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III

(Other acts)

EUROPEAN ECONOMIC AREA

DECISION OF THE EEA JOINT COMMITTEE

No 121/2009

of 4 December 2009

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 105/2009 of 22 October 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 202/2009 of 16 March 2009 amending Regulation (EC) No 600/2005 as regards the use of the preparation of *Bacillus licheniformis* DSM 5749 and *Bacillus subtilis* DSM 5750 in compound feed containing lasalocid sodium ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 203/2009 of 16 March 2009 amending Regulation (EC) No 1137/2007 as regards the use of the feed additive *Bacillus subtilis* (O35) in feed containing deco-quinat and narasin/nicarbazin ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Regulation (EC) No 214/2009 of 18 March 2009 amending Regulation (EC) No 1800/2004 as regards the terms of the authorisation of the feed additive Cycostat 66G ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Regulation (EC) No 232/2009 of 19 March 2009 concerning the authorisation of a new use of *saccharomyces cerevisiae* NCYC Sc47 as a feed additive for dairy buffaloes (holder of the authorisation Société Industrielle Lesaffre) ⁽⁵⁾ is to be incorporated into the Agreement.
- (6) Commission Regulation (EC) No 270/2009 of 2 April 2009 concerning the authorisation of 6-phytase as a feed additive for chickens for fattening (holder of the authorisation DSM Nutritional Products Ltd represented by DSM Nutritional products Sp. Z o.o.) ⁽⁶⁾ is to be incorporated into the Agreement.

⁽¹⁾ OJ L 334, 17.12.2009, p. 1.

⁽²⁾ OJ L 71, 17.3.2009, p. 8.

⁽³⁾ OJ L 71, 17.3.2009, p. 11.

⁽⁴⁾ OJ L 73, 19.3.2009, p. 12.

⁽⁵⁾ OJ L 74, 20.3.2009, p. 14.

⁽⁶⁾ OJ L 91, 3.4.2009, p. 3.

- (7) Commission Regulation (EC) No 271/2009 of 2 April 2009 concerning the authorisation of a preparation of endo-1,4-beta-xylanase and endo-1,4-beta-glucanase as a feed additive for weaned piglets, chickens for fattening, laying hens, turkeys for fattening and ducks for fattening (holder of the authorisation BASF SE) ⁽¹⁾, as corrected by OJ L 94, 8.4.2009, p. 112, is to be incorporated into the Agreement.
- (8) Commission Regulation (EC) No 322/2009 of 20 April 2009 concerning the permanent authorisations of certain additives in feedingstuffs ⁽²⁾ is to be incorporated into the Agreement.
- (9) Commission Regulation (EC) No 378/2009 of 8 May 2009 concerning the authorisation of a new use of the preparation of *Bacillus cereus* var. *toyoi* as a feed additive for rabbits breeding does (holder of the authorisation Rubinum SA) ⁽³⁾ is to be incorporated into the Agreement.
- (10) Commission Regulation (EC) No 379/2009 of 8 May 2009 concerning the authorisation of a new use of 6-phytase EC 3.1.3.26 as a feed additive for chickens for fattening, turkeys for fattening, laying hens, ducks for fattening, piglets (weaned), pigs for fattening and sows (holder of the authorisation Danisco Animal Nutrition, legal entity Danisco (UK) Limited) ⁽⁴⁾ is to be incorporated into the Agreement.
- (11) Commission Regulation (EC) No 386/2009 of 12 May 2009 amending Regulation (EC) No 1831/2003 of the European Parliament and of the Council as regards the establishment of a new functional group of feed additives ⁽⁵⁾ is to be incorporated into the Agreement.
- (12) Commission Regulation (EC) No 403/2009 of 14 May 2009 concerning the authorisation of a preparation of L-valine as a feed additive ⁽⁶⁾ is to be incorporated into the Agreement.
- (13) Commission Directive 2009/8/EC of 10 February 2009 amending Annex I to Directive 2002/32/EC of the European Parliament and of the Council as regards maximum levels of unavoidable carry-over of coccidiostats or histomonostats in non-target feed ⁽⁷⁾ is to be incorporated into the Agreement.
- (14) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

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

1. the following shall be added in point 1a (Regulation (EC) No 1831/2003 of the European Parliament and of the Council):

‘, as amended by:

— **32009 R 0386**: Commission Regulation (EC) No 386/2009 of 12 May 2009 (OJ L 118, 13.5.2009, p. 66).;

2. the following indent shall be added in point 1zzd (Commission Regulation (EC) No 1800/2004):

‘— **32009 R 0214**: Commission Regulation (EC) No 214/2009 of 18 March 2009 (OJ L 73, 19.3.2009, p. 12).;

⁽¹⁾ OJ L 91, 3.4.2009, p. 5.

⁽²⁾ OJ L 101, 21.4.2009, p. 9.

⁽³⁾ OJ L 116, 9.5.2009, p. 3.

⁽⁴⁾ OJ L 116, 9.5.2009, p. 6.

⁽⁵⁾ OJ L 118, 13.5.2009, p. 66.

⁽⁶⁾ OJ L 120, 15.5.2009, p. 3.

⁽⁷⁾ OJ L 40, 11.2.2009, p. 19.

3. the following indent shall be added in point 1zzj (Commission Regulation (EC) No 600/2005):
- ‘— **32009 R 0202**: Commission Regulation (EC) No 202/2009 of 16 March 2009 (OJ L 71, 17.3.2009, p. 8).’;
4. the following shall be added in point 1zzzy (Commission Regulation (EC) No 1137/2007):
- ‘, as amended by:
- **32009 R 0203**: Commission Regulation (EC) No 203/2009 of 16 March 2009 (OJ L 71, 17.3.2009, p. 11).’;
5. the following indent shall be added in point 33 (Directive 2002/32/EC of the European Parliament and of the Council):
- ‘— **32009 L 0008**: Commission Directive 2009/8/EC of 10 February 2009 (OJ L 40, 11.2.2009, p. 19).’;
6. the following points shall be inserted after point 1zzzzt (Commission Regulation (EC) No 971/2008):
- ‘1zzzzu. **32009 R 0232**: Commission Regulation (EC) No 232/2009 of 19 March 2009 concerning the authorisation of a new use of *saccharomyces cerevisiae* NCYC Sc47 as a feed additive for dairy buffaloes (holder of the authorisation Société Industrielle Lesaffre) (OJ L 74, 20.3.2009, p. 14).
- 1zzzzv. **32009 R 0270**: Commission Regulation (EC) No 270/2009 of 2 April 2009 concerning the authorisation of 6-phytase as a feed additive for chickens for fattening (holder of the authorisation DSM Nutritional Products Ltd represented by DSM Nutritional products Sp. Z o.o.) (OJ L 91, 3.4.2009, p. 3).
- 1zzzzw. **32009 R 0271**: Commission Regulation (EC) No 271/2009 of 2 April 2009 concerning the authorisation of a preparation of endo-1,4-beta-xylanase and endo-1,4-beta-glucanase as a feed additive for weaned piglets, chickens for fattening, laying hens, turkeys for fattening and ducks for fattening (holder of the authorisation BASF SE) (OJ L 91, 3.4.2009, p. 5), as corrected by OJ L 94, 8.4.2009, p. 112.
- 1zzzzx. **32009 R 0322**: Commission Regulation (EC) No 322/2009 of 20 April 2009 concerning the permanent authorisations of certain additives in feedingstuffs (OJ L 101, 21.4.2009, p. 9).
- 1zzzzy. **32009 R 0378**: Commission Regulation (EC) No 378/2009 of 8 May 2009 concerning the authorisation of a new use of the preparation of *Bacillus cereus* var. *toyoi* as a feed additive for rabbits breeding does (holder of the authorisation Rubinum SA) (OJ L 116, 9.5.2009, p. 3).
- 1zzzzz. **32009 R 0379**: Commission Regulation (EC) No 379/2009 of 8 May 2009 concerning the authorisation of a new use of 6-phytase EC 3.1.3.26 as a feed additive for chickens for fattening, turkeys for fattening, laying hens, ducks for fattening, piglets (weaned), pigs for fattening and sows (holder of the authorisation Danisco Animal Nutrition, legal entity Danisco (UK) Limited) (OJ L 116, 9.5.2009, p. 6).
- 1zzzzza. **32009 R 0403**: Commission Regulation (EC) No 403/2009 of 14 May 2009 concerning the authorisation of a preparation of L-valine as a feed additive (OJ L 120, 15.5.2009, p. 3).’

Article 2

The texts of Regulations (EC) No 202/2009, (EC) No 203/2009, (EC) No 214/2009, (EC) No 232/2009, (EC) No 270/2009, (EC) No 271/2009, (EC) No 322/2009, (EC) No 378/2009, (EC) No 379/2009, (EC) No 386/2009 and (EC) No 403/2009 and Directive 2009/8/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 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 122/2009

of 4 December 2009

amending Annex I (Veterinary and phytosanitary matters) and 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 I to the Agreement was amended by Decision of the EEA Joint Committee No 105/2009 of 22 October 2009 ⁽¹⁾.
- (2) Annex IV to the Agreement was amended by Decision of the EEA Joint Committee No 81/2009 of 3 July 2009 ⁽²⁾.
- (3) Commission Regulation (EC) No 256/2009 of 23 March 2009 amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for azoxystrobin and fludioxonil in or on certain products ⁽³⁾, as corrected by OJ L 208, 12.8.2009, p. 39, is to be incorporated into the Agreement.
- (4) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 40 (Regulation (EC) No 396/2005 of the European Parliament and of the Council) of Chapter II of Annex I to the Agreement:

— **32009 R 0256**: Commission Regulation (EC) No 256/2009 of 23 March 2009 (OJ L 81, 27.3.2009, p. 3), as corrected by OJ L 208, 12.8.2009, p. 39.'

Article 2

The following indent shall be added in point 54zzy (Regulation (EC) No 396/2005 of the European Parliament and of the Council) of Chapter XII of Annex II to the Agreement:

— **32009 R 0256**: Commission Regulation (EC) No 256/2009 of 23 March 2009 (OJ L 81, 27.3.2009, p. 3), as corrected by OJ L 208, 12.8.2009, p. 39.'

Article 3

The text of Regulation (EC) No 256/2009, as corrected by OJ L 208, 12.8.2009, p. 39, in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

⁽¹⁾ OJ L 334, 17.12.2009, p. 1.

⁽²⁾ OJ L 277, 22.10.2009, p. 27.

⁽³⁾ OJ L 81, 27.3.2009, p. 3.

Article 4

This Decision shall enter into force on 5 December 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

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, 4 December 2009.

For the EEA Joint Committee
The President
Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 123/2009****of 4 December 2009****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 77/2009 of 3 July 2009 ⁽¹⁾.
- (2) Commission Decision 2009/109/EC of 9 February 2009 on the organisation of a temporary experiment providing for certain derogations for the marketing of seed mixtures intended for use as fodder plants pursuant to Council Directive 66/401/EEC to determine whether certain species not listed in Council Directives 66/401/EEC, 66/402/EEC, 2002/55/EC or 2002/57/EC fulfil the requirements for being included in Article 2(1)(A) of Directive 66/401/EEC ⁽²⁾ is to be incorporated into the Agreement.
- (3) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 53 (Commission Directive 2008/124/EC) in Part 2 of Chapter III of Annex I to the Agreement:

- '54. **32009 D 0109:** Commission Decision 2009/109/EC of 9 February 2009 on the organisation of a temporary experiment providing for certain derogations for the marketing of seed mixtures intended for use as fodder plants pursuant to Council Directive 66/401/EEC to determine whether certain species not listed in Council Directives 66/401/EEC, 66/402/EEC, 2002/55/EC or 2002/57/EC fulfil the requirements for being included in Article 2(1)(A) of Directive 66/401/EEC (OJ L 40, 11.2.2009, p. 26).'

Article 2

The text of Decision 2009/109/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 5 December 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

⁽¹⁾ OJ L 277, 22.10.2009, p. 25.

⁽²⁾ OJ L 40, 11.2.2009, p. 26.

(*) 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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

DECISION OF THE EEA JOINT COMMITTEE**No 124/2009****of 4 December 2009****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 132/2007 of 26 October 2007 ⁽¹⁾.
- (2) Annex IV to the Agreement was amended by Decision of the EEA Joint Committee No 81/2009 of 3 July 2009 ⁽²⁾.
- (3) Commission Decision 2008/591/EC of 30 June 2008 on the Ecodesign Consultation Forum ⁽³⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 6 (Directive 2005/32/EC of the European Parliament and of the Council) of Chapter IV of Annex II to the Agreement:

'7. **32008 D 0591**: Commission Decision 2008/591/EC of 30 June 2008 on the Ecodesign Consultation Forum (OJ L 190, 18.7.2008, p. 22).'

Article 2

The following point shall be inserted after point 26 (Directive 2005/32/EC of the European Parliament and of the Council) of Annex IV to the Agreement:

'26a. **32008 D 0591**: Commission Decision 2008/591/EC of 30 June 2008 on the Ecodesign Consultation Forum (OJ L 190, 18.7.2008, p. 22).'

Article 3

The text of Decision 2008/591/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 4

This Decision shall enter into force on 5 December 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

⁽¹⁾ OJ L 100, 10.4.2008, p. 1.

⁽²⁾ OJ L 277, 22.10.2009, p. 32.

⁽³⁾ OJ L 190, 18.7.2008, p. 22.

(*) 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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

DECISION OF THE EEA JOINT COMMITTEE

No 125/2009

of 4 December 2009

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 28/2009 of 17 March 2009 ⁽¹⁾.
- (2) Directive 2007/47/EC of the European Parliament and of the Council of 5 September 2007 amending Council Directive 90/385/EEC on the approximation of the laws of the Member States relating to active implantable medical devices, Council Directive 93/42/EEC concerning medical devices and Directive 98/8/EC concerning the placing of biocidal products on the market ⁽²⁾ is to be incorporated into the Agreement.
- (3) Council Directive 93/42/EEC ⁽³⁾ has been incorporated into Chapter IX and Chapter XXX of Annex II to the Agreement. As the Directive concerns medical devices, it should only be referred to in Chapter XXX. The reference to the Directive in Chapter IX is therefore to be deleted.
- (4) Council Directive 90/385/EEC ⁽⁴⁾ concerns active implantable medical devices and the reference to this Directive should therefore be moved from Chapter X to Chapter XXX of Annex II to the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annex II to the Agreement shall be amended as follows:

1. the text of point 27a (Council Directive 93/42/EEC) of Chapter IX shall be deleted;
2. the text of point 7 (Council Directive 90/385/EEC) of Chapter X shall be deleted;
3. the following indent shall be added in point 12n (Directive 98/8/EC of the European Parliament and of the Council) of Chapter XV and in point 1 (Council Directive 93/42/EEC) of Chapter XXX:

— **32007 L 0047**: Directive 2007/47/EC of the European Parliament and of the Council of 5 September 2007 (OJ L 247, 21.9.2007, p. 21).;
4. the following shall be inserted after point 6 (Commission Directive 2005/50/EC) of Chapter XXX:

· **390 L 0385**: Council Directive 90/385/EEC of 20 June 1990 on the approximation of the laws of the Member States relating to active implantable medical devices (OJ L 189, 20.7.1990, p. 17), as amended by:

— **393 L 0042**: Council Directive 93/42/EEC of 14 June 1993 (OJ L 169, 12.7.1993, p. 1),

⁽¹⁾ OJ L 130, 28.5.2009, p. 21.

⁽²⁾ OJ L 247, 21.9.2007, p. 21.

⁽³⁾ OJ L 169, 12.7.1993, p. 1.

⁽⁴⁾ OJ L 189, 20.7.1990, p. 17.

- **393 L 0068**: Council Directive 93/68/EEC of 22 July 1993 (OJ L 220, 30.8.1993, p. 1),
- **32007 L 0047**: Directive 2007/47/EC of the European Parliament and of the Council of 5 September 2007 (OJ L 247, 21.9.2007, p. 21).

The transitional arrangements set out in the Annexes to the Act of Accession of 16 April 2003 for Poland (Annex XII, Chapter 1, point (1), shall apply.'

Article 2

The text of Directive 2007/47/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 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 126/2009

of 4 December 2009

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 78/2009 of 3 July 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 565/2008 of 18 June 2008 amending Regulation (EC) No 1881/2006 setting maximum levels for certain contaminants in foodstuffs as regards the establishment of a maximum level for dioxins and PCBs in fish liver ⁽²⁾ is to be incorporated into the Agreement.
- (3) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 54zzzz (Commission Regulation (EC) No 1881/2006) of Chapter XII of Annex II to the Agreement:

‘— **32009 R 0308**: Commission Regulation (EC) No 308/2009 of 15 April 2009 (OJ L 97, 16.4.2009, p. 8).’

Article 2

The text of Regulation (EC) No 308/2009 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 5 December 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*), or on the day of the entry into force of Decision of the EEA Joint Committee No 73/2008 of 6 June 2008, whichever is the later.

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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

⁽¹⁾ OJ L 277, 22.10.2009, p. 27.

⁽²⁾ OJ L 160, 19.6.2008, p. 20.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 127/2009

of 4 December 2009

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 78/2009 of 3 July 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 1213/2008 of 5 December 2008 concerning a coordinated multi-annual Community control programme for 2009, 2010 and 2011 to ensure compliance with maximum levels of and to assess the consumer exposure to pesticide residues in and on food of plant and animal origin ⁽²⁾ is to be incorporated into the Agreement.
- (3) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be inserted after point 54zzzza (Commission Regulation (EC) No 41/2009) of Chapter XII of Annex II to the Agreement:

'54zzzzb. **32008 R 1213**: Commission Regulation (EC) No 1213/2008 of 5 December 2008 concerning a coordinated multiannual Community control programme for 2009, 2010 and 2011 to ensure compliance with maximum levels of and to assess the consumer exposure to pesticide residues in and on food of plant and animal origin (OJ L 328, 6.12.2008, p. 9).

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

1. Article 1 shall be read with the following adaptation:

"During 2009, 2010 and 2011, Iceland may continue to analyse for the same 61 pesticides as monitored in foodstuffs on its market in 2008.";

2. the following shall be added in Annex II:

"IS	12 (*) 15 (**)
NO	12 (*) 15 (**)"'

⁽¹⁾ OJ L 277, 22.10.2009, p. 27.

⁽²⁾ OJ L 328, 6.12.2008, p. 9.

Article 2

The text of Regulation (EC) No 1213/2008 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 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 128/2009

of 4 December 2009

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 62/2009 of 29 May 2009 ⁽¹⁾.
- (2) Regulation (EC) No 1394/2007 of the European Parliament and of the Council of 13 November 2007 on advanced therapy medicinal products and amending Directive 2001/83/EC and Regulation (EC) No 726/2004 ⁽²⁾, as corrected by OJ L 87, 31.3.2009, p. 174, is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 1234/2008 of 24 November 2008 concerning the examination of variations to the terms of marketing authorisations for medicinal products for human use and veterinary medicinal products ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Directive 2006/130/EC of 11 December 2006 implementing Directive 2001/82/EC of the European Parliament and of the Council as regards the establishment of criteria for exempting certain veterinary medicinal products for food-producing animals from the requirement of a veterinary prescription ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Regulation (EC) No 1234/2008 repeals Commission Regulations (EC) No 1084/2003 ⁽⁵⁾ and (EC) No 1085/2003 ⁽⁶⁾ which are incorporated into the Agreement and are therefore to be repealed under the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

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

1. the following indent shall be added in point 15q (Directive 2001/83/EC of the European Parliament and of the Council):

— **32007 R 1394:** Regulation (EC) No 1394/2007 of the European Parliament and of the Council of 13 November 2007 (OJ L 324, 10.12.2007, p. 121), as corrected by OJ L 87, 31.3.2009, p. 174.;
2. the following shall be added in point 15zb (Regulation (EC) No 726/2004 of the European Parliament and of the Council):

, as amended by:

— **32007 R 1394:** Regulation (EC) No 1394/2007 of the European Parliament and of the Council of 13 November 2007 (OJ L 324, 10.12.2007, p. 121), as corrected by OJ L 87, 31.3.2009, p. 174.;

⁽¹⁾ OJ L 232, 3.9.2009, p. 18.⁽²⁾ OJ L 324, 10.12.2007, p. 121.⁽³⁾ OJ L 334, 12.12.2008, p. 7.⁽⁴⁾ OJ L 349, 12.12.2006, p. 15.⁽⁵⁾ OJ L 159, 27.6.2003, p. 1.⁽⁶⁾ OJ L 159, 27.6.2003, p. 24.

3. the text of points 15r (Commission Regulation (EC) No 1084/2003) and 15s (Commission Regulation (EC) No 1085/2003) shall be deleted;
4. the following points shall be inserted after point 15zf (Commission Directive 2005/28/EC):

‘15zg. **32006 L 0130**: Commission Directive 2006/130/EC of 11 December 2006 implementing Directive 2001/82/EC of the European Parliament and of the Council as regards the establishment of criteria for exempting certain veterinary medicinal products for food-producing animals from the requirement of a veterinary prescription (OJ L 349, 12.12.2006, p. 15).

15zh. **32007 R 1394**: Regulation (EC) No 1394/2007 of the European Parliament and of the Council of 13 November 2007 on advanced therapy medicinal products and amending Directive 2001/83/EC and Regulation (EC) No 726/2004 (OJ L 324, 10.12.2007, p. 121), as corrected by OJ L 87, 31.3.2009, p. 174.

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

The EFTA States shall be fully associated with the work of the Committee for Advanced Therapy, but without the right to vote.

15zi. **32008 R 1234**: Commission Regulation (EC) No 1234/2008 of 24 November 2008 concerning the examination of variations to the terms of marketing authorisations for medicinal products for human use and veterinary medicinal products (OJ L 334, 12.12.2008, p. 7).’

Article 2

The texts of Regulations (EC) No 1394/2007, as corrected by OJ L 87, 31.3.2009, p. 174, and (EC) No 1234/2008, and Directive 2006/130/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 5 December 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*), or on the date of entry into force of Decision of the EEA Joint Committee No 61/2009 of 29 May 2009, whichever is the later.

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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 129/2009

of 4 December 2009

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 62/2009 of 29 May 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 658/2007 of 14 June 2007 concerning financial penalties for infringement of certain obligations in connection with marketing authorisations granted under Regulation (EC) No 726/2004 of the European Parliament and of the Council ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 15zi (Commission Regulation (EC) No 1234/2008) of Chapter XIII of Annex II to the Agreement:

'15zj. **32007 R 0658**: Commission Regulation (EC) No 658/2007 of 14 June 2007 concerning financial penalties for infringement of certain obligations in connection with marketing authorisations granted under Regulation (EC) No 726/2004 of the European Parliament and of the Council (OJ L 155, 15.6.2007, p. 10).

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

The right to impose financial penalties on the holders of marketing authorisations in accordance with Article 84(3) of Regulation (EC) No 726/2004 shall, in the cases where the marketing authorisation holder is established in an EFTA State, be carried out by that EFTA State based on a proposal of the European Commission.'

Article 2

The text of Regulation (EC) No 658/2007 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

⁽¹⁾ OJ L 232, 3.9.2009, p. 18.

⁽²⁾ OJ L 155, 15.6.2007, p. 10.

Article 3

This Decision shall enter into force on 5 December 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*), or on the date of entry into force of Decision of the EEA Joint Committee No 61/2009 of 29 May 2009, whichever is the later.

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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 130/2009****of 4 December 2009****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 28/2009 of 17 March 2009 ⁽¹⁾.
- (2) Commission Directive 2008/58/EC of 21 August 2008 amending, for the purpose of its adaptation to technical progress, for the 30th time, Council Directive 67/548/EEC on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 1 (Council Directive 67/548/EEC) of Chapter XV of Annex II to the Agreement:

‘— **32008 L 0058**: Commission Directive 2008/58/EC of 21 August 2008 (OJ L 246, 15.9.2008, p. 1).’

Article 2

The text of Directive 2008/58/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 5 December 2009, 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, 4 December 2009.

*For the EEA Joint Committee**The President*

Oda Helen SLETNES

⁽¹⁾ OJ L 130, 28.5.2009, p. 21.

⁽²⁾ OJ L 246, 15.9.2008, p. 1.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 131/2009****of 4 December 2009****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 28/2009 of 17 March 2009 ⁽¹⁾.
- (2) Commission Decision 2008/385/EC of 24 January 2008 amending, for the purposes of adapting to technical progress, the Annex to Directive 2002/95/EC of the European Parliament and of the Council as regards exemptions for applications of lead and cadmium ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 12q (Directive 2002/95/EC of the European Parliament and of the Council) of Chapter XV of Annex II to the Agreement:

‘— **32008 D 0385**: Commission Decision 2008/385/EC of 24 January 2008 (OJ L 136, 24.5.2008, p. 9).’

Article 2

The text of Decision 2008/385/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 5 December 2009, 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, 4 December 2009.

*For the EEA Joint Committee**The President*

Oda Helen SLETNES

⁽¹⁾ OJ L 130, 28.5.2009, p. 21.

⁽²⁾ OJ L 136, 24.5.2008, p. 9.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 132/2009****of 4 December 2009****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 28/2009 of 17 March 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 1451/2007 of 4 December 2007 on the second phase of the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market ⁽²⁾ is to be incorporated into the Agreement.
- (3) Regulation (EC) No 1451/2007 repeals Commission Regulation (EC) No 2032/2003 ⁽³⁾ which is incorporated into the Agreement and is therefore to be repealed under the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

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

1. the indent (Commission Regulation (EC) No 2032/2003) of point 12o (Commission Regulation (EC) No 1896/2000) shall be deleted;
2. the text of point 12s (Commission Regulation (EC) No 2032/2003) shall be deleted;
3. the following point shall be inserted after point 12zd (Commission Decision 2007/794/EC):

'12ze. **32007 R 1451**: Commission Regulation (EC) No 1451/2007 of 4 December 2007 on the second phase of the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market (OJ L 325, 11.12.2007, p. 3).'

Article 2

The text of Regulation (EC) No 1451/2007 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

⁽¹⁾ OJ L 130, 28.5.2009, p. 21.

⁽²⁾ OJ L 325, 11.12.2007, p. 3.

⁽³⁾ OJ L 307, 24.11.2003, p. 1.

Article 3

This Decision shall enter into force on 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 133/2009****of 4 December 2009****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 28/2009 of 17 March 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 340/2008 of 16 April 2008 on the fees and charges payable to the European Chemicals Agency pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 12ze (Commission Regulation (EC) No 1451/2007) of Chapter XV of Annex II to the Agreement:

'12zf. **32008 R 0340**: Commission Regulation (EC) No 340/2008 of 16 April 2008 on the fees and charges payable to the European Chemicals Agency pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ L 107, 17.4.2008, p. 6).'

Article 2

The text of Regulation (EC) No 340/2008 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 5 December 2009, 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, 4 December 2009.

*For the EEA Joint Committee**The President*

Oda Helen SLETNES

⁽¹⁾ OJ L 130, 28.5.2009, p. 21.

⁽²⁾ OJ L 107, 17.4.2008, p. 6.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 134/2009****of 4 December 2009****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 28/2009 of 17 March 2009 ⁽¹⁾.
- (2) Commission Decision 2008/423/EC of 8 May 2008 setting a new deadline for the submission of dossiers for certain substances to be examined under the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 12zf (Commission Regulation (EC) No 340/2008) of Chapter XV of Annex II to the Agreement:

'12zg. **32008 D 0423**: Commission Decision 2008/423/EC of 8 May 2008 setting a new deadline for the submission of dossiers for certain substances to be examined under the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council (OJ L 149, 7.6.2008, p. 79).'

Article 2

The text of Decision 2008/423/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 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee
The President
Oda Helen SLETNES

⁽¹⁾ OJ L 130, 28.5.2009, p. 21.

⁽²⁾ OJ L 149, 7.6.2008, p. 79.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 135/2009

of 4 December 2009

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 28/2009 of 17 March 2009 ⁽¹⁾.
- (2) Commission Directive 2008/85/EC of 5 September 2008 amending Directive 98/8/EC of the European Parliament and of the Council to include thiabendazole as an active substance in Annex I thereto ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Directive 2008/86/EC of 5 September 2008 amending Directive 98/8/EC of the European Parliament and of the Council to include tebuconazole as an active substance in Annex I thereto ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Decision 2008/763/EC of 29 September 2008 establishing, pursuant to Directive 2006/66/EC of the European Parliament and of the Council, a common methodology for the calculation of annual sales of portable batteries and accumulators to end-users ⁽⁴⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

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

1. The following indents shall be added in point 12n (Directive 98/8/EC of the European Parliament and of the Council):

— **32008 L 0085**: Commission Directive 2008/85/EC of 5 September 2008 (OJ L 239, 6.9.2008, p. 6),

— **32008 L 0086**: Commission Directive 2008/86/EC of 5 September 2008 (OJ L 239, 6.9.2008, p. 9).;

2. The following point shall be inserted after point 12zg (Commission Decision 2008/423/EC):

'12zh. **32008 D 0763**: Commission Decision 2008/763/EC of 29 September 2008 establishing, pursuant to Directive 2006/66/EC of the European Parliament and of the Council, a common methodology for the calculation of annual sales of portable batteries and accumulators to end-users (OJ L 262, 1.10.2008, p. 39).'

⁽¹⁾ OJ L 130, 28.5.2009, p. 21.

⁽²⁾ OJ L 239, 6.9.2008, p. 6.

⁽³⁾ OJ L 239, 6.9.2008, p. 9.

⁽⁴⁾ OJ L 262, 1.10.2008, p. 39.

Article 2

The texts of Directives 2008/85/EC and 2008/86/EC and Decision 2008/763/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 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 136/2009

of 4 December 2009

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 28/2009 of 17 March 2009 ⁽¹⁾.
- (2) Commission Decision 2008/809/EC of 14 October 2008 concerning the non-inclusion of certain substances in Annex I, IA or IB to Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Decision 2008/831/EC of 31 October 2008 setting a new deadline for the submission of dossiers for certain substances to be examined under the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC ⁽³⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following points shall be inserted after point 12zh (Commission Decision 2008/763/EC) of Chapter XV of Annex II to the Agreement:

'12zi. **32008 D 0809**: Commission Decision 2008/809/EC of 14 October 2008 concerning the non-inclusion of certain substances in Annex I, IA or IB to Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market (OJ L 281, 24.10.2008, p. 16).

12zj. **32008 D 0831**: Commission Decision 2008/831/EC of 31 October 2008 setting a new deadline for the submission of dossiers for certain substances to be examined under the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC (OJ L 295, 4.11.2008, p. 50).'

Article 2

The texts of Decisions 2008/809/EC and 2008/831/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.

⁽¹⁾ OJ L 130, 28.5.2009, p. 21.

⁽²⁾ OJ L 281, 24.10.2008, p. 16.

⁽³⁾ OJ L 295, 4.11.2008, p. 50.

Article 3

This Decision shall enter into force on 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 137/2009****of 4 December 2009****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 28/2009 of 17 March 2009 ⁽¹⁾.
- (2) Commission Decision 2008/681/EC of 28 July 2008 concerning the non-inclusion of certain substances in Annexes I, IA or IB to Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 12zj (Commission Decision 2008/831/EC) of Chapter XV of Annex II to the Agreement:

'12zk. **32008 D 0681**: Commission Decision 2008/681/EC of 28 July 2008 concerning the non-inclusion of certain substances in Annexes I, IA or IB to Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market (OJ L 222, 20.8.2008, p. 7).'

Article 2

The text of Decision 2008/681/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 5 December 2009, 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, 4 December 2009.

*For the EEA Joint Committee**The President*

Oda Helen SLETNES

⁽¹⁾ OJ L 130, 28.5.2009, p. 21.

⁽²⁾ OJ L 222, 20.8.2008, p. 7.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 138/2009****of 4 December 2009****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 132/2007 of 26 October 2007 ⁽¹⁾.
- (2) Commission Decision 2008/264/EC of 25 March 2008 on the fire safety requirements to be met by European standards for cigarettes pursuant to Directive 2001/95/EC of the European Parliament and of the Council ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Decision 2008/357/EC of 23 April 2008 on specific child safety requirements to be met by European standards for lighters pursuant to Directive 2001/95/EC of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following points shall be inserted after point 3k (Commission Decision 2006/502/EC) of Chapter XIX of Annex II to the Agreement:

- '3l. **32008 D 0264**: Commission Decision 2008/264/EC of 25 March 2008 on the fire safety requirements to be met by European standards for cigarettes pursuant to Directive 2001/95/EC of the European Parliament and of the Council (OJ L 83, 26.3.2008, p. 35).
- 3m. **32008 D 0357**: Commission Decision 2008/357/EC of 23 April 2008 on specific child safety requirements to be met by European standards for lighters pursuant to Directive 2001/95/EC of the European Parliament and of the Council (OJ L 120, 7.5.2008, p. 11).'

Article 2

The texts of Decisions 2008/264/EC and 2008/357/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.

⁽¹⁾ OJ L 100, 10.4.2008, p. 1.

⁽²⁾ OJ L 83, 26.3.2008, p. 35.

⁽³⁾ OJ L 120, 7.5.2008, p. 11.

Article 3

This Decision shall enter into force on 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 139/2009****of 4 December 2009****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 31/2006 of 10 March 2006 ⁽¹⁾.
- (2) Commission Decision 2009/108/EC of 3 February 2009 amending Decision 2002/364/EC on common technical specifications for *in vitro*-diagnostic medical devices ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in point 3 (Commission Decision 2002/364/EC) of Chapter XXX of Annex II to the Agreement:

‘, as amended by:

- **32009 D 0108**: Commission Decision 2009/108/EC of 3 February 2009 (OJ L 39, 10.2.2009, p. 34).’

Article 2

The text of Decision 2009/108/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 5 December 2009, 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, 4 December 2009.

*For the EEA Joint Committee**The President*

Oda Helen SLETNES

⁽¹⁾ OJ L 147, 1.6.2006, p. 48.

⁽²⁾ OJ L 39, 10.2.2009, p. 34.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 140/2009
of 4 December 2009
amending 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 IV to the Agreement was amended by Decision of the EEA Joint Committee No 81/2009 of 3 July 2009 ⁽¹⁾.
- (2) Commission Decision 2007/74/EC of 21 December 2006 establishing harmonised efficiency reference values for separate production of electricity and heat in application of Directive 2004/8/EC of the European Parliament and of the Council ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 28 (Regulation (EC) No 1099/2008 of the European Parliament and of the Council) of Annex IV to the Agreement:

'29. **32007 D 0074**: Commission Decision 2007/74/EC of 21 December 2006 establishing harmonised efficiency reference values for separate production of electricity and heat in application of Directive 2004/8/EC of the European Parliament and of the Council (OJ L 32, 6.2.2007, p. 183).'

Article 2

The text of Decision 2007/74/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 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee
The President
Oda Helen SLETNES

⁽¹⁾ OJ L 277, 22.10.2009, p. 32.

⁽²⁾ OJ L 32, 6.2.2007, p. 183.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 141/2009
of 4 December 2009
amending Annex IX (Financial services) 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 IX to the Agreement was amended by Decision of the EEA Joint Committee No 106/2009 of 22 October 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 1289/2008 of 12 December 2008 amending Commission Regulation (EC) No 809/2004 implementing Directive 2003/71/EC of the European Parliament and of the Council as regards elements related to prospectuses and advertisements ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 29ba (Commission Regulation (EC) No 809/2004) of Annex IX to the Agreement:

'— **32008 R 1289**: Commission Regulation (EC) No 1289/2008 of 12 December 2008 (OJ L 340, 19.12.2008, p. 17).'

Article 2

The text of Regulation (EC) No 1289/2008 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 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee
The President
Oda Helen SLETNES

⁽¹⁾ OJ L 334, 17.12.2009, p. 3.

⁽²⁾ OJ L 340, 19.12.2008, p. 17.

(*) No constitutional requirements indicated.

Joint Declaration by the Contracting Parties to Decision No 141/2009 incorporating Commission Regulation (EC) No 1289/2008 into the Agreement

'Commission Regulation (EC) No 1289/2008 of 12 December 2008 amending Commission Regulation (EC) No 809/2004 implementing Directive 2003/71/EC of the European Parliament and of the Council as regards elements related to prospectuses and advertisements grants third country issuers the right to present their historical financial information in accordance with the therein defined accounting standards. The incorporation of this Regulation is without prejudice to the scope of the EEA Agreement as regards third country relations.'

DECISION OF THE EEA JOINT COMMITTEE
No 142/2009
of 4 December 2009
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 110/2009 of 22 October 2009 ⁽¹⁾.
- (2) Commission Decision 2009/240/EC of 4 March 2009 authorising Member States to adopt certain derogations pursuant to Directive 2008/68/EC of the European Parliament and of the Council on the inland transport of dangerous goods ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in point 13c (Directive 2008/68/EC of the European Parliament and of the Council) of Annex XIII to the Agreement:

‘, as amended by:

- **32009 D 0240**: Commission Decision 2009/240/EC of 4 March 2009 (OJ L 71, 17.3.2009, p. 23).’

Article 2

The text of Decision 2009/240/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 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee
The President
Oda Helen SLETNES

⁽¹⁾ OJ L 334, 17.12.2009, p. 10.

⁽²⁾ OJ L 71, 17.3.2009, p. 23.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 143/2009
of 4 December 2009
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 110/2009 of 22 October 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 68/2009 of 23 January 2009 adapting for the ninth time to technical progress Council Regulation (EEC) No 3821/85 on recording equipment in road transport ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Directive 2009/4/EC of 23 January 2009 counter measures to prevent and detect manipulation of records of tachographs, amending Directive 2006/22/EC of the European Parliament and of the Council on minimum conditions for the implementation of Council Regulations (EEC) Nos 3820/85 and 3821/85 concerning social legislation relating to road transport activities and repealing Council Directive 88/599/EEC ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Directive 2009/5/EC of 30 January 2009 amending Annex III to Directive 2006/22/EC of the European Parliament and of the Council on minimum conditions for the implementation of Council Regulations (EEC) Nos 3820/85 and 3821/85 concerning social legislation relating to road transport activities ⁽⁴⁾, as corrected by OJ L 256, 29.9.2009, p. 38, is to be incorporated into the Agreement.
- (5) Commission Recommendation 2009/60/EC of 23 January 2009 on guidelines for best enforcement practice concerning checks of recording equipment to be carried out at roadside checks and by authorised workshops ⁽⁵⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XIII to the Agreement is to be amended as follows:

1. the following indent shall be added in point 21 (Council Regulation (EEC) No 3821/85):

‘— **32009 R 0068**: Commission Regulation (EC) No 68/2009 of 23 January 2009 (OJ L 21, 24.1.2009, p. 3).’;

2. the following shall be added in point 21a (Directive 2006/22/EC of the European Parliament and of the Council):

‘, as amended by:

— **32009 L 0004**: Commission Directive 2009/4/EC of 23 January 2009 (OJ L 21, 24.1.2009, p. 39),

⁽¹⁾ OJ L 334, 17.12.2009, p. 10.

⁽²⁾ OJ L 21, 24.1.2009, p. 3.

⁽³⁾ OJ L 21, 24.1.2009, p. 39.

⁽⁴⁾ OJ L 29, 31.1.2009, p. 45.

⁽⁵⁾ OJ L 21, 24.1.2009, p. 87.

— **32009 L 0005**: Commission Directive 2009/5/EC of 30 January 2009 (OJ L 29, 31.1.2009, p. 45), as corrected by OJ L 256, 29.9.2009, p. 38.;

3. the following point shall be inserted after point 95 (Commission Recommendation 2004/358/EC):

'96. **32009 H 0060**: Commission Recommendation 2009/60/EC of 23 January 2009 on guidelines for best enforcement practice concerning checks of recording equipment to be carried out at roadside checks and by authorised workshops (OJ L 21, 24.1.2009, p. 87).'

Article 2

The texts of Regulation (EC) No 68/2009, Directives 2009/4/EC and 2009/5/EC, as corrected by OJ L 256, 29.9.2009, p. 38, and Recommendation 2009/60/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 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee
The President
Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 144/2009
of 4 December 2009
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 110/2009 of 22 October 2009 ⁽¹⁾.
- (2) Regulation (EC) No 2320/2002 of the European Parliament and of the Council of 16 December 2002 establishing common rules in the field of civil aviation security ⁽²⁾ was reincorporated into the Agreement by Decision of the EEA Joint Committee No 99/2009 of 25 September 2009 ⁽³⁾ with country specific adaptations.
- (3) Commission Regulation (EC) No 483/2009 of 9 June 2009 amending Regulation (EC) No 820/2008 laying down measures for the implementation of the common basic standards on aviation security ⁽⁴⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in point 66i (Commission Regulation (EC) No 820/2008) of Annex XIII to the Agreement:

‘, as amended by:

- **32009 R 0483**: Commission Regulation (EC) No 483/2009 of 9 June 2009 (OJ L 145, 10.6.2009, p. 23).’

Article 2

The text of Regulation (EC) No 483/2009 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 5 December 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

⁽¹⁾ OJ L 334, 17.12.2009, p. 10.

⁽²⁾ OJ L 355, 30.12.2002, p. 1.

⁽³⁾ OJ L 304, 19.11.2009, p. 14.

⁽⁴⁾ OJ L 145, 10.6.2009, 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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

DECISION OF THE EEA JOINT COMMITTEE
No 145/2009
of 4 December 2009
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 110/2009 of 22 October 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 1356/2008 of 23 December 2008 amending Regulation (EC) No 593/2007 on the fees and charges levied by the European Aviation Safety Agency ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in point 66s (Commission Regulation (EC) No 593/2007) of Annex XIII to the Agreement:

‘, as amended by:

- **32008 R 1356**: Commission Regulation (EC) No 1356/2008 of 23 December 2008 (OJ L 350, 30.12.2008, p. 46).’

Article 2

The text of Regulation (EC) No 1356/2008 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 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee
The President
Oda Helen SLETNES

⁽¹⁾ OJ L 334, 17.12.2009, p. 10.

⁽²⁾ OJ L 350, 30.12.2008, p. 46.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 146/2009

of 4 December 2009

amending Annex XVII (Intellectual property) 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 XVII to the Agreement was amended by Decision of the EEA Joint Committee No 56/2007 of 8 June 2007 ⁽¹⁾.
- (2) Directive 2008/95/EC of the European Parliament and of the Council of 22 October 2008 to approximate the laws of the Member States relating to trade marks (Codified version) ⁽²⁾ is to be incorporated into the Agreement.
- (3) Directive 2008/95/EC repeals Council Directive 89/104/EEC ⁽³⁾ which is incorporated into the Agreement and which is subsequently to be repealed under the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XVII to the Agreement shall be amended as follows:

1. The text of point 4 (Council Directive 89/104/EEC) shall be deleted.
2. The following point shall be inserted after point 9g (Directive 2006/115/EC of the European Parliament and of the Council):

'9h. **32008 L 0095**: Directive 2008/95/EC of the European Parliament and of the Council of 22 October 2008 to approximate the laws of the Member States relating to trade marks (Codified version) (OJ L 299, 8.11.2008, p. 25).

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

- (a) in Article 3(2), the term "trade mark law" shall be understood to be the trade mark law applicable in a Contracting Party;
- (b) in Articles 4(2)(a)(i), (2)(b) and (3), 9 and 14, the provisions concerning the Community Trade Mark shall not apply to the EFTA States unless the Community Trade Mark extends to them.'

Article 2

The text of Directive 2008/95/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.

⁽¹⁾ OJ L 266, 11.10.2007, p. 17.

⁽²⁾ OJ L 299, 8.11.2008, p. 25.

⁽³⁾ OJ L 40, 11.2.1989, p. 1.

Article 3

This Decision shall enter into force on 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 147/2009****of 4 December 2009****amending Annex XVIII (Health and safety at work, labour law, and equal treatment for men and women) 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 XVIII to the Agreement was amended by Decision of the EEA Joint Committee No 51/2009 of 24 April 2009 ⁽¹⁾.
- (2) Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 21b (Directive 2006/54/EC of the European Parliament and of the Council) of Annex XVIII to the Agreement:

'21c. **32004 L 0113**: Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services (OJ L 373, 21.12.2004, p. 37).

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

In Articles 5 and 17 the references to "21 December 2007" shall be read as "30 June 2010".'

Article 2

The text of Directive 2004/113/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 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

⁽¹⁾ OJ L 162, 25.6.2009, p. 32.

⁽²⁾ OJ L 373, 21.12.2004, p. 37.

(*) Constitutional requirements indicated.

Joint Declaration by the Contracting Parties to Decision No 147/2009 incorporating Directive 2004/113/EC into the Agreement

'Directive 2004/113/EC is based on Article 13 of the EC Treaty which has been introduced by the Treaty of Amsterdam and is not reflected in the EEA Agreement. The incorporation of Directive 2004/113/EC into the EEA Agreement is without prejudice to the scope of the EEA Agreement.'

DECISION OF THE EEA JOINT COMMITTEE**No 148/2009****of 4 December 2009****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 101/2009 of 25 September 2009 ⁽¹⁾.
- (2) Commission Decision 2009/73/EC of 17 December 2008 amending Decision 2007/589/EC as regards the inclusion of monitoring and reporting guidelines for emissions of nitrous oxide ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Decision 2009/339/EC of 16 April 2009 amending Decision 2007/589/EC as regards the inclusion of monitoring and reporting guidelines for emissions and tonne-kilometre data from aviation activities ⁽³⁾ is to be incorporated into the Agreement.
- (4) Monitoring plans submitted by aircraft operators to the EFTA States' competent authorities and approved by the latter in accordance with the requirements set out in Decision 2009/339/EC will be considered as approved in accordance with the provisions of Section 6 of Annex XIV and Section 3 of Annex XV to Decision 2009/339/EC, and recognised as such in the implementation of the EU ETS for aviation activities.
- (5) The incorporation of Decision 2009/339/EC before incorporation of Directive 2008/101/EC is without prejudice to similar incorporation procedures in the future and without prejudice to any negotiations concerning adaptations to Directive 2008/101/EC,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in point 21am (Commission Decision 2007/589/EC) of Annex XX to the Agreement:

‘ as amended by:

- **32009 D 0073**: Commission Decision 2009/73/EC of 17 December 2008 (OJ L 24, 28.1.2009, p. 18),
- **32009 D 0339**: Commission Decision 2009/339/EC of 16 April 2009 (OJ L 103, 23.4.2009, p. 10).’

Article 2

The texts of Decisions 2009/73/EC and 2009/339/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.

⁽¹⁾ OJ L 304, 19.11.2009, p. 18.

⁽²⁾ OJ L 24, 28.1.2009, p. 18.

⁽³⁾ OJ L 103, 23.4.2009, p. 10.

Article 3

This Decision shall enter into force on 5 December 2009 or on the day following the last notification to the EEA Joint Committee under Article 103(1) of the Agreement (*), whichever is the later.

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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 149/2009

of 4 December 2009

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 101/2009 of 25 September 2009 ⁽¹⁾.
- (2) Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 21aqc (Commission Regulation (EC) No 1516/2007) of Annex XX to the Agreement:

'21ar. **32001 L 0081**: Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants (OJ L 309, 27.11.2001, p. 22), 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),
- **32006 L 0105**: Council Directive 2006/105/EC of 20 November 2006 (OJ L 363, 20.12.2006, p. 368).

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

- (a) the following subparagraph shall be added in Article 2:

“(f) for Norway, emissions in the territory of Svalbard.”;

- (b) with regard to the obligations laid down in Article 4, the following national emission ceilings to be attained by the year 2010 by the EFTA States shall be added to Annex I:

“Country	SO ₂ Kilotonnes	NO _x Kilotonnes	VOC Kilotonnes	NH ₃ Kilotonnes
Iceland	90	27	31	8
Liechtenstein	0,11	0,37	0,86	0,15
Norway	22	156	195	23”

⁽¹⁾ OJ L 304, 19.11.2009, p. 18.

⁽²⁾ OJ L 309, 27.11.2001, p. 22.

(c) the text of Article 6(1) shall be replaced by the following:

“The EFTA States shall, by 1 March 2010 at the latest, draw up programmes for the reduction of national emissions of the pollutants referred to in Article 4 with the aim of complying at least with the national emission ceilings laid down in Annex I by 2010 at the latest.”;

(d) the text of Article 6(3) shall not apply;

(e) the following sentence shall be added in the first subparagraph of Article 8(2):

“With regard to the EFTA States, the date by which they shall at the latest inform the EFTA Surveillance Authority, in accordance with paragraph 4(a) of Protocol 1 to the EEA Agreement, of the programmes drawn up in accordance with Article 6(1) and (2) shall be 31 March 2010.”;

(f) the following subparagraph shall be inserted in Article 8(3):

“When the Commission and the EFTA Surveillance Authority, in accordance with paragraph 4(a) of Protocol 1 to the EEA Agreement, exchange information on the national programmes received from the EU Member States or the EFTA States respectively, the Commission shall communicate the information received from the EFTA Surveillance Authority to the EU Member States and the EFTA Surveillance Authority shall communicate the information received from the Commission to the EFTA States, within one month of their receipt.”

Article 2

The text of Directive 2001/81/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 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 150/2009
of 4 December 2009
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 101/2009 of 25 September 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 308/2009 of 15 April 2009 amending, for the purposes of adaptation to scientific and technical progress, Annexes IIIA and VI to Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 32c (Regulation (EC) No 1013/2006 of the European Parliament and of the Council) of Annex XX to the Agreement:

— **32009 R 0308**: Commission Regulation (EC) No 308/2009 of 15 April 2009 (OJ L 97, 16.4.2009, p. 8).'

Article 2

The text of Regulation (EC) No 308/2009 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 5 December 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*), or on the day of the entry into force of Decision of the EEA Joint Committee No 73/2008 of 6 June 2008, whichever is the later.

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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

⁽¹⁾ OJ L 304, 19.11.2009, p. 18.

⁽²⁾ OJ L 97, 16.4.2009, p. 8.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 151/2009
of 4 December 2009
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 113/2009 of 22 October 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 250/2009 of 11 March 2009 implementing Regulation (EC) No 295/2008 of the European Parliament and of the Council as regards the definitions of characteristics, the technical format for the transmission of data, the double reporting requirements for NACE Rev.1.1 and NACE Rev.2 and derogations to be granted for structural business statistics ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 251/2009 of 11 March 2009 implementing and amending Regulation (EC) No 295/2008 of the European Parliament and of the Council as regards the series of data to be produced for structural business statistics and the adaptations necessary after the revision of the statistical classification of products by activity (CPA) ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Regulations (EC) No 2700/98 ⁽⁴⁾ and (EC) No 2702/98 ⁽⁵⁾, which are incorporated into the Agreement, are repealed by Regulation (EC) No 250/2009, while their provisions continue to apply as regards the collection, compilation and transmission of data for reference years up to and including 2007.
- (5) Commission Regulation (EC) No 2701/98 ⁽⁶⁾, which is incorporated into the Agreement, is repealed by Regulation (EC) No 251/2009, while its provisions continue to apply as regards the series of data to be transmitted for reference years up to and including 2007,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XXI to the Agreement shall be amended as follows:

1. the following shall be added in point 1 (Regulation (EC) No 295/2008 of the European Parliament and of the Council):

‘, as amended by:

— **32009 R 0251**: Commission Regulation (EC) No 251/2009 of 11 March 2009 (OJ L 86, 31.3.2009, p. 170).’;

⁽¹⁾ OJ L 334, 17.12.2009, p. 15.

⁽²⁾ OJ L 86, 31.3.2009, p. 1.

⁽³⁾ OJ L 86, 31.3.2009, p. 170.

⁽⁴⁾ OJ L 344, 18.12.1998, p. 49.

⁽⁵⁾ OJ L 344, 18.12.1998, p. 102.

⁽⁶⁾ OJ L 344, 18.12.1998, p. 81.

2. the following points shall be inserted after point 1j (Commission Regulation (EC) No 1670/2003):

- 1k. **32009 R 0250**: Commission Regulation (EC) No 250/2009 of 11 March 2009 implementing Regulation (EC) No 295/2008 of the European Parliament and of the Council as regards the definitions of characteristics, the technical format for the transmission of data, the double reporting requirements for NACE Rev.1.1 and NACE Rev.2 and derogations to be granted for structural business statistics (OJ L 86, 31.3.2009, p. 1).
- 1l. **32009 R 0251**: Commission Regulation (EC) No 251/2009 of 11 March 2009 implementing and amending Regulation (EC) No 295/2008 of the European Parliament and of the Council as regards the series of data to be produced for structural business statistics and the adaptations necessary after the revision of the statistical classification of products by activity (CPA) (OJ L 86, 31.3.2009, p. 170).

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

Liechtenstein is exempted from collecting the data of the series of data 9C and 9D according to Annex I. Liechtenstein shall supply data of the level of activity breakdown according to NACE Rev.2, 2-digit level only.;

3. the following adaptation text shall be added in points 1a (Commission Regulation (EC) No 2700/98) and 1c (Commission Regulation (EC) No 2702/98):

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

In accordance with Article 6 of Regulation (EC) No 250/2009, this Regulation is repealed. Its provisions shall, however, continue to apply as regards the collection, compilation and transmission of data for reference years up to and including 2007.;

4. the following adaptation text shall be added in point 1b (Commission Regulation (EC) No 2701/98):

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

In accordance with Article 2 of Regulation (EC) No 251/2009, this Regulation is repealed. Its provision shall, however, continue to apply as regards the series of data to be transmitted for reference years up to and including 2007.'

Article 2

The texts of Regulations (EC) No 250/2009 and (EC) No 251/2009 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 5 December 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

(*) 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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

DECISION OF THE EEA JOINT COMMITTEE
No 152/2009
of 4 December 2009
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 113/2009 of 22 October 2009 ⁽¹⁾.
- (2) Directive 2009/42/EC of the European Parliament and of the Council of 6 May 2009 on statistical returns in respect of carriage of goods and passengers by sea (Recast) ⁽²⁾ is to be incorporated into the Agreement.
- (3) Directive 2009/42/EC repeals Council Directive 95/64/EC ⁽³⁾, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The text of point 7b (Council Directive 95/64/EC) of Annex XXI to the Agreement shall be replaced by the following:

'**32009 L 0042**: Directive 2009/42/EC of the European Parliament and of the Council of 6 May 2009 on statistical returns in respect of carriage of goods and passengers by sea (Recast) (OJ L 141, 6.6.2009, p. 29).'

Article 2

The text of Directive 2009/42/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 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

⁽¹⁾ OJ L 334, 17.12.2009, p. 15.

⁽²⁾ OJ L 141, 6.6.2009, p. 29.

⁽³⁾ OJ L 320, 30.12.1995, p. 25.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 153/2009****of 4 December 2009****amending Annex XXI (Statistics) and Protocol 30 on specific provisions on the organization of cooperation in the field of 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 113/2009 of 22 October 2009 ⁽¹⁾.
- (2) Protocol 30 to the Agreement was amended by Decision of the EEA Joint Committee No 90/2009 of 3 July 2009 ⁽²⁾.
- (3) Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities ⁽³⁾ is to be incorporated into the Agreement.
- (4) Regulation (EC) No 223/2009 repeals Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council ⁽⁴⁾ and Council Regulation (EC) No 322/97 ⁽⁵⁾, which are incorporated into the Agreement and which are consequently to be repealed under the Agreement.
- (5) All references to the Statistical Programme Committee (SPC) in Protocol 30 to the Agreement should be replaced by a reference to the European Statistical System Committee (ESSC),

HAS DECIDED AS FOLLOWS:

Article 1

Annex XXI to the Agreement shall be amended as follows:

1. the text of point 17 (Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council) shall be replaced by the following:

⁽¹⁾ OJ L 334, 17.12.2009, p. 15.

⁽²⁾ OJ L 277, 22.10.2009, p. 43.

⁽³⁾ OJ L 87, 31.3.2009, p. 164.

⁽⁴⁾ OJ L 304, 14.11.2008, p. 70.

⁽⁵⁾ OJ L 52, 22.2.1997, p. 1.

'**32009 R 0223**: Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).';

2. the text of point 17a (Council Regulation (EC) No 322/97) shall be deleted.

Article 2

Protocol 30 to the Agreement shall be amended as follows:

1. the text of Article 1(6) shall be replaced by the following:

'The handling of statistics from the EFTA States shall be governed by Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics (OJ L 87, 31.3.2009, p. 164).';

2. the words 'Statistical Programme Committee (SPC)' in Article 1(1) shall be replaced by the words 'European Statistical System Committee (ESSC)';
3. the words 'SPC/EEA' in Article 1(1) and 1(7) shall be replaced by the words 'ESSC/EEA'.

Article 3

The text of Regulation (EC) No 223/2009 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 5 December 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

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, 4 December 2009.

For the EEA Joint Committee
The President
Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 154/2009
of 4 December 2009
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 113/2009 of 22 October 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 646/2009 of 23 July 2009 implementing Regulation (EC) No 1177/2003 of the European Parliament and of the Council concerning Community statistics on income and living conditions (EU-SILC) as regards the 2010 list of target secondary variables on intra-household sharing of resources ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 707/2009 of 5 August 2009 amending Regulation (EC) No 184/2005 of the European Parliament and of the Council on Community statistics concerning balance of payments, international trade in services and foreign direct investment, as regards the update of data requirements ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Recommendation 2009/498/EC of 23 June 2009 on reference metadata for the European Statistical System ⁽⁴⁾ is to be incorporated into the Agreement,

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 18x (Council Regulation (EC) No 362/2008):

'18xa. **32009 R 0646**: Commission Regulation (EC) No 646/2009 of 23 July 2009 implementing Regulation (EC) No 1177/2003 of the European Parliament and of the Council concerning Community statistics on income and living conditions (EU-SILC) as regards the 2010 list of target secondary variables on intra-household sharing of resources (OJ L 192, 24.7.2009, p. 3).';
2. the following indent shall be added in point 19s (Regulation (EC) No 184/2005 of the European Parliament and of the Council):

'— **32009 R 0707**: Commission Regulation (EC) No 707/2009 of 5 August 2009 OJ L 204, 6.8.2009, p. 3).';

⁽¹⁾ OJ L 334, 17.12.2009, p. 15.

⁽²⁾ OJ L 192, 24.7.2009, p. 3.

⁽³⁾ OJ L 204, 6.8.2009, p. 3.

⁽⁴⁾ OJ L 168, 30.6.2009, p. 50.

3. the following point shall be inserted after point 17c (Commission Recommendation COM(2005) 217):

'17d. **32009 H 0498**: Commission Recommendation 2009/498/EC of 23 June 2009 on reference metadata for the European Statistical System (OJ L 168, 30.6.2009, p. 50).'

Article 2

The texts of Regulations (EC) No 646/2009 and (EC) No 707/2009 and Recommendation 2009/498/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 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 155/2009
of 4 December 2009
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 113/2009 of 22 October 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 834/2009 of 11 September 2009 implementing Regulation (EC) No 716/2007 of the European Parliament and of the Council on Community statistics on the structure and activity of foreign affiliates, as regards the quality reports ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 19xa (Commission Regulation (EC) No 364/2008) of Annex XXI to the Agreement:

'19xb. **32009 R 0834**: Commission Regulation (EC) No 834/2009 of 11 September 2009 implementing Regulation (EC) No 716/2007 of the European Parliament and of the Council on Community statistics on the structure and activity of foreign affiliates, as regards the quality reports (OJ L 241, 12.9.2009, p. 3).'

Article 2

The text of Regulation (EC) No 834/2009 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 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee
The President
Oda Helen SLETNES

⁽¹⁾ OJ L 334, 17.12.2009, p. 15.

⁽²⁾ OJ L 241, 12.9.2009, p. 3.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 156/2009
of 4 December 2009
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 113/2009 of 22 October 2009 ⁽¹⁾.
- (2) Regulation (EC) No 543/2009 of the European Parliament and of the Council of 18 June 2009 concerning crop statistics and repealing Council Regulations (EEC) No 837/90 and (EEC) No 959/93 ⁽²⁾ is to be incorporated into the Agreement.
- (3) Regulation (EC) No 543/2009 repeals, with effect from 1 January 2010, Council Regulations (EEC) No 837/90 ⁽³⁾ and (EEC) No 959/93 ⁽⁴⁾, which are incorporated into the Agreement and which are consequently to be repealed under the Agreement with effect from 1 January 2010,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XXI to the Agreement shall be amended as follows:

1. points 24 (Council Regulation (EEC) No 837/90) and 24a (Council Regulation (EEC) No 959/93) shall be renumbered as points 24a and 24aa respectively;
2. the following point shall be inserted before the new point 24a:

'24. **32009 R 0543**: Regulation (EC) No 543/2009 of the European Parliament and of the Council of 18 June 2009 concerning crop statistics and repealing Council Regulations (EEC) No 837/90 and (EEC) No 959/93 (OJ L 167, 29.6.2009, p. 1).

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

Liechtenstein is exempted from collecting the data required by this Regulation.;

3. the text of the new points 24a (Council Regulation (EEC) No 837/90) and 24aa (Council Regulation (EEC) No 959/93) shall be deleted with effect from 1 January 2010.

Article 2

The text of Regulation (EC) No 543/2009 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

⁽¹⁾ OJ L 334, 17.12.2009, p. 15.

⁽²⁾ OJ L 167, 29.6.2009, p. 1.

⁽³⁾ OJ L 88, 3.4.1990, p. 1.

⁽⁴⁾ OJ L 98, 24.4.1993, p. 1.

Article 3

This Decision shall enter into force on 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 157/2009
of 4 December 2009
amending Annex XXII (Company law) 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 XXII to the Agreement was amended by Decision of the EEA Joint Committee No 116/2009 of 22 October 2009 ⁽¹⁾.
- (2) Directive 2009/49/EC of the European Parliament and of the Council of 18 June 2009 amending Council Directives 78/660/EEC and 83/349/EEC as regards certain disclosure requirements for medium-sized companies and the obligation to draw up consolidated accounts ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in points 4 (Fourth Council Directive 78/660/EEC) and 6 (Seventh Council Directive 83/349/EEC) of Annex XXII to the Agreement:

— **32009 L 0049**: Directive 2009/49/EC of the European Parliament and of the Council of 18 June 2009 (OJ L 164, 26.6.2009, p. 42).'

Article 2

The text of Directive 2009/49/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 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee
The President
Oda Helen SLETNES

⁽¹⁾ OJ L 334, 17.12.2009, p. 19.

⁽²⁾ OJ L 164, 26.6.2009, p. 42.

(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 158/2009
of 4 December 2009
amending Annex XXII (Company law) 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 XXII to the Agreement was amended by Decision of the EEA Joint Committee No 116/2009 of 22 October 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 636/2009 of 22 July 2009 amending Regulation (EC) No 1126/2008 adopting certain international accounting standards in accordance with Regulation (EC) No 1606/2002 of the European Parliament and of the Council as regards International Financial Reporting Interpretations Committee's (IFRIC) Interpretation 15 ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 10ba (Commission Regulation (EC) No 1126/2008) of Annex XXII to the Agreement:

‘— **32009 R 0636**: Commission Regulation (EC) No 636/2009 of 22 July 2009 (OJ L 191, 23.7.2009, p. 5).’

Article 2

The text of Regulation (EC) No 636/2009 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 5 December 2009, 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, 4 December 2009.

For the EEA Joint Committee
The President
Oda Helen SLETNES

⁽¹⁾ OJ L 334, 17.12.2009, p. 19.

⁽²⁾ OJ L 191, 23.7.2009, p. 5.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 159/2009****of 4 December 2009****amending Protocol 31, on cooperation in specific fields outside the four freedoms, and Protocol 37 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 Articles 86, 98 and 101 thereof,

Whereas:

- (1) Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No 94/2009 of 3 July 2009 ⁽¹⁾.
- (2) Protocol 37 to the Agreement was amended by Decision of the EEA Joint Committee No 94/2009 of 3 July 2009 ⁽²⁾.
- (3) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Commission Decision 2009/334/EC of 20 April 2009 establishing an expert group on the security of the European GNSS systems ⁽³⁾.
- (4) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to take place.
- (5) For the Agreement to function well, Protocol 37 to the Agreement is to be extended to include the expert group on the security of the European GNSS systems set up by Decision 2009/334/EC, and Protocol 31 is to be amended in order to specify the procedures for association with this group,

HAS DECIDED AS FOLLOWS:

Article 1

Paragraph 8a of Article 1 (Research and technical development) of Protocol 31 shall be amended as follows:

1. adaptations (d) and (e) shall be renumbered as adaptations (e) and (f) respectively;
2. the following new adaptation (d) shall be inserted after adaptation (c):

'(d) Procedures for the association of the EFTA States in accordance with Article 101 of the Agreement:

Each EFTA State may, in accordance with Article 4 of Commission Decision 2009/334/EC (*), appoint a person to participate as a full member in the meetings of the expert group on the security of the European GNSS systems (The Security Board for the European GNSS Systems).

The European Commission shall, in due time, inform the participants of the dates of the meetings of the group and transmit to them the relevant documentation.

(*) Commission Decision 2009/334/EC of 20 April 2009 (OJ L 101, 21.4.2009, p. 22).'

⁽¹⁾ OJ L 277, 22.10.2009, p. 50.

⁽²⁾ See footnote 1.

⁽³⁾ OJ L 101, 21.4.2009, p. 22.

Article 2

The following point shall be inserted in Protocol 37 (containing the list provided for in Article 101) to the Agreement:

‘32. The Security Board for the European GNSS Systems (Commission Decision 2009/334/EC).’

Article 3

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 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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 160/2009

of 4 December 2009

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 92/2009 of 3 July 2009 ⁽¹⁾.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Council Regulation (EC) No 2062/94 of 18 July 1994 establishing a European Agency for Safety and Health at Work ⁽²⁾, as amended by Council Regulations (EC) No 1643/95 ⁽³⁾, (EC) No 1654/2003 ⁽⁴⁾ and (EC) No 1112/2005 ⁽⁵⁾.
- (3) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2010,

HAS DECIDED AS FOLLOWS:

Article 1

In Article 5 of Protocol 31 to the Agreement, the following paragraph shall be added:

- '11. (a) The EFTA States shall participate fully in the European Agency for Safety and Health at Work, hereinafter referred to as the "Agency", as set up by the following Community act:
- **31994 R 2062**: Council Regulation (EC) No 2062/94 of 18 July 1994 establishing a European Agency for Safety and Health at Work (OJ L 216, 20.8.1994, p. 1), as amended by:
 - **31995 R 1643**: Council Regulation (EC) No 1643/95 of 29 June 1995 (OJ L 156, 7.7.1995, p. 1),
 - **32003 R 1654**: Council Regulation (EC) No 1654/2003 of 18 June 2003 (OJ L 245, 29.9.2003, p. 38),
 - **32005 R 1112**: Council Regulation (EC) No 1112/2005 of 24 June 2005 (OJ L 184, 15.7.2005, p. 5).
- (b) The EFTA States shall contribute financially to the activities referred to under (a) in accordance with Article 82(1)(a) and Protocol 32 of the Agreement.
- (c) The EFTA States shall participate fully in the Governing Board and shall within it have the same rights and obligations as EU Member States, except for the right to vote.

⁽¹⁾ OJ L 277, 22.10.2009, p. 47.

⁽²⁾ OJ L 216, 20.8.1994, p. 1.

⁽³⁾ OJ L 156, 7.7.1995, p. 1.

⁽⁴⁾ OJ L 245, 29.9.2003, p. 38.

⁽⁵⁾ OJ L 184, 15.7.2005, p. 5.

- (d) The EFTA States shall, within six months from the entry into force of Decision of the EEA Joint Committee No 160/2009 of 4 December 2009, inform the Agency of the main component elements of their national health and safety at work information networks provided for in Article 4 of Regulation (EC) No 2062/94, as subsequently amended.
- (e) The EFTA States shall in particular, within the period laid down in (d), designate the institutions for coordinating and/or transmitting the information to be supplied at national level to the Agency.
- (f) The EFTA States shall also inform the Agency of the names of institutions established in their national territory which are able to cooperate with it on certain topics of particular interest and thus to act as topic centres of the network.
- (g) Within three months of receiving the information referred to in (d), (e) and (f), the Governing Board shall review the main elements of the network to take account of the participation of the EFTA States.
- (h) The Agency shall have legal personality. It shall enjoy in all the states of the Contracting Parties the most extensive legal capacity accorded to legal persons under their laws.
- (i) The EFTA States shall apply to the Agency and to its staff the Protocol of Privileges and Immunities of the European Communities.
- (j) By way of derogation from Article 12(2)(a) of the Conditions of employment of other servants of the European Communities as established by Council Regulation (EEC, Euratom, ECSC) No 259/68 (*), nationals of EFTA States enjoying their full rights as citizens may be engaged under contract by the Director of the Agency.
- (k) By virtue of Article 79(3) of the Agreement, Part VII (Institutional Provisions) of the Agreement shall apply to this paragraph.
- (l) Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (**), for the application of Regulation (EC) No 2062/94, apply to any documents of the Agency regarding the EFTA States as well.

(*) OJ L 56, 4.3.1968, p. 1.

(**) OJ L 145, 31.5.2001, p. 43.'

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 2010.

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, 4 December 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) Constitutional requirements indicated.

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