtenstein and 16 for Norway”;

3. point 9 (Council Directive 71/127/EEC) shall be deleted with effect from 24 January 2010.

*Article 2*

The text of Directive 2003/97/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 25 September 2004, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (\*).

*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, 24 September 2004.

*For the EEA Joint Committee*

*The President*

Kjartan JÓHANNSSON

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(\*) No constitutional requirements indicated.

**DECISION OF THE EEA JOINT COMMITTEE****No 123/2004****of 24 September 2004****amending Annex II (Technical regulations, standards, testing and certification) and Annex IV (Energy) 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 II to the Agreement was amended by Decision of the EEA Joint Committee No 68/2004 of 4 May 2004 <sup>(1)</sup>.
- (2) Annex IV to the Agreement was amended by Decision of the EEA Joint Committee No 68/2004 of 4 May 2004.
- (3) Commission Directive 2002/31/EC of 22 March 2002 implementing Council Directive 92/75/EEC with regard to energy labelling of household air-conditioners <sup>(2)</sup>, as corrected by OJ L 34, 11.2.2003, p. 30, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

Annex II to the Agreement shall be amended as follows:

1. the following point shall be inserted after point 4g (Commission Directive 2002/40/EC) of Chapter IV:
  - '4h. **32002 L 0031**: Commission Directive 2002/31/EC of 22 March 2002 implementing Council Directive 92/75/EEC with regard to energy labelling of household air-conditioners (OJ L 86, 3.4.2002, p. 26), as corrected by OJ L 34, 11.2.2003, p. 30, as amended by:
    - **1 03 T**: Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded adopted on 16 April 2003 (OJ L 236, 23.9.2003, p. 33).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) in Article 4, the words "until 30 June 2003", shall be replaced by "until the publication of harmonised standards referred to in Article 2";

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<sup>(1)</sup> OJ L 277, 26.8.2004, p. 187.

<sup>(2)</sup> OJ L 86, 3.4.2002, p. 26.

- (b) Annex I shall be supplemented with the texts as set out in Section 7 of Appendix 1 to Annex II to the present Agreement;
  - (c) Annex V shall be supplemented with the texts as set out in Section 7 of Appendix 2 to Annex II to the present Agreement;'
2. Appendices 1 and 2 shall be supplemented as specified in the Annexes I and II to this Decision.

#### Article 2

Annex IV to the Agreement shall be amended as follows:

1. the following point shall be inserted after point 11g (Commission Directive 2002/40/EC):

'11h. **32002 L 0031**: Commission Directive 2002/31/EC of 22 March 2002 implementing Council Directive 92/75/EEC with regard to energy labelling of household air-conditioners (OJ L 86, 3.4.2002, p. 26), as corrected by OJ L 34, 11.2.2003, p. 30 <sup>(1)</sup>.

- (<sup>1</sup>) Listed here for information purposes only; for application see Annex II, Technical regulations, specifications, testing and certification.

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

- (a) in Article 4, the words "until 30 June 2003", shall be replaced by "until the publication of harmonised standards referred to in Article 2";
  - (b) Annex I shall be supplemented with the texts as set out in Section 7 of Appendix 5 to Annex II to the present Agreement;
  - (c) Annex V shall be supplemented with the texts as set out in Section 7 of Appendix 6 to Annex II to the present Agreement;'
2. Appendices 5 and 6 shall be supplemented as specified in Annexes III and IV to this Decision.

#### Article 3

The texts of Directive 2002/31/EC, as corrected by OJ L 34, 11.2.2003, p. 30, 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 25 September 2004, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (\*).

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(\*) No constitutional requirements indicated.

*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, 24 September 2004.

*For the EEA Joint Committee*  
*The President*  
Kjartan JÓHANNSSON

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## ANNEX I

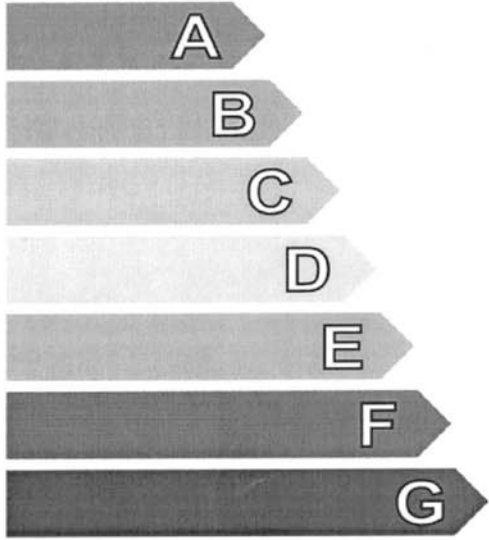





**to Decision of the EEA Joint Committee No 123/2004**

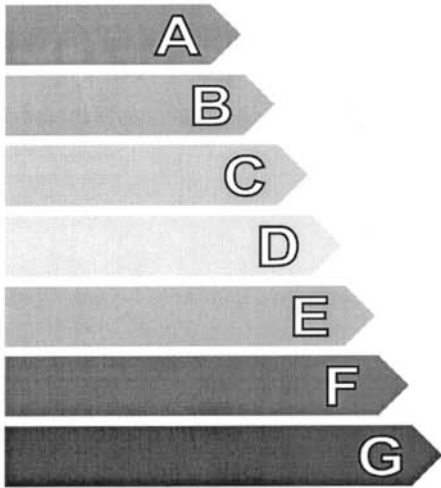



The following section shall be inserted after section 6 in Appendix 1 to Annex II to the Agreement:

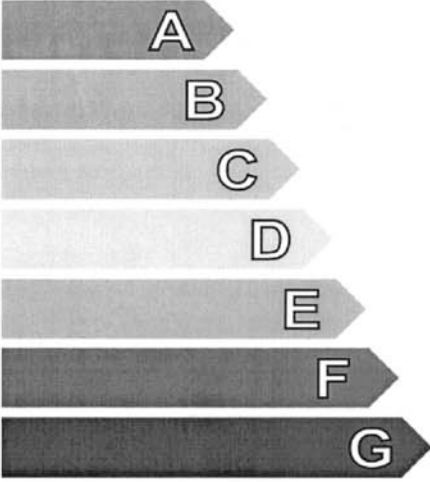



## ‘SECTION 7

***Commission Directive 2002/31/EC***

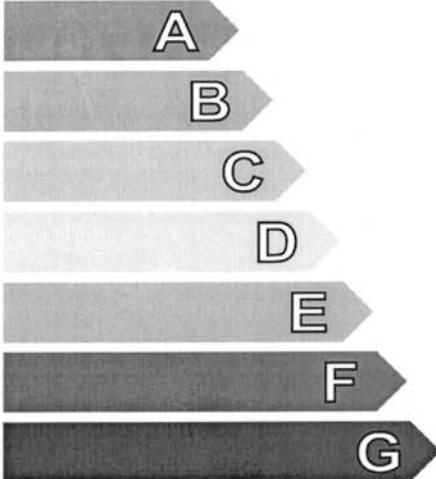




*(household air-conditioners)*

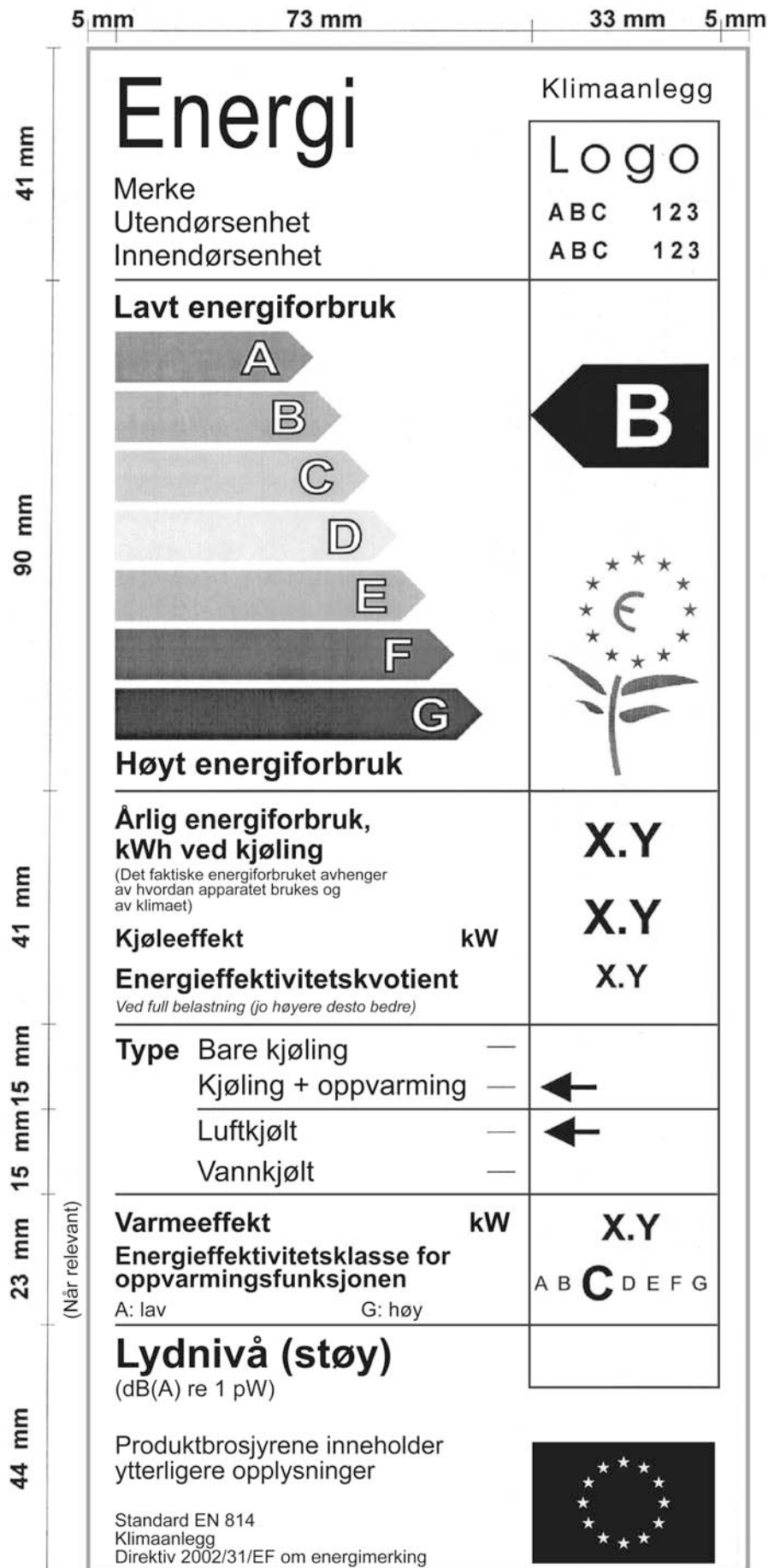
<h1>Orka</h1> <p>Framleiðandi Utandyrabúnaður Innandyrabúnaður</p>		Loftræstibúnaður <b>Logo</b> ABC 123 ABC 123
<b>Góð nýtni</b> 		  
<b>Slæm nýtni</b> <b>Orkunotkun við kælingu á ársgrundvelli í kWh</b> <small>(Raunnotkun fer eftir því hvernig tækið er notað og loftslagi)</small> <b>Kæling</b> kW <b>Orkunýtnihlutfall</b> <small>Fullur styrkur (Því hærra, því betri)</small>		<b>X.Y</b>  <b>X.Y</b>  <b>X.Y</b>
<b>Tegund</b>	Kæling eingöngu — Kæling + Hitun — Loftkældur — Vatnskældur —	  
<b>Hávaði</b> (dB(A) re 1 pW)		
Nánari upplýsingar er að finna í bæklingum sem fylgja vörunum  Staðall EN 814 Loftræstibúnaður Tilskipun 2002/31/EB um orkumerkingar		

<h1>Orka</h1>		Loftræstibúnaður
Framleiðandi Utandyrabúnaður Innandyrabúnaður		Logo ABC 123 ABC 123
<b>Góð nýtni</b> 		 
<b>Slæm nýtni</b>		
<b>Orkunotkun við kælingu á ársgrundvelli í kWh</b> <small>(Raunnotkun fer eftir því hvernig tækið er notað og loftslagi)</small>		<b>X.Y</b>
<b>Kæling</b>	<b>kW</b>	<b>X.Y</b>
<b>Orkunýtnihlutfall</b> <small>Fullur styrkur (því hærri, því betri)</small>		<b>X.Y</b>
<b>Tegund</b>	Kæling eingöngu —	
	Kæling + Hitun —	←
	Loftkældur —	←
	Vatnskældur —	
<b>Hitun</b>	<b>kW</b>	<b>X.Y</b>
<b>Hitunarhæfni</b> A: góð G: slæm		A B <b>C</b> D E F G
<b>Hávaði</b> (dB(A) re 1 pW)		
Nánari upplýsingar er að finna í bæklingum sem fylgja vörunum		
Staðall EN 814 Loftræstibúnaður Tilskipun 2002/31/EB um orkumerkingar		

	5 mm	73 mm	33 mm	5 mm
41 mm	<h1>Orka</h1> <p>Framleiðandi Utandyrabúnaður Innandyrabúnaður</p>		<p>Loftræstibúnaður</p> <div style="border: 1px solid black; padding: 5px;"> <p>Logo</p> <p>ABC 123 ABC 123</p> </div>	
90 mm	<p><b>Góð nýtni</b></p> 		 	
41 mm	<p><b>Slæm nýtni</b></p> <p><b>Orkunotkun við kælingu á ársgrundvelli í kWh</b> <small>(Raunnotkun fer eftir því hvernig tækið er notað og loftslagi)</small></p> <p><b>Kæling</b> kW</p> <p><b>Orkunýtnihlutfall</b> <small>Fullur styrkur (Því hærrí, því betri)</small></p>		<p><b>X.Y</b></p> <p><b>X.Y</b></p> <p><b>X.Y</b></p>	
15 mm	<p><b>Tegund</b></p> <p>Kæling eingöngu —</p> <p>Kæling + Hitun —</p> <hr/> <p>Loftkældur —</p> <p>Vatnskældur —</p>		<p>←</p> <p>←</p>	
23 mm	<p><b>Hitun</b> kW</p> <p><b>Hitunarhæfni</b> A: góð G: slæm</p>		<p><b>X.Y</b></p> <p>A B <b>C</b> D E F G</p>	
44 mm	<p><b>Hávaði</b> (dB(A) re 1 pW)</p> <p>Nánari upplýsingar er að finna í bæklingum sem fylgja vörunum</p> <p>Staðall EN 814 Loftræstibúnaður Tilskipun 2002/31/EB um orkumerkingar</p>			

<h1>Energi</h1> <p>Merke Utendørsenhet Innendørsenhet</p>		<p>Klimaanlegg</p> <p>Logo</p> <p>ABC 123 ABC 123</p>
<p><b>Lavt energiforbruk</b></p> <p><b>Høyt energiforbruk</b></p>		
<p><b>Årlig energiforbruk, kWh ved kjøling</b> <small>(Det faktiske energiforbruket avhenger av hvordan apparatet brukes og av klimaet)</small></p> <p><b>Kjøleeffekt</b> kW</p> <p><b>Energieffektivitetskvotient</b> <small>Ved full belastning (jo høyere desto bedre)</small></p>		<p><b>X.Y</b></p> <p><b>X.Y</b></p> <p><b>X.Y</b></p>
<p><b>Type</b></p> <p>Bare kjøling —</p> <p>Kjøling + oppvarming —</p> <p>Luftkjølt —</p> <p>Vannkjølt —</p>		
<p><b>Lydnivå (støy)</b> <small>(dB(A) re 1 pW)</small></p>		
<p>Produktbrosjyrene inneholder ytterligere opplysninger</p> <p>Standard EN 814 Klimaanlegg Direktiv 2002/31/EF om energimerking</p>		

<h1>Energi</h1>		Klimaanlegg
Merke Utendørsenhet Innendørsenhet		<b>Logo</b> A B C 1 2 3 A B C 1 2 3
<b>Lavt energiforbruk</b> 		
<b>Høyt energiforbruk</b>		
<b>Årlig energiforbruk, kWh ved kjøling</b> <small>(Det faktiske energiforbruket avhenger av hvordan apparatet brukes og av klimaet)</small> <b>Kjøleeffekt</b> kW <b>Energieffektivitetskoeffisient</b> <small>Ved full belastning (jo høyere desto bedre)</small>		<b>X.Y</b>  <b>X.Y</b>  <b>X.Y</b>
<b>Type</b> Bare kjøling — Kjøling + oppvarming — Luftkjølt — Vannkjølt —		 
<b>Varmeeffekt</b> kW <b>Energieffektivitetsklasse for oppvarmingsfunksjonen</b> A: lav G: høy		<b>X.Y</b> A B <b>C</b> D E F G
<b>Lydnivå (støy)</b> <small>(dB(A) re 1 pW)</small>		
Produktbrosjyrene inneholder ytterligere opplysninger  Standard EN 814 Klimaanlegg Direktiv 2002/31/EF om energimerking		



## ANNEX II

## to Decision of the EEA Joint Committee No 123/2004

The following section shall be inserted after section 6 in Appendix 2 to Annex II to the Agreement:

## 'SECTION 7

**Commission Directive 2002/31/EC**

(household air-conditioners)

Note Label Annex I	Fiche and mail order Annexes II and III	EN	IS	NO
⊗		Energy	Orka	Energi
I	1	Manufacturer	Framleiðandi	Merke
II	2	Model	Gerð	Modell
II	2	Outside unit	Utandyrabúnaður	Utendørs enhet
II	2	Inside unit	Innandyrabúnaður	Innendørs enhet
⊗		More efficient	Góð nýtni	Lavt energiforbruk
⊗		Less efficient	Slæm nýtni	Høyt energiforbruk
	3	Energy efficiency class ... on a scale of A (more efficient) to G (less efficient)	Orkunýtniflokkur ... á kvarðanum A (góð nýtni) til G (slæm nýtni)	Klassifisering av energieffektivitet etter en skala fra A (lavt energiforbruk) til G (høyt energiforbruk)
V	5	Annual energy consumption kWh in cooling mode	Orkunotkun við kælingu á ársgrundvelli í kWh	Årlig energiforbruk kWh ved kjøling
V	5	Actual consumption will depend on how the appliance is used and climate	Raunnotkun fer eftir því hvernig tækið er notað og loftslagi.	Det faktiske energiforbruket avhenger av hvordan apparatet brukes og av klimaet
VI	6	Cooling output	Kæling	Kjøleeffekt
VII	7	Energy efficiency ratio (EER) at full load	Orkunýtnihlutfall við fullan styrk	Energieffektivitets-kvotient ved full belastning
VII	7	The higher the better	Því hærri, því betri	Jo høyere, desto bedre
VIII	8	Size	Stærð	Type
VIII	8	Cooling only	Kæling eingöngu	Bare kjøling
VIII	8	Cooling/heating	Kæling/hitun	Kjøling/oppvarming
IX	9	Air cooled	Loftkældur	Luftkjølt
IX	9	Water cooled	Vatnskældur	Vannkjølt
X	10	Heat output	Hitun	Varmeeffekt



Note Label Annex I	Fiche and mail order Annexes II and III	EN	IS	NO
XI	11	Heating performance: A (more efficient) G (less efficient)	Hitunarhæfni: A (góð nýtni) G (slæm nýtni)	Energieffektivitetsklasse for oppvarmingsfunksjonen A (lav) G (høy)
XII	12	Noise (dB(A) re 1 pW)	Hávaði (dB(A) re 1 pW)	Støy (dB(A) re 1 pW)
⊗		Further information is contained in product brochures	Nánari upplýsingar er að finna í bæklingum sem fylgja vörunum	Produktbrosjyrene inneholder ytterligere opplysninger
⊗		Norm EN 814	Staðall EN 814	Standard EN 814
⊗		Air conditioner	Loftræstibúnaður	Klimaanlegg
⊗		Energy label Directive 2002/31/EC	Tilskipun 2002/31/EB um orkumerkingar	Direktiv 2002/31/EF om energimerking
	11	Heating mode energy efficiency class	Orkunýtniflokkur við hitun	Energieffektivitetsklasse ved oppvarming'

## ANNEX III

**to Decision of the EEA Joint Committee No 123/2004**

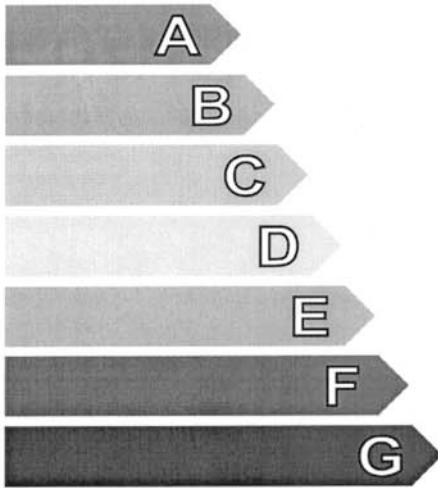





The following section shall be inserted after section 6 in Appendix 5 to Annex IV to the Agreement:

## 'SECTION 7

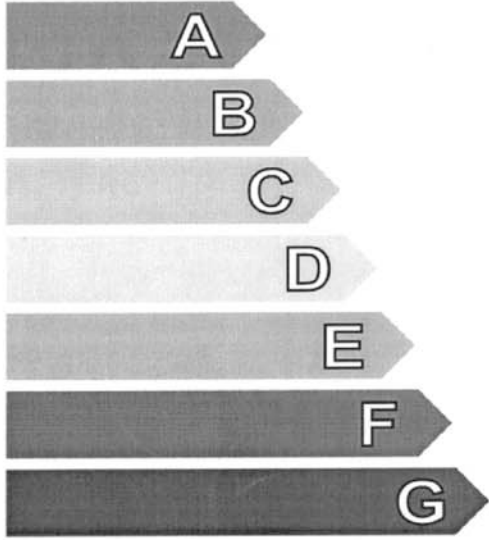





***Commission Directive 2002/31/EC***

*(household air-conditioners)*

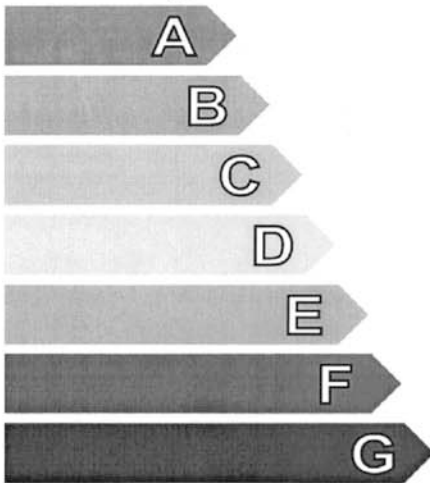



<h1>Orka</h1> <p>Framleiðandi Utandyrabúnaður Innandyrabúnaður</p>		<p>Loftræstibúnaður</p> <p>Logo</p> <p>ABC 123 ABC 123</p>
<p><b>Góð nýtni</b></p> <p><b>Slæm nýtni</b></p>		
<p><b>Orkunotkun við kælingu á ársgrundvelli í kWh</b> <small>(Raunnotkun fer eftir því hvernig tækið er notað og loftslagi)</small></p> <p><b>Kæling</b> kW</p> <p><b>Orkunýtnihlutfall</b> <small>Fullur styrkur (Því hærrí, því betri)</small></p>		<p><b>X.Y</b></p> <p><b>X.Y</b></p> <p><b>X.Y</b></p>
<b>Tegund</b>	<p>Kæling eingöngu —</p> <p>Kæling + Hitun —</p> <p>Loftkældur —</p> <p>Vatnskældur —</p>	  
<p><b>Hávaði</b> (dB(A) re 1 pW)</p> <p>Nánari upplýsingar er að finna í bæklingum sem fylgja vörunum</p> <p>Staðall EN 814 Loftræstibúnaður Tilskipun 2002/31/EB um orkumerkingar</p>		

<h1>Orka</h1>		Loftræstibúnaður
Framleiðandi Utandyrabúnaður Innandyrabúnaður		Logo ABC 123 ABC 123
<b>Góð nýtni</b> 		  
<b>Slæm nýtni</b> <b>Orkunotkun við kælingu á ársgrundvelli í kWh</b> <small>(Raunnotkun fer eftir því hvernig tækið er notað og loftslagi)</small> <b>Kæling</b> kW <b>Orkunýtnihlutfall</b> <small>Fullur styrkur (því hærri, því betri)</small>		<b>X.Y</b>  <b>X.Y</b>  <b>X.Y</b>
<b>Tegund</b> Kæling eingöngu — Kæling + Hitun — Loftkældur — Vatnskældur —		 
<b>Hitun</b> kW <b>Hitunarhæfni</b> A: góð                      G: slæm		<b>X.Y</b> A B <b>C</b> D E F G
<b>Hávaði</b> (dB(A) re 1 pW)		
Nánari upplýsingar er að finna í bæklingum sem fylgja vörunum  Staðall EN 814 Loftræstibúnaður Tilskipun 2002/31/EB um orkumerkingar		

41 mm	<h1>Orka</h1> <p>Framleiðandi Utandyrabúnaður Innandyrabúnaður</p>	<p>Loftræstibúnaður</p> <div style="border: 1px solid black; padding: 5px;"> <p>Logo</p> <p>ABC 123 ABC 123</p> </div>	
90 mm	<p><b>Góð nýtni</b></p>	<div style="border: 1px solid black; padding: 5px;"> </div>	
41 mm	<p><b>Slæm nýtni</b></p> <p><b>Orkunotkun við kælingu á ársgrundvelli í kWh</b> <small>(Raunnotkun fer eftir því hvernig tækið er notað og loftslagi)</small></p> <p><b>Kæling</b> kW</p> <p><b>Orkunýtnihlutfall</b> <small>Fullur styrkur (Því hærri, því betri)</small></p>	<p><b>X.Y</b></p> <p><b>X.Y</b></p> <p><b>X.Y</b></p>	
15 mm	<p><b>Tegund</b></p> <p>Kæling eingöngu —</p> <p>Kæling + Hitun —</p> <p>Loftkældur —</p> <p>Vatnskældur —</p>		
23 mm	<p><b>Hitun</b> kW</p> <p><b>Hitunarhæfni</b> A: góð G: slæm</p>	<p><b>X.Y</b></p> <p>A B <b>C</b> D E F G</p>	
44 mm	<p><b>Hávaði</b> (dB(A) re 1 pW)</p> <p>Nánari upplýsingar er að finna í bæklingum sem fylgja vörunum</p> <p>Staðall EN 814 Loftræstibúnaður Tilskipun 2002/31/EB um orkumerkingar</p>		

<h1>Energi</h1>		Klimaanlegg
Merke Utendørsenhet Innendørsenhet		Logo ABC 123 ABC 123
<b>Lavt energiforbruk</b> 		  
<b>Høyt energiforbruk</b>		
<b>Årlig energiforbruk, kWh ved kjøling</b> <small>(Det faktiske energiforbruket avhenger av hvordan apparatet brukes og av klimaet)</small>		<b>X.Y</b>
<b>Kjøleeffekt</b> kW		<b>X.Y</b>
<b>Energieffektivitetskvotient</b> <small>Ved full belastning (jo høyere desto bedre)</small>		<b>X.Y</b>
<b>Type</b>	Bare kjøling — Kjøling + oppvarming — Luftkjølt — Vannkjølt —	  
<b>Lydnivå (støy)</b> <small>(dB(A) re 1 pW)</small>		
Produktbrosjyrene inneholder ytterligere opplysninger		
Standard EN 814 Klimaanlegg Direktiv 2002/31/EF om energimerking		

<h1>Energi</h1>		Klimaanlegg
Merke		Logo
Utendørsenhet		ABC 123
Innendørsenhet		ABC 123
<b>Lavt energiforbruk</b>		
<b>Høyt energiforbruk</b>		
<b>Årlig energiforbruk, kWh ved kjøling</b> <small>(Det faktiske energiforbruket avhenger av hvordan apparatet brukes og av klimaet)</small>		X.Y
<b>Kjøleeffekt</b> kW		X.Y
<b>Energieffektivitetskvotient</b> <small>Ved full belastning (jo høyere desto bedre)</small>		X.Y
<b>Type</b>	Bare kjøling —	
	Kjøling + oppvarming —	←
	Luftkjølt —	←
	Vannkjølt —	
<b>Varmeeffekt</b> kW		X.Y
<b>Energieffektivitetsklasse for oppvarmingsfunksjonen</b> A: lav G: høy		A B <b>C</b> D E F G
<b>Lydnivå (støy)</b> (dB(A) re 1 pW)		
Produktbrosjyrene inneholder ytterligere opplysninger		
Standard EN 814 Klimaanlegg Direktiv 2002/31/EF om energimerking		

	5 mm	73 mm	33 mm	5 mm
41 mm	<h1>Energi</h1> <p>Merke Utendørsenhet Innendørsenhet</p>		<p>Klimaanlegg</p> <div style="border: 1px solid black; padding: 5px;"> <p>Logo</p> <p>ABC 123 ABC 123</p> </div>	
90 mm	<p><b>Lavt energiforbruk</b></p>  <p><b>Høyt energiforbruk</b></p>		  	
41 mm	<p><b>Årlig energiforbruk, kWh ved kjøling</b> <small>(Det faktiske energiforbruket avhenger av hvordan apparatet brukes og av klimaet)</small></p> <p><b>Kjøleeffekt kW</b></p> <p><b>Energieffektivitetskvotient</b> <small>Ved full belastning (jo høyere desto bedre)</small></p>		<p><b>X.Y</b></p> <p><b>X.Y</b></p> <p><b>X.Y</b></p>	
15 mm	<p><b>Type</b></p> <p>Bare kjøling —</p> <p>Kjøling + oppvarming —</p> <p>Luftkjølt —</p> <p>Vannkjølt —</p>		<p>←</p> <p>←</p>	
23 mm (Når relevant)	<p><b>Varmeeffekt kW</b></p> <p><b>Energieffektivitetsklasse for oppvarmingsfunksjonen</b> A: lav G: høy</p>		<p><b>X.Y</b></p> <p>A B <b>C</b> D E F G</p>	
44 mm	<p><b>Lydnivå (støy)</b> (dB(A) re 1 pW)</p> <p>Produktbrosjyrene inneholder ytterligere opplysninger</p> <p>Standard EN 814 Klimaanlegg Direktiv 2002/31/EF om energimerking</p>			



## ANNEX IV

## to Decision of the EEA Joint Committee No 123/2004

The following section shall be inserted after section 6 in Appendix 6 to Annex IV to the Agreement:

## SECTION 7

## Commission Directive 2002/31/EC

(household air-conditioners)

Note Label Annex I	Fiche and mail order Annexes II and III	EN	IS	NO
⊗		Energy	Orka	Energi
I	1	Manufacturer	Framleiðandi	Märke
II	2	Model	Gerð	Modell
II	2	Outside unit	Utandyrabúnaður	Utendørs enhet
II	2	Inside unit	Innandyrabúnaður	Innendørs enhet
⊗		More efficient	Góð nýtni	Lavt energiforbruk
⊗		Less efficient	Slæm nýtni	Høyt energiforbruk
	3	Energy efficiency class ... on a scale of A (more efficient) to G (less efficient)	Orkunýtniflokkur ... á kvarðanum A (góð nýtni) til G (slæm nýtni)	Klassifisering av energieffektivitet etter en skala fra A (lavt energiforbruk) til G (høyt energiforbruk)
V	5	Annual energy consumption kWh in cooling mode	Orkunotkun við kælingu á ársgrundvelli í kWh	Årlig energiforbruk kWh ved kjøling
V	5	Actual consumption will depend on how the appliance is used and climate	Raunnotkun fer eftir því hvernig tækið er notað og loftslagi.	Det faktiske energiforbruket avhenger av hvordan apparatet brukes og av klimaet
VI	6	Cooling output	Kæling	Kjøleeffekt
VII	7	Energy efficiency ratio (EER) at full load	Orkunýtnihlutfall við fullan styrk	Energieffektivitets-kvotient ved full belastning
VII	7	The higher the better	Því hærrí, því betri	Jo høyere, desto bedre
VIII	8	Size	Stærð	Type
VIII	8	Cooling only	Kæling eingöngu	Bare kjøling
VIII	8	Cooling/heating	Kæling/hitun	Kjøling/oppvarming
IX	9	Air cooled	Loftkældur	Luftkjølt
IX	9	Water cooled	Vatnskældur	Vannkjølt
X	10	Heat output	Hitun	Varmeeffekt

Note Label Annex I	Fiche and mail order Annexes II and III	EN	IS	NO
XI	11	Heating performance: A (more efficient) G (less efficient)	Hitunarhæfni: A (góð nýtni) G (slæm nýtni)	Energieffektivitetsklasse for oppvarmingsfunksjonen A (lav) G (høy)
XII	12	Noise (dB(A) re 1 pW)	Hávaði (dB(A) re 1 pW)	Støy (dB(A) re 1 pW)
⊗		Further information is contained in product brochures	Nánari upplýsingar er að finna í bæklingum sem fylgja vörunum	Produktbrosjyrene inneholder ytterligere opplysninger
⊗		Norm EN 814	Staðall EN 814	Standard EN 814
⊗		Air conditioner	Loftræstibúnaður	Klimaanlegg
⊗		Energy label Directive 2002/31/EC	Tilskipun 2002/31/EB um orkumerkingar	Direktiv 2002/31/EF om energimerking
	11	Heating mode energy efficiency class	Orkunýtniflokkur við hitun	Energieffektivitetsklasse ved oppvarming'

**DECISION OF THE EEA JOINT COMMITTEE****No 124/2004****of 24 September 2004****amending 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 II to the Agreement was amended by Decision of the EEA Joint Committee No 97/2004 of 9 July 2004 <sup>(1)</sup>.
- (2) Commission Decision 97/830/EC of 11 December 1997 repealing Commission Decision 97/613/EC and imposing special conditions on the import of pistachios and certain products derived from pistachios originating in, or consigned from Iran <sup>(2)</sup> is to be incorporated into the Agreement.
- (3) Commission Decision 2003/551/EC of 22 July 2003 amending Decision 97/830/EC repealing Decision 97/613/EC and imposing special conditions on the import of pistachios and certain products derived from pistachios originating in or consigned from Iran <sup>(3)</sup> is to be incorporated into the Agreement.
- (4) Directive 2003/89/EC of the European Parliament and of the Council of 10 November 2003 amending Directive 2000/13/EC as regards indication of the ingredients present in foodstuffs <sup>(4)</sup> is to be incorporated into the Agreement.
- (5) Commission Directive 2003/113/EC of 3 December 2003 amending the Annexes to Council Directives 86/362/EEC, 86/363/EEC and 90/642/EEC as regards the fixing of maximum levels for certain pesticide residues in and on cereals, foodstuffs of animal origin and certain products of plant origin, including fruit and vegetables <sup>(5)</sup>, as corrected by OJ L 98, 2.4.2004, p. 61 and OJ L 104, 8.4.2004, p. 135, is to be incorporated into the Agreement.
- (6) Commission Regulation (EC) No 2174/2003 of 12 December 2003 amending Regulation (EC) No 466/2001 as regards aflatoxins <sup>(6)</sup> is to be incorporated into the Agreement.

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<sup>(1)</sup> OJ L 376, 23.12.2004, p. 19

<sup>(2)</sup> OJ L 343, 13.12.1997, p. 30.

<sup>(3)</sup> OJ L 187, 26.7.2003, p. 43.

<sup>(4)</sup> OJ L 308, 25.11.2003, p. 15.

<sup>(5)</sup> OJ L 324, 11.12.2003, p. 24.

<sup>(6)</sup> OJ L 326, 13.12.2003, p. 12.

- (7) Commission Directive 2003/118/EC of 5 December 2003 amending the Annexes to Council Directives 76/895/EEC, 86/362/EEC, 86/363/EEC and 90/642/EEC as regards maximum residue levels for acephate, 2,4-D and parathion-methyl <sup>(1)</sup> is to be incorporated into the Agreement.
- (8) Commission Directive 2003/121/EC of 15 December 2003 amending Directive 98/53/EC laying down the sampling methods and the methods of analysis for the official control of the levels for certain contaminants in foodstuffs <sup>(2)</sup> is to be incorporated into the Agreement.
- (9) Commission Directive 2004/1/EC of 6 January 2004 amending Directive 2002/72/EC as regards the suspension of the use of azodicarbonamide as blowing agent <sup>(3)</sup> is to be incorporated into the Agreement.
- (10) Commission Directive 2004/2/EC of 9 January 2004 amending Council Directives 86/362/EEC, 86/363/EEC and 90/642/EEC as regards maximum residue levels for fenamiphos <sup>(4)</sup>, as corrected by OJ L 28, 31.1.2004, p. 30, is to be incorporated into the Agreement.
- (11) Commission Directive 2004/5/EC of 20 January 2004 amending Directive 2001/15/EC to include certain substances in the Annex <sup>(5)</sup> is to be incorporated into the Agreement.
- (12) Commission Directive 2004/4/EC of 15 January 2004 amending Directive 96/3/EC granting a derogation from certain provisions of Council Directive 93/43/EEC on the hygiene of foodstuffs as regards the transport of bulk liquid oils and fats by sea <sup>(6)</sup>, as corrected by OJ L 81, 19.3.2004, p. 92, is to be incorporated into the Agreement.
- (13) Commission Directive 2004/6/EC of 20 January 2004 derogating from Directive 2001/15/EC to postpone the application of the prohibition of trade to certain products <sup>(7)</sup> is to be incorporated into the Agreement.
- (14) Directive 2003/114/EC of the European Parliament and of the Council of 22 December 2003 amending Directive 95/2/EC on food additives other than colours and sweeteners <sup>(8)</sup> is to be incorporated into the Agreement.
- (15) Directive 2003/115/EC of the European Parliament and of the Council of 22 December 2003 amending Directive 94/35/EC on sweeteners for use in foodstuffs <sup>(9)</sup> is to be incorporated into the Agreement.
- (16) Commission Directive 2004/13/EC of 29 January 2004 amending Directive 2002/16/EC on the use of certain epoxy derivatives in materials and articles intended to come into contact with foodstuffs <sup>(10)</sup> is to be incorporated into the Agreement.
- (17) Commission Directive 2004/14/EC of 29 January 2004 amending Directive 93/10/EEC relating to materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs <sup>(11)</sup> is to be incorporated into the Agreement.

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<sup>(1)</sup> OJ L 327, 16.12.2003, p. 25.

<sup>(2)</sup> OJ L 332, 19.12.2003, p. 38.

<sup>(3)</sup> OJ L 7, 13.1.2004, p. 45.

<sup>(4)</sup> OJ L 14, 21.1.2004, p. 10.

<sup>(5)</sup> OJ L 14, 21.1.2004, p. 19.

<sup>(6)</sup> OJ L 15, 22.1.2004, p. 25.

<sup>(7)</sup> OJ L 15, 22.1.2004, p. 31.

<sup>(8)</sup> OJ L 24, 29.1.2004, p. 58.

<sup>(9)</sup> OJ L 24, 29.1.2004, p. 65.

<sup>(10)</sup> OJ L 27, 30.1.2004, p. 46.

<sup>(11)</sup> OJ L 27, 30.1.2004, p. 48.

- (18) Commission Regulation (EC) No 242/2004 of 12 February 2004 amending Regulation (EC) No 466/2001 as regards inorganic tin in foods <sup>(1)</sup> is to be incorporated into the Agreement.
- (19) Commission Directive 2004/16/EC of 12 February 2004 laying down the sampling methods and the methods of analysis for the official control of the levels of tin in canned foods <sup>(2)</sup> is to be incorporated into the Agreement.
- (20) Directive 2003/114/EC repeals Council Directive 67/427/EEC of 27 June 1967, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

Chapter XII of Annex II to the Agreement shall be amended as specified in the Annex to this Decision.

*Article 2*

The texts of Regulations (EC) Nos 2174/2003 and 242/2004, Directives 2003/89/EC, 2003/113/EC, as corrected by OJ L 98, 2.4.2004, p. 61 and OJ L 104, 8.4.2004, p. 135, 2003/114/EC, 2003/115/EC, 2003/118/EC, 2003/121/EC, 2004/1/EC, 2004/2/EC, as corrected by OJ L 28, 31.1.2004, p. 30, 2004/4/EC, as corrected by OJ L 81, 19.3.2004, p. 92, 2004/5/EC, 2004/6/EC, 2004/13/EC, 2004/14/EC and 2004/16/EC, Decisions 97/830/EC and 2003/551/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 25 September 2004, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (\*).

*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, 24 September 2004.

*For the EEA Joint Committee*

*The President*

Kjartan JÓHANNSSON

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<sup>(1)</sup> OJ L 42, 13.2.2004, p. 3.

<sup>(2)</sup> OJ L 42, 13.2.2004, p. 16.

(\*) No constitutional requirements indicated.

## ANNEX

## to Decision of the EEA Joint Committee No 124/2004

Chapter XII of Annex II to the Agreement shall be amended as specified below:

1. the following indent shall be added in point 18 (Directive 2000/13/EC of the European Parliament and of the Council):  
  
‘— **32003 L 0089**: Directive 2003/89/EC of the European Parliament and of the Council of 10 November 2003 (OJ L 308, 25.11.2003, p. 15).’;
2. the following indent shall be added in point 13 (Council Directive 76/895/EEC):  
  
‘— **32003 L 0118**: Commission Directive 2003/118/EC of 5 December 2003 (OJ L 327, 16.12.2003, p. 25).’;
3. the following indents shall be added in points 38 (Council Directive 86/362/EEC), 39 (Council Directive 86/363/EEC) and 54 (Council Directive 90/642/EEC):  
  
‘— **32003 L 0113**: Commission Directive 2003/113/EC of 3 December 2003 (OJ L 324, 11.12.2003, p. 24), as corrected by OJ L 98, 2.4.2004, p. 61 and OJ L 104, 8.4.2004, p. 135,  
  
— **32003 L 0118**: Commission Directive 2003/118/EC of 5 December 2003 (OJ L 327, 16.12.2003, p. 25),  
  
— **32004 L 0002**: Commission Directive 2004/2/EC of 9 January 2004 (OJ L 14, 21.1.2004, p. 10), as corrected by OJ L 28, 31.1.2004, p. 30.’;
4. the following indent shall be added in point 54h (Commission Directive 93/10/EEC):  
  
‘— **32004 L 0014**: Commission Directive 2004/14/EC of 29 January 2004 (OJ L 27, 30.1.2004, p. 48).’;
5. the following indent shall be added in point 54j (Council Directive 93/43/EEC):  
  
‘— **32004 L 0004**: Commission Directive 2004/4/EC of 15 January 2004 (OJ L 15, 22.1.2004, p. 25), as corrected by OJ L 81, 19.3.2004, p. 92.’;
6. the following indent shall be added in point 54z (Directive 94/35/EC of the European Parliament and of the Council):  
  
‘— **32003 L 0115**: Directive 2003/115/EC of the European Parliament and of the Council of 22 December 2003 (OJ L 24, 29.1.2004, p. 65).’;
7. the following indent shall be added in point 54s (Commission Directive 98/53/EC):  
  
‘— **32003 L 0121**: Commission Directive 2003/121/EC of 15 December 2003 (OJ L 332, 19.12.2003, p. 38).’;

8. the following indent shall be added in point 54zb (Directive 95/2/EC of the European Parliament and of the Council):

— **32003 L 0114**: Directive 2003/114/EC of the European Parliament and of the Council of 22 December 2003 (OJ L 24, 29.1.2004, p. 58).;

9. point 4 (Council Directive 67/427/EEC) shall be deleted;

10. the following shall be added in point 54zi (Commission Directive 2001/15/EC):

‘, as amended by:

— **32004 L 0005**: Commission Directive 2004/5/EC of 20 January 2004 (OJ L 14, 21.1.2004, p. 19).;

11. the following indents shall be added in point 54zn (Commission Regulation (EC) No 466/2001):

— **32003 R 2174**: Commission Regulation (EC) No 2174/2003 of 12 December 2003 (OJ L 326, 13.12.2003, p. 12),

— **32004 R 0242**: Commission Regulation (EC) No 242/2004 of 12 February 2004 (OJ L 42, 13.2.2004, p. 3).;

12. the following shall be added in point 54zt (Commission Directive 2002/16/EC):

‘, as amended by:

— **32004 L 0013**: Commission Directive 2004/13/EC of 29 January 2004 (OJ L 27, 30.1.2004, p. 46).;

13. the following shall be added in point 54zzb (Commission Directive 2002/72/EC):

‘, as amended by:

— **32004 L 0001**: Commission Directive 2004/1/EC of 6 January 2004 (OJ L 7, 13.1.2004, p. 45).;

14. the following points shall be inserted after point 54zzk (Commission Decision 2003/602/EC):

‘54zzl. **397 D 0830**: Commission Decision 97/830/EC of 11 December 1997 repealing Commission Decision 97/613/EC and imposing special conditions on the import of pistachios and certain products derived from pistachios originating in, or consigned from Iran (OJ L 343, 13.12.1997, p. 30), as amended by:

— **32003 D 0551**: Commission Decision 2003/551/EC of 22 July 2003 (OJ L 187, 26.7.2003, p. 43).

The provisions of the Decision, shall for the purpose of the present Agreement, be read with the following adaptations:

The following shall be added in Annex II:

Member State	Point of entry
Iceland	Reykjavík (port, airport), Akranes (port), Ísafjörður (port, airport), Sauðárkrókur (port, airport), Siglufjörður (harbour, airport), Akureyri (port, airport), Húsavík (port, airport), Seyðisfjörður (port, airport), Neskaupstaður (port, airport), Eskifjörður (port, airport), Vestmannaeyjar (port, airport), Keflavík (port, airport), Hafnarfjörður (port), Egilsstaðir (airport), Höfn í Hornafirði (port, airport), Þorlákshöfn (port), Borgarnes (port, airport), Stykkishólmur (port, airport), Búðardalur (port, airport), Paktreksfjörður (port, airport), Bolungavík (port, airport), Hólmavík (port, airport), Blönduós (port, airport), Ólafsfjörður (port, airport), Vík í Mýrdal (port, airport), Hvolsvöllur (port, airport), Selfoss (port, airport), Kópavogur (port, airport)
Liechtenstein	Schaanwald border station
Norway	Oslo

54zzm. **32004 L 0006**: Commission Directive 2004/6/EC of 20 January 2004 derogating from Directive 2001/15/EC to postpone the application of the prohibition of trade to certain products (OJ L 15, 22.1.2004, p. 31).

54zzn. **32004 L 0016**: Commission Directive 2004/16/EC of 12 February 2004 laying down the sampling methods and the methods of analysis for the official control of the levels of tin in canned foods (OJ L 42, 13.2.2004, p. 16).'



## DECISION OF THE EEA JOINT COMMITTEE

No 125/2004

of 24 September 2004

**amending 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 II to the Agreement was amended by Decision of the EEA Joint Committee No 97/2004 of 9 July 2004 <sup>(1)</sup>.
- (2) Council Regulation (EC) No 392/2004 of 24 February 2004 amending Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto in agricultural products and foodstuffs <sup>(2)</sup> is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following indent shall be added in point 54b (Council Regulation (EEC) No 2092/91) of Chapter XII of Annex II to the Agreement:

‘— **32004 R 0392**: Council Regulation (EC) No 392/2004 of 24 February 2004 (OJ L 65, 3.3.2004, p. 1).’

*Article 2*

The texts of Regulation (EC) No 392/2004 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 25 September 2004, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (\*).

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<sup>(1)</sup> OJ L 376, 23.12.2004, p. 19.

<sup>(2)</sup> OJ L 65, 3.3.2004, p. 1.

(\*) No constitutional requirements indicated.

*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, 24 September 2004.

*For the EEA Joint Committee*  
*The President*  
Kjartan JÓHANNSSON

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**DECISION OF THE EEA JOINT COMMITTEE****No 126/2004****of 24 September 2004****amending 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 II to the Agreement was amended by Decision of the EEA Joint Committee No 99/2004 of 9 July 2004 <sup>(1)</sup>.
- (2) Council Regulation (EC) No 1647/2003 of 18 June 2003 amending Regulation (EEC) No 2309/93 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Agency for the evaluation of Medicinal Products <sup>(2)</sup>, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

1. The following shall be inserted before the last paragraph of the introductory part of Chapter XIII of Annex II to the Agreement:

'Regulation (EC) No 1049/2001 of the European Parliament and the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents shall, for the application of Regulation (EEC) No 2309/93, apply to any documents of the Agency regarding the EFTA States as well.'

2. The following indent shall be added in point 15g (Council Regulation (EEC) No 2309/93) of Chapter XIII of Annex II to the Agreement:

— **32003 R 1647**: Council Regulation (EC) No 1647/2003 of 18 June 2003 (OJ L 245, 29.9.2003, p. 19).'

*Article 2*

The texts of Regulation (EC) No 1647/2003/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.

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<sup>(1)</sup> OJ L 376, 23.12.2004, p. 23.

<sup>(2)</sup> OJ L 245, 29.9.2003, p. 19.

*Article 3*

This Decision shall enter into force on 25 September 2004, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (\*).

*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, 24 September 2004.

*For the EEA Joint Committee*

*The President*

Kjartan JÓHANNSSON

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(\*) No constitutional requirements indicated.

**DECISION OF THE EEA JOINT COMMITTEE****No 127/2004****of 24 September 2004****amending 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 II to the Agreement was amended by Decision of the EEA Joint Committee No 27/2004 of 19 March 2004 <sup>(1)</sup>.
- (2) Commission Decision 2000/147/EC of 8 February 2000 implementing Council Directive 89/106/EEC as regards the classification of the reaction to fire performance of construction products <sup>(2)</sup>, as corrected by OJ L 85, 24.3.2001, p. 43, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following indent shall be added in point 1 (Council Directive 89/106/EEC) of Chapter XXI of Annex II to the Agreement:

— **32000 D 0147**: Commission Decision 2000/147/EC of 8 February 2000 (OJ L 50, 23.2.2000, p. 14), as corrected by OJ L 85, 24.3.2001, p. 43.'

*Article 2*

The texts of Decision 2000/147/EC, as corrected by OJ L 85, 24.3.2001, p. 43, 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 25 September 2004, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (\*).

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<sup>(1)</sup> OJ L 127, 29.4.2004, p. 134.

<sup>(2)</sup> OJ L 50, 23.2.2000, p. 14.

(\*) No constitutional requirements indicated.

*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, 24 September 2004.

*For the EEA Joint Committee*  
*The President*  
Kjartan JÓHANNSSON

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**DECISION OF THE EEA JOINT COMMITTEE****No 128/2004****of 24 September 2004****amending 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 II to the Agreement was amended by Decision of the EEA Joint Committee No 27/2004 of 19 March 2004 <sup>(1)</sup>.
- (2) Commission Decision 2003/632/EC of 26 August 2003 amending Decision 2000/147/EC implementing Council Directive 89/106/EEC as regards the classification of the reaction-to-fire performance of construction products <sup>(2)</sup>, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following shall be added in the indent (Commission Decision 2000/147/EC) of point 1 (Council Directive 89/106/EEC) of Chapter XXI of Annex II to the Agreement:

‘, as amended by:

— **32003 D 0632**: Commission Decision 2003/632/EC of 26 August 2003 (OJ L 220, 3.9.2003, p. 5).’*Article 2*

The texts of Decision 2003/632/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 25 September 2004, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (\*).

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<sup>(1)</sup> OJ L 127, 29.4.2004, p. 134.

<sup>(2)</sup> OJ L 220, 3.9.2003, p. 5.

(\*) No constitutional requirements indicated.

*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, 24 September 2004.

*For the EEA Joint Committee*

*The President*

Kjartan JÓHANNSSON

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**DECISION OF THE EEA JOINT COMMITTEE****No 129/2004****of 24 September 2004****amending Annex XIII (Transport) 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 XIII to the Agreement was amended by Decision of the EEA Joint Committee No 109/2004 of 9 July 2004 <sup>(1)</sup>.
- (2) Commission Directive 2003/127/EC of 23 December 2003 amending Council Directive 1999/37/EC on the registration documents for vehicles <sup>(2)</sup>, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following indent shall be added in point 24c (Council Directive 1999/37/EC) of Annex XIII to the Agreement:

‘— **32003 L 0127**: Commission Directive 2003/127/EC of 23 December 2003 (OJ L 10, 16.1.2004, p. 29).’

*Article 2*

The texts of Directive 2003/127/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 25 September 2004, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (\*).

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<sup>(1)</sup> OJ L 376, 23.12.2004, p. 43.

<sup>(2)</sup> OJ L 10, 16.1.2004, p. 29.

(\*) No constitutional requirements indicated.

*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, 24 September 2004.

*For the EEA Joint Committee*  
*The President*  
Kjartan JÓHANNSSON

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**DECISION OF THE EEA JOINT COMMITTEE****No 130/2004****of 24 September 2004****amending Annex XIV (Competition), Protocol 21 (On the implementation of competition rules applicable to undertakings) and Protocol 23 (Concerning the cooperation between the surveillance authorities) 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 XIV to the Agreement was amended by Decision of the EEA Joint Committee No 79/2004 of 8 June 2004 <sup>(1)</sup>.
- (2) Protocol 21 to the Agreement was amended by Decision of the EEA Joint Committee No 79/2004 of 8 June 2004.
- (3) Protocol 23 to the Agreement has not been previously amended.
- (4) Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty <sup>(2)</sup>, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

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

*Article 2*

Protocol 21 to the Agreement shall be amended as specified in Annex II to this Decision.

*Article 3*

Protocol 23 to the Agreement shall be replaced as specified in Annex III to this Decision.

*Article 4*

The texts of Regulation (EC) No 1/2003 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

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<sup>(1)</sup> OJ L 219, 19.6.2004, p. 24.

<sup>(2)</sup> OJ L 1, 4.1.2003, p. 1.

*Article 5*

This Decision shall enter into force on the first day following the last notification to the EEA Joint Committee under Article 103(1) of the Agreement (\*).

*Article 6*

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, 24 September 2004.

*For the EEA Joint Committee*  
*The President*  
Kjartan JÓHANNSSON

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(\*) Constitutional requirements indicated.

## ANNEX I

**to Decision of the EEA Joint Committee No 130/2004**

Annex XIV to the Agreement shall be amended as follows:

1. point 4 (Commission Regulation (EEC) No 123/85) shall be deleted;
2. point 4a (Commission Regulation (EC) No 1475/95) shall be deleted;
3. point 10 (Council Regulation (EEC) No 1017/68), shall be replaced by the following:

**368 R 1017:** Council Regulation (EEC) No 1017/68 of 19 July 1968 applying rules of competition to transport by rail, road and inland waterway (OJ No L 175, 23.7.1968, p. 1), as amended by:

— **32003 R 0001:** Council Regulation (EC) No 1/2003 of 16 December 2002 (OJ L 1, 4.1.2003, p. 1).

The provisions of the Regulation shall, for the purposes of the Agreement, be read with the following adaptation:

Article 3 (2) shall not apply.;

4. point 11 (Council Regulation (EEC) No 4056/86), shall be amended as follows:

4.1. the following shall be added:

‘, as amended by:

— **32003 R 0001:** Council Regulation (EC) No 1/2003 of 16 December 2002 (OJ L 1, 4.1.2003, p. 1).;

4.2. the text of adaptation (c) shall be replaced by the following:

‘In Article 7(1), introductory paragraph, the term “Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty” shall read “Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty or the corresponding provisions envisaged in Protocol 21 to the Agreement”;

4.3. the text of adaptation (d) shall be replaced by the following:

‘In Article 7(2)(a), the term “Council Regulation (EC) No 1/2003” shall read “Council Regulation (EC) No 1/2003 or the corresponding provisions envisaged in Protocol 21 to the Agreement”;

4.4. the following new adaptation shall be added after adaptation (d):

‘(e) in Article 7(2)(c)(i), second sentence of the second subparagraph, the term “Article 9 of Regulation (EC) No 1/2003” shall read “Article 9 of Regulation (EC) No 1/2003 or the corresponding provisions envisaged in Protocol 21 to the Agreement”;

4.5. the text of present adaptation (f) shall be replaced by the following:

‘In Article 8, the term “at the request of a Member State” shall read “at the request of a State falling within its competence”. Furthermore, the term “Regulation (EC) No 1/2003” shall read “Regulation (EC) No 1/2003 or the corresponding provisions envisaged in Protocol 21 to the Agreement”;

4.6. present adaptations (e), (f), (g) and (h), shall become adaptations (f), (g), (h) and (i), respectively;

5. point 11a (Commission Regulation (EEC) No 3652/93) shall be deleted;
  6. in adaptation (c) of point 11b (Commission Regulation (EEC) No 1617/93), the words 'Article 13 of Regulation (EEC) No 3975/87' shall be replaced by the words 'Article 24 of Regulation (EC) No 1/2003';
  7. point 15a (Commission Regulation (EEC) No 3932/92) shall be deleted;
  8. in points 2 adaptation (b), 4b adaptation (b), 5 adaptation (h), 6 adaptation (b), 7 adaptation (b), 15b adaptation (b), the words 'Articles 6 and 8 of Regulation (EEC) No 17/62' shall be replaced by the words 'Article 10 of Regulation (EC) No 1/2003'. Furthermore, the words 'without any notification from the undertakings concerned being required' shall be deleted from those adaptations.
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## ANNEX II

**to Decision of the EEA Joint Committee No 130/2004**

1. Article 3 of Protocol 21 to the Agreement shall be amended as follows:
  - 1.1. the text of point 1(3) (Council Regulation (EEC) No 17/62) shall be replaced by the following:

‘**32003 R 0001**: Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty (OJ L 1, 4.1.2003, p. 1).’;
  - 1.2. the following shall be added in point 1(10) (Council Regulation (EEC) No 2988/74):

‘ as amended by:

— **32003 R 0001**: Council Regulation (EC) No 1/2003 of 16 December 2002 (OJ L 1, 4.1.2003, p. 1).’;
  - 1.3. points 1(6) (Council Regulation (EEC) No 141/62), 1(7) (Article 6 and Articles 10 to 31 of Council Regulation (EEC) No 1017/68) and 1(11) (Section II of Council Regulation (EEC) No 4056/86) shall be deleted;
  - 1.4. the following indent shall be added in point 1(13) (Council Regulation (EEC) No 3975/87):

‘ — **32003 R 0001**: Council Regulation (EC) No 1/2003 of 16 December 2002 (OJ L 1, 4.1.2003, p. 1).’;
2. Articles 4, 5, 6, 7 and 9 of Protocol 21 to the Agreement shall be deleted;
3. The words ‘and notifications’ shall be deleted in the first and second subparagraph of Article 8 of Protocol 21 to the Agreement;
4. the following shall be inserted after Article 13 of Protocol 21 to the Agreement:

**Review clause**

By the end of 2005 and at the request of one of the Contracting Parties, the Parties shall review the mechanisms for the enforcement of Articles 53 and 54 of the Agreement as well as the cooperation mechanisms of Protocol 23 to the Agreement, with a view to ensuring the homogenous and effective application of those Articles. The Parties shall in particular review the Decision of the EEA Joint Committee No 130/2004 of 24 September 2004 in light of the Parties’ experiences with the new system of enforcing the competition rules and explore the possibility of mirroring in the EEA the system established in the EU by Council Regulation (EC) No 1/2003 as regards the application of Articles 81 and 82 of the Treaty by national competition authorities, the horizontal cooperation between national competition authorities and the mechanism for ensuring uniform application of the competition rules by national authorities.’

## ANNEX III

**to Decision of the EEA Joint Committee No 130/2004**

Protocol 23 to the Agreement shall be replaced by the following:

**‘PROTOCOL 23  
CONCERNING THE COOPERATION BETWEEN  
THE SURVEILLANCE AUTHORITIES (ARTICLE 58)**

**GENERAL PRINCIPLES**

*Article 1*

1. The EFTA Surveillance Authority and the EC Commission shall exchange information and consult each other on general policy issues at the request of either of the surveillance authorities.
2. The EFTA Surveillance Authority and the EC Commission, in accordance with their internal rules, respecting Article 56 of the Agreement and Protocol 22 and the autonomy of both sides in their decisions, shall cooperate in the handling of individual cases falling under Article 56(1)(b) and (c), (2), second sentence and (3), as provided for in the provisions below.
3. For the purposes of this Protocol, the term “territory of a surveillance authority” shall mean for the EC Commission the territory of the EC Member States to which the Treaty establishing the European Community applies, upon the terms laid down in that Treaty, and for the EFTA Surveillance Authority the territories of the EFTA States to which the Agreement applies.

**THE INITIAL PHASE OF THE PROCEEDINGS**

*Article 2*

1. In cases falling under Article 56(1)(b) and (c), (2), second sentence and (3) of the Agreement, the EFTA Surveillance Authority and the EC Commission shall without undue delay forward to each other complaints to the extent that it is not apparent that these have been addressed to both surveillance authorities. They shall also inform each other when opening *ex officio* procedures.
2. The EFTA Surveillance Authority and the EC Commission shall without undue delay forward to each other information received from the national competition authorities within their respective territories concerning the commencement of the first formal investigative measure in cases falling under Article 56 (1)(b) and (c), (2), second sentence and (3) of the Agreement.
3. The surveillance authority which has received information as provided for in the first paragraph may present its comments thereon within 30 working days of its receipt.

*Article 3*

1. The competent surveillance authority shall, in cases falling under Article 56(1)(b) and (c), (2), second sentence and (3) of the Agreement, consult the other surveillance authority when:
  - addressing to the undertakings or associations of undertakings concerned its statement of objections,



- publishing its intention to adopt a decision declaring Article 53 or 54 of the Agreement not applicable, or
  - publishing its intention to adopt a decision making commitments offered by the undertakings binding on the undertakings.
2. The other surveillance authority may deliver its comments within the time limits set out in the abovementioned publication or statement of objections.
3. Observations received from the undertakings concerned or third parties shall be transmitted to the other surveillance authority.

#### *Article 4*

In cases falling under Article 56(1)(b) and (c), (2), second sentence and (3) of the Agreement, the competent surveillance authority shall transmit to the other surveillance authority the administrative letters by which a file is closed or a complaint rejected.

#### *Article 5*

In cases falling under Article 56(1)(b) and (c), (2), second sentence and (3) of the Agreement, the competent surveillance authority shall invite the other surveillance authority to be represented at hearings of the undertakings concerned. The invitation shall also extend to the States falling within the competence of the other surveillance authority.

### **ADVISORY COMMITTEES**

#### *Article 6*

1. In cases falling under Article 56 (1)(b) and (c), (2), second sentence and (3) of the Agreement, the competent surveillance authority shall, in due time, inform the other surveillance authority of the date of the meeting of the Advisory Committee and transmit the relevant documentation.
2. All documents forwarded for that purpose from the other surveillance authority shall be presented to the Advisory Committee of the surveillance authority which is competent to decide on a case in accordance with Article 56 together with the material sent out by that surveillance authority.
3. Each surveillance authority and the States falling within its competence shall be entitled to be present in the Advisory Committees of the other surveillance authority and to express their views therein; they shall not have, however, the right to vote.
4. Consultations may also take place by written procedure. However, if the surveillance authority which is not competent to decide on a case in accordance with Article 56 so requests, the competent surveillance authority shall convene a meeting.

### **REQUEST FOR DOCUMENTS AND THE RIGHT**

#### **TO MAKE OBSERVATIONS**

#### *Article 7*

The surveillance authority which is not competent to decide on a case in accordance with Article 56 of the Agreement may request from the other surveillance authority at all stages of the proceedings copies of the most important documents concerning cases falling under Article 56(1)(b) and (c), (2) second sentence and (3) of the Agreement, and may furthermore, before a final decision is taken, make any observations it considers appropriate.

## ADMINISTRATIVE ASSISTANCE

### Article 8

1. When the competent surveillance authority, as defined in Article 56 of the Agreement, by simple request or by decision requires an undertaking or association of undertakings located within the territory of the other surveillance authority to supply information, it shall at the same time forward a copy of the request or decision to the other surveillance authority.
2. At the request of the competent surveillance authority, as defined in Article 56 of the Agreement, the other surveillance authority shall, in accordance with its internal rules, undertake inspections within its territory in cases where the competent surveillance authority so requesting considers it to be necessary.
3. The competent surveillance authority is entitled to be represented and take an active part in inspections carried out by the other surveillance authority in respect of paragraph 2.
4. All information obtained during such inspections on request shall be transmitted to the surveillance authority which requested the inspections immediately after their finalization.
5. Where the competent surveillance authority, in cases falling under Article 56(1)(b) and (c), (2), second sentence and (3) of the Agreement, carries out inspections within its territory, it shall inform the other surveillance authority of the fact that such inspections have taken place and, on request, transmit to that authority the relevant results of the inspections.
6. When the competent surveillance authority as defined in Article 56 of the Agreement interviews a consenting natural or legal person in the territory of the other surveillance authority, the latter shall be informed thereof. The surveillance authority which is not competent may be present during such an interview, as well as officials from the competition authority on whose territory the interviews are conducted.

## EXCHANGE AND USE OF INFORMATION

### Article 9

1. For the purpose of applying Articles 53 and 54 of the Agreement, the EFTA Surveillance Authority and the EC Commission shall have the power to provide one another with and use in evidence any matter of fact or of law, including confidential information.
2. Information acquired or exchanged pursuant to this Protocol shall only be used in evidence for the purpose of procedures under Articles 53 and 54 of the Agreement and in respect of the subject matter for which it was collected.
3. Where the information referred to in Article 2 (1) and (2) concerns a case which has been initiated as a result of an application for leniency, that information cannot be used by the receiving surveillance authority as the basis for starting an inspection on its own behalf. This is without prejudice to any power of the surveillance authority to open an inspection on the basis of information received from other sources.
4. Save as provided under paragraph 5, information voluntarily submitted by a leniency applicant will only be transmitted to the other surveillance authority with the consent of the applicant. Similarly other information that has been obtained during or following an inspection or by means of or following any other fact-finding measures which, in each case, could not have been carried out except as a result of the leniency application will only be transmitted to the other surveillance authority if the applicant has consented to the transmission to that authority of information it has voluntarily submitted in its application for leniency. Once the leniency applicant has given consent to the transmission of information to the other surveillance authority, that consent may not be withdrawn. This paragraph is without prejudice, however, to the responsibility of each applicant to file leniency applications to whichever authorities it may consider appropriate.

5. Notwithstanding paragraph 4, the consent of the applicant for the transmission of information to the other surveillance authority is not required in any of the following circumstances:

- (a) no consent is required where the receiving surveillance authority has also received a leniency application relating to the same infringement from the same applicant as the transmitting surveillance authority, provided that at the time the information is transmitted it is not open to the applicant to withdraw the information which it has submitted to that receiving surveillance authority;
- (b) no consent is required where the receiving surveillance authority has provided a written commitment that neither the information transmitted to it nor any other information it may obtain following the date and time of transmission as noted by the transmitting surveillance authority, will be used by it or by any other authority to which the information is subsequently transmitted to impose sanctions on the leniency applicant or on any other legal or natural person covered by the favourable treatment offered by the transmitting authority as a result of the application made by the applicant under its leniency programme or on any employee or former employee of the leniency applicant or of any of the aforementioned persons. A copy of the receiving authority's written commitment will be provided to the applicant;
- (c) in the case of information collected by a surveillance authority under Article 8(2) at the request of the surveillance authority to whom the leniency application was made, no consent is required for the transmission of such information to, and its use by, the surveillance authority to whom the application was made.

### PROFESSIONAL SECRECY

#### *Article 10*

1. For the purpose of carrying out the tasks entrusted to it by this Protocol, the EC Commission and the EFTA Surveillance Authority can forward to the States falling within their respective territories all information acquired or exchanged by them pursuant to this Protocol.
2. The EC Commission, the EFTA Surveillance Authority, the competent authorities of the EC Member States and the EFTA States, their officials, servants and other persons working under the supervision of these authorities as well as officials and servants of other authorities of the States shall not disclose information acquired or exchanged by them as a result of the application of this Protocol and of the kind covered by the obligation of professional secrecy.
3. Rules on professional secrecy and restricted use of information provided for in the Agreement or in the legislation of the Contracting Parties shall not prevent exchange of information as set out in this Protocol.

### COMPLAINTS AND TRANSFERRAL OF CASES

#### *Article 11*

1. Complaints may be addressed to either surveillance authority. Complaints addressed to the surveillance authority which, pursuant to Article 56, is not competent to decide on a given case shall be transferred without delay to the competent surveillance authority.
2. If, in the preparation or initiation of ex officio proceedings, it becomes apparent that the other surveillance authority is competent to decide on a case in accordance with Article 56 of the Agreement, this case shall be transferred to the competent surveillance authority.
3. Once a case is transferred to the other surveillance authority as provided for in paragraphs 1 and 2, the case may not be transferred back. A case may not be transferred after
  - the statement of objections has been sent to the undertakings or associations of undertakings concerned,
  - a letter has been sent to the complainant informing him that there are insufficient grounds for pursuing the complaint,

- the publication of the intention to adopt a decision declaring Article 53 or 54 not applicable, or the publication of the intention to adopt a decision making commitments offered by the undertakings binding on the undertakings.

## LANGUAGES

### *Article 12*

Any natural or legal person shall be entitled to address and be addressed by the EFTA Surveillance Authority and the EC Commission in an official language of an EFTA State or the European Community which they choose as regards complaints. This shall also cover all instances of a proceeding, whether it be opened following a complaint or *ex officio* by the competent surveillance authority.'

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**DECISION OF THE EEA JOINT COMMITTEE****No 131/2004****of 24 September 2004****amending Annex XV (State aid) 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 XV to the Agreement was amended by Decision of the EEA Joint Committee No 80/2004 of 8 June 2004 <sup>(1)</sup>.
- (2) Commission Regulation (EC) No 363/2004 of 25 February 2004 amending Regulation (EC) No 68/2001 on the application of Articles 87 and 88 of the EC Treaty to training aid <sup>(2)</sup> is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 364/2004 of 25 February 2004 amending Regulation (EC) No 70/2001 as regards the extension of its scope to include aid for research and development <sup>(3)</sup> is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

1. Point 1d (Commission Regulation (EC) No 68/2001) of Annex XV to the Agreement shall be amended as follows:

- 1.1. the following shall be added:

‘, as amended by:

— **32004 R 0363**: Commission Regulation (EC) No 363/2004 of 25 February 2004 (OJ L 63, 28.2.2004, p. 20).’;

- 1.2. adaptation (c) shall be replaced by the following:

‘Article 1 shall read: “This Regulation applies to training aid in all sectors covered by Articles 61 to 64 of the EEA Agreement, with the exception of aid falling within the scope of Council Regulation (EC) No 1407/2002.”’;

- 1.3. the following adaptations shall be added:

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<sup>(1)</sup> OJ L 349, 25.11.2004, p. 37.

<sup>(2)</sup> OJ L 63, 28.2.2004, p. 20.

<sup>(3)</sup> OJ L 63, 28.2.2004, p. 22.

- (k) in Article 7(3), first paragraph, the words “Article 27 of Council Regulation (EC) No 659/1999” shall read “Article 27 of Protocol 3 to the Surveillance and Court Agreement”;
- (l) in Article 7a, the term “Article 88(3) of the Treaty” shall read “Article 1(3) of Protocol 3 to the Surveillance and Court Agreement”. The term “compatible with the common market” shall read “compatible with the functioning of the EEA Agreement”. The term “Article 87 (3) of the Treaty” shall read “Article 61(3) of the EEA Agreement”;
2. point 1f (Commission Regulation (EC) No 70/2001) of Annex XV to the Agreement shall be amended as follows:
- 2.1. the following shall be added:
- ‘, as amended by:
- **32004 R 0364**: Commission Regulation (EC) No 364/2004 of 25 February 2004 (OJ L 63, 28.2.2004, p. 22).’;
- 2.2. adaptations (e), (f), (g), (h) and (i) shall become adaptations (g), (h), (i), (j) and (k), respectively;
- 2.3. the following adaptations shall be inserted after adaptation (d):
- (e) The terms “Article 87(3)(a)” and “Article 87(3)(a) of the Treaty” shall read “Article 61(3)(a) of the EEA Agreement”;
- (f) The terms “Article 87(3)(c)” and “Article 87(3)(c) of the Treaty” shall read “Article 61(3)(c) of the EEA Agreement”;
- 2.4. in new adaptation (i), the words ‘with regard to Articles 4 and 5,’ shall be inserted at the beginning of the adaptation text;
- 2.5. in new adaptation (j), the words ‘In Articles 3 and 5’ shall be replaced by ‘In Articles 3, 5, 5a, 5b, 5c and 9a’;
- 2.6. the new adaptation (k) shall be replaced by the following:
- ‘In Article 4(2), the term “Article 87(3)(a) and (c) of the Treaty” shall read “Article 61(3)(a) and (c) of the EEA Agreement”.’;
- 2.7. the following adaptations shall be added:
- (l) in Article 6a(2), the words “Community Guidelines on State aid for rescuing and restructuring firms in difficulty” shall read “the Community guidelines on State aid for rescuing and restructuring firms in difficulty and the EFTA Surveillance Authority’s Procedural and Substantive rules in the field of State aid, Chapter 16 on aid for rescuing and restructuring firms in difficulty”;
- (m) in Article 9, the words “Article 27 of Council Regulation (EC) No 659/1999” shall read “Article 27 of Protocol 3 to the Surveillance and Court Agreement”.’

*Article 2*

The texts of Regulations (EC) Nos 363/2004 and 364/2004 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 25 September 2004, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (\*).

*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, 24 September 2004.

*For the EEA Joint Committee*

*The President*

Kjartan JÓHANNSSON

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(\*) No constitutional requirements indicated.

**DECISION OF THE EEA JOINT COMMITTEE****No 132/2004****of 24 September 2004****amending Annex XX (Environment) 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 XX to the Agreement was amended by Decision of the EEA Joint Committee No 113/2004 of 9 July 2004 <sup>(1)</sup>.
- (2) Commission Decision 2004/214/EC of 3 March 2004 amending Decision 2000/40/EC as regards the period of validity of the ecological criteria for the award of the Community eco-label to refrigerators <sup>(2)</sup>, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following shall be added in point 2el (Commission Decision 2000/40/EC) of Annex XX to the Agreement:

‘, as amended by:

— **32004 D 0214**: Commission Decision 2004/214/EC of 3 March 2004 (OJ L 67, 5.3.2004, p. 23).’

*Article 2*

The texts of Decision 2004/214/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 25 September 2004, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (\*).

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<sup>(1)</sup> OJ L 376, 23.12.2004, p. 51.

<sup>(2)</sup> OJ L 67, 5.3.2004, p. 23.

(\*) No constitutional requirements indicated.



*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, 24 September 2004.

*For the EEA Joint Committee*  
*The President*  
Kjartan JÓHANNSSON

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**DECISION OF THE EEA JOINT COMMITTEE****No 133/2004****of 24 September 2004****amending Annex XX (Environment) 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 XX to the Agreement was amended by Decision of the EEA Joint Committee No 113/2004 of 9 July 2004 <sup>(1)</sup>.
- (2) Commission Decision 2004/232/EC of 3 March 2004 amending Regulation (EC) No 2037/2000 of the European Parliament and of the Council with regard to the use of halon 2402 <sup>(2)</sup>, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following indent shall be added in point 21aa (Regulation (EC) No 2037/2000 of the European Parliament and of the Council) of Annex XX to the Agreement:

‘— **32004 D 0232**: Commission Decision 2004/232/EC of 3 March 2004 (OJ L 71, 10.3.2004, p. 28).’

*Article 2*

The texts of Decision 2004/232/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 25 September 2004, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (\*).

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<sup>(1)</sup> OJ L 376, 23.12.2004, p. 51.

<sup>(2)</sup> OJ L 71, 10.3.2004, p. 28.

(\*) No constitutional requirements indicated.

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*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, 24 September 2004.

*For the EEA Joint Committee*  
*The President*  
Kjartan JÓHANNSSON

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**DECISION OF THE EEA JOINT COMMITTEE****No 134/2004****of 24 September 2004****amending Annex XX (Environment) 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 XX to the Agreement was amended by Decision of the EEA Joint Committee No 113/2004 of 9 July 2004 <sup>(1)</sup>.
- (2) Directive 2003/108/EC of the European Parliament and of the Council of 8 December 2003 amending Directive 2002/96/EC on waste electrical and electronic equipment (WEEE) <sup>(2)</sup>, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following shall be added in point 32fa (Directive 2002/96/EC of the European Parliament and of the Council) of Annex XX to the Agreement:

‘, as amended by:

- **32003 L 0108**: Directive 2003/108/EC of the European Parliament and of the Council of 8 December 2003 (OJ L 345, 31.12.2003, p. 106).’

*Article 2*

The texts of Directive 2003/108/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 25 September 2004, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (\*).

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<sup>(1)</sup> OJ L 376, 23.12.2004, p. 51.

<sup>(2)</sup> OJ L 345, 31.12.2003, p. 106.

(\*) Constitutional requirements indicated.

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*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, 24 September 2004.

*For the EEA Joint Committee*  
*The President*  
Kjartan JÓHANNSSON

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**DECISION OF THE EEA JOINT COMMITTEE****No 135/2004****of 24 September 2004****amending Annex XX (Environment) 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 XX to the Agreement was amended by Decision of the EEA Joint Committee No 113/2004 of 9 July 2004 <sup>(1)</sup>.
- (2) Commission Decision 2004/249/EC of 11 March 2004 concerning a questionnaire for Member States reports on the implementation of Directive 2002/96/EC of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE) <sup>(2)</sup>, is to be incorporated into the Agreement.
- (3) Commission Decision 2004/279/EC of 19 March 2004 concerning guidance for implementation of Directive 2002/3/EC of the European Parliament and of the Council relating to ozone in ambient air <sup>(3)</sup> is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

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

1. the following point shall be inserted after point 32fa (Directive 2002/96/EC of the European Parliament and of the Council):  
  
‘32fb. **32004 D 0249**: Commission Decision 2004/249/EC of 11 March 2004 concerning a questionnaire for Member States reports on the implementation of Directive 2002/96/EC of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE) (OJ L 78, 16.3.2004, p. 56).’;
2. the following point shall be inserted after point 21ag (Directive 2002/3/EC of the European Parliament and of the Council):  
  
‘21ah. **32004 D 0279**: Commission Decision 2004/279/EC of 19 March 2004 concerning guidance for implementation of Directive 2002/3/EC of the European Parliament and of the Council relating to ozone in ambient air (OJ L 87, 25.3.2004, p. 50).’

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<sup>(1)</sup> OJ L 376, 23.12.2004, p. 51.

<sup>(2)</sup> OJ L 78, 16.3.2004, p. 56.

<sup>(3)</sup> OJ L 87, 25.3.2004, p. 50.

*Article 2*

The texts of Decisions No 2004/249/EC and No 2004/279/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 25 September 2004, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (\*).

*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, 24 September 2004.

*For the EEA Joint Committee*

*The President*

Kjartan JÓHANNSSON

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(\*) No constitutional requirements indicated.

**DECISION OF THE EEA JOINT COMMITTEE****No 136/2004****of 24 September 2004****amending Annex XXI (Statistics) 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 XXI to the Agreement was amended by Decision of the EEA Joint Committee No 114/2004 of 9 July 2004 <sup>(1)</sup>.
- (2) Regulation (EC) No 138/2004 of the European Parliament and of the Council of the 5 December 2003 on the economic accounts for agriculture in the Community <sup>(2)</sup> is to be incorporated into the Agreement.
- (3) Regulation (EC) No 501/2004 of the European Parliament and of the Council of 10 March 2004 on quarterly financial accounts for general government <sup>(3)</sup> is to be incorporated into the Agreement.
- (4) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

*Article 1*

Annex XXI to the Agreement shall be amended as follows:

1. the following point shall be inserted after point 19n (Commission Regulation (EC) No 1921/2001):

'19o. **32004 R 0501**: Regulation (EC) No 501/2004 of the European Parliament and of the Council of 10 March 2004 on quarterly financial accounts for general government (OJ L 81, 19.3.2004, p. 1).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptation:

This Regulation shall not apply to Liechtenstein.;

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<sup>(1)</sup> OJ L 376, 23.12.2004, p. 53.

<sup>(2)</sup> OJ L 33, 5.2.2004, p. 1.

<sup>(3)</sup> OJ L 81, 19.3.2004, p. 1.



2. the following point shall be inserted after point 24b (Commission Regulation (EC) No 68/2003):

'24c. **32004 R 0138**: Regulation (EC) No 138/2004 of the European Parliament and of the Council of the 5 December 2003 on the economic accounts for agriculture in the Community (OJ L 33, 5.2.2004, p. 1).

The provisions of the Regulation shall, for the purposes of the present Agreement, be read with the following adaptation:

This Regulation shall not apply to Liechtenstein.'

*Article 2*

The texts of Regulations (EC) No 138/2004 and (EC) No 501/2004 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 25 September 2004, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (\*).

*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, 24 September 2004.

*For the EEA Joint Committee*

*The President*

Kjartan JÓHANNSSON

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(\*) No constitutional requirements indicated.

**DECISION OF THE EEA JOINT COMMITTEE****No 137/2004****of 24 September 2004****amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms**

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 86 and 98 thereof,

Whereas:

- (1) Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No 90/2004 of 8 June 2004 <sup>(1)</sup>.
- (2) Decision No 1230/2003/EC of the European Parliament and of the Council of 26 June 2003 adopting a multiannual programme for action in the field of energy: 'Intelligent Energy — Europe' (2003-2006) <sup>(2)</sup>, was incorporated into the Agreement by Decision of the EEA Joint Committee No 164/2003 of 7 November 2003 <sup>(3)</sup>.
- (3) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include the programme's specific field 'COOPENER' and actions pursuant thereto.
- (4) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2005,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following indent shall be added in paragraph 2e of Article 14 of Protocol 31 to the Agreement:

— As from 1 January 2005 the EFTA States shall participate in the specific field "COOPENER" and actions pursuant thereto in the Community programme referred to in paragraph 5(g).'

*Article 2*

This Decision shall enter into force on 25 September 2004, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (\*).

It shall apply from 1 January 2005.

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<sup>(1)</sup> OJ L 349, 25.11.2004, p. 52.

<sup>(2)</sup> OJ L 176, 15.7.2003, p. 29.

<sup>(3)</sup> OJ L 41, 12.2.2004, p. 67.

(\*) Constitutional requirements indicated.

*Article 3*

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, 24 September 2004.

*For the EEA Joint Committee*  
*The President*  
Kjartan JÓHANNSSON

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