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III

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EUROPEAN ECONOMIC AREA

DECISION OF THE EEA JOINT COMMITTEE

No 1/2010

of 29 January 2010

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 56/2009 of 29 May 2009 ⁽¹⁾.

(2) Commission Regulation (EC) No 394/2008 of 30 April 2008 amending Regulation (EC) No 1266/2007 as regards the conditions for exempting certain animals of susceptible species from the exit ban provided for in Council Directive 2000/75/EC ⁽²⁾ is to be incorporated into the Agreement.

(3) Regulation (EC) No 454/2008 of the European Parliament and of the Council of 21 May 2008 amending Regulation (EC) No 998/2003 on the animal health requirements applicable to the non-commercial movements of pet animals, as regards the extension of the transitional period ⁽³⁾ is to be incorporated into the Agreement.

(4) Commission Regulation (EC) No 504/2008 of 6 June 2008 implementing Council Directives 90/426/EEC and 90/427/EEC as regards methods for the identification of equidae ⁽⁴⁾ is to be incorporated into the Agreement.

(5) Commission Regulation (EC) No 708/2008 of 24 July 2008 amending Regulation (EC) No 1266/2007 as regards the conditions for exempting certain animals of susceptible species from the exit ban provided for in Council Directive 2000/75/EC ⁽⁵⁾ is to be incorporated into the Agreement.

(6) Commission Regulation (EC) No 1108/2008 of 7 November 2008 amending Regulation (EC) No 1266/2007 as regards the minimum requirements for bluetongue monitoring and surveillance programmes and the conditions for exempting semen from the exit ban provided for in Council Directive 2000/75/EC ⁽⁶⁾ is to be incorporated into the Agreement.

(7) Commission Regulation (EC) No 1304/2008 of 19 December 2008 amending Regulation (EC) No 1266/2007 as regards the conditions for exempting certain animals of susceptible species from the exit ban provided for in Council Directive 2000/75/EC ⁽⁷⁾ is to be incorporated into the Agreement.

(8) Council Directive 2008/73/EC of 15 July 2008 simplifying procedures of listing and publishing information in the veterinary and zootechnical fields and amending Directives 64/432/EEC, 77/504/EEC, 88/407/EEC, 88/661/EEC, 89/361/EEC, 89/556/EEC, 90/426/EEC, 90/427/EEC, 90/428/EEC, 90/429/EEC, 90/539/EEC, 91/68/EEC, 91/496/EEC, 92/35/EEC, 92/65/EEC, 92/66/EEC, 92/119/EEC, 94/28/EC, 2000/75/EC, Decision 2000/258/EC and Directives 2001/89/EC, 2002/60/EC and 2005/94/EC ⁽⁸⁾ is to be incorporated into the Agreement.

⁽¹⁾ OJ L 232, 3.9.2009, p. 4.

⁽²⁾ OJ L 117, 1.5.2008, p. 22.

⁽³⁾ OJ L 145, 4.6.2008, p. 238.

⁽⁴⁾ OJ L 149, 7.6.2008, p. 3.

⁽⁵⁾ OJ L 197, 25.7.2008, p. 18.

⁽⁶⁾ OJ L 299, 8.11.2008, p. 17.

⁽⁷⁾ OJ L 344, 20.12.2008, p. 28.

⁽⁸⁾ OJ L 219, 14.8.2008, p. 40.

- (9) Commission Decision 2008/404/EC of 21 May 2008 amending Decision 2003/467/EC as regards the declaration that a certain administrative region of Italy is officially free of bovine tuberculosis and that certain administrative regions of Poland are officially free of enzootic bovine leukosis ⁽¹⁾ is to be incorporated into the Agreement.
- (10) Commission Decision 2008/476/EC of 6 June 2008 amending Decision 2008/185/EC to include the departments of Côtes-d'Armor, Finistère, Ile-et-Vilaine, Morbihan and Nord, France, in the list of regions free of Aujeszky's disease ⁽²⁾ is to be incorporated into the Agreement.
- (11) Commission Decision 2008/576/EC of 4 July 2008 amending Annex III to Decision 2003/467/EC as regards the list of the officially enzootic-bovine-leukosis-free regions in Poland ⁽³⁾ is to be incorporated into the Agreement.
- (12) Commission Decision 2008/655/EC of 24 July 2008 approving the emergency vaccination plans against blue-tongue of certain Member States and fixing the level of the Community's financial contribution for 2007 and 2008 ⁽⁴⁾ is to be incorporated into the Agreement.
- (13) Commission Decision 2008/661/EC of 1 August 2008 amending Decision 2007/182/EC on a survey for chronic wasting disease in cervids ⁽⁵⁾ is to be incorporated into the Agreement.
- (14) Commission Decision 2008/674/EC of 13 August 2008 amending Decision 2007/683/EC approving the plan for the eradication of classical swine fever in feral pigs in certain areas of Hungary ⁽⁶⁾ is to be incorporated into the Agreement.
- (15) Commission Decision 2008/682/EC of 18 August 2008 amending Decision 2007/870/EC as regards the approval of the plan for the emergency vaccination against classical swine fever of pigs in holdings with a marker vaccine in Romania ⁽⁷⁾ is to be incorporated into the Agreement.
- (16) Commission Decision 2008/686/EC of 20 August 2008 amending Decision 2005/59/EC as regards areas where the plans for the eradication of classical swine fever in feral pigs and the emergency vaccination of feral pigs against classical swine fever are to be implemented in Slovakia ⁽⁸⁾ is to be incorporated into the Agreement.
- (17) Commission Decision 2008/755/EC of 24 September 2008 amending Decision 2005/176/EC laying down the codified form and the codes for the notification of animal diseases pursuant to Council Directive 82/894/EEC ⁽⁹⁾ is to be incorporated into the Agreement.
- (18) Commission Decision 2008/816/EC of 20 October 2008 amending Decision 2003/467/EC as regards the declaration that certain administrative regions of Poland are officially free of enzootic bovine leucosis ⁽¹⁰⁾ is to be incorporated into the Agreement.
- (19) Commission Decision 2008/838/EC of 3 November 2008 concerning preventive vaccination against low pathogenic avian influenza in mallard ducks in Portugal and certain measures restricting the movements of such poultry and their products ⁽¹¹⁾ is to be incorporated into the Agreement.
- (20) Commission Decision 2008/984/EC of 10 December 2008 amending Annex C to Council Directive 64/432/EEC and Decision 2004/226/EC as regards diagnostic tests for bovine brucellosis ⁽¹²⁾, as corrected by OJ L 10, 15.1.2009, p. 35, is to be incorporated into the Agreement.
- (21) Commission Decision 2008/988/EC of 17 December 2008 amending Decision 2008/185/EC as regards the inclusion of the Netherlands in the list of Member States free of Aujeszky's disease and of Hungary in the list of Member States where an approved national control programme for that disease is in place ⁽¹³⁾ is to be incorporated into the Agreement.
- (22) Regulation (EC) No 504/2008 repeals Commission Decisions 93/623/EEC ⁽¹⁴⁾ and 2000/68/EC ⁽¹⁵⁾ which are incorporated into the Agreement and are therefore to be repealed under the Agreement.
- (23) This Decision concerns legislation regarding live animals other than fish and aquaculture animals. Legislation concerning these matters does not apply to Iceland, as specified in paragraph 2 of the Introductory Part of Chapter I of Annex I of the Agreement.
- (24) This Decision is not to apply to Iceland and Liechtenstein,

⁽¹⁾ OJ L 141, 31.5.2008, p. 16.

⁽²⁾ OJ L 163, 24.6.2008, p. 34.

⁽³⁾ OJ L 183, 11.7.2008, p. 40.

⁽⁴⁾ OJ L 214, 9.8.2008, p. 66.

⁽⁵⁾ OJ L 215, 12.8.2008, p. 8.

⁽⁶⁾ OJ L 220, 15.8.2008, p. 30.

⁽⁷⁾ OJ L 222, 20.8.2008, p. 9.

⁽⁸⁾ OJ L 224, 22.8.2008, p. 13.

⁽⁹⁾ OJ L 258, 26.9.2008, p. 72.

⁽¹⁰⁾ OJ L 283, 28.10.2008, p. 46.

⁽¹¹⁾ OJ L 299, 8.11.2008, p. 40.

⁽¹²⁾ OJ L 352, 31.12.2008, p. 38.

⁽¹³⁾ OJ L 352, 31.12.2008, p. 52.

⁽¹⁴⁾ OJ L 298, 3.12.1993, p. 45.

⁽¹⁵⁾ OJ L 23, 28.1.2000, p. 72.

HAS DECIDED AS FOLLOWS:

Article 1

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

Article 2

The texts of Regulations (EC) No 394/2008, (EC) No 454/2008, (EC) No 504/2008, 708/2008, (EC) No 1108/2008 and (EC) No 1304/2008, Directive 2008/73/EC and Decisions 2008/404/EC, 2008/476/EC, 2008/576/EC, 2008/655/EC, 2008/661/EC, 2008/674/EC, 2008/682/EC, 2008/686/EC, 2008/755/EC, 2008/816/EC, 2008/838/EC, 2008/984/EC, as corrected by OJ L 10, 15.1.2009, p. 35, and 2008/988/EC in the Norwegian language, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 30 January 2010, 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, 29 January 2010.

For the EEA Joint Committee

The President

Alan SEATTER

(*) No constitutional requirements indicated.

ANNEX

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

1. the following indent shall be added in point 5 (Council Directive 91/496/EEC) in Part 1.1, points 1 (Council Directive 77/504/EEC) and 2 (Council Directive 88/661/EEC), in Part 2.1, points 3 (Council Directive 2001/89/EC), 4 (Council Directive 92/35/EEC), 6 (Council Directive 92/66/EEC), 9 (Council Directive 92/119/EEC), 9a (Council Directive 2000/75/EC) and 9b (Council Directive 2002/60/EC) in Part 3.1, points 1 (Council Directive 64/432/EEC), 2 (Council Directive 91/68/EEC), 3 (Council Directive 90/426/EEC), 4 (Council Directive 90/539/EEC), 6 (Council Directive 89/556/EEC), 7 (Council Directive 88/407/EEC), 8 (Council Directive 90/429/EEC) and 9 (Council Directive 92/65/EEC) in Part 4.1, point 54 (Council Decision 2000/258/EC) in Part 4.2 and points 2 (Council Directive 90/426/EEC), 3 (Council Directive 90/539/EEC), 5 (Council Directive 89/556/EEC), 6 (Council Directive 88/407/EEC), 7 (Council Directive 90/429/EEC) and 15 (Council Directive 92/65/EEC) in Part 8.1:

‘— **32008 L 0073**: Council Directive 2008/73/EC of 15 July 2008 (OJ L 219, 14.8.2008, p. 40).’

2. the following shall be added in points 3 (Council Directive 89/361/EEC), 4 (Council Directive 90/427/EEC), 5 (Council Directive 90/428/EEC) in Part 2.1 and point 5a (Council Directive 2005/94/EC) in Part 3.1:

‘, as amended by:

— **32008 L 0073**: Council Directive 2008/73/EC of 15 July 2008 (OJ L 219, 14.8.2008, p. 40).’

3. the following indent shall be added in point 10 (Regulation (EC) No 998/2003 of the European Parliament and of the Council) in Part 1.1:

‘— **32008 R 0454**: Regulation (EC) No 454/2008 of the European Parliament and of the Council of 21 May 2008 (OJ L 145, 4.6.2008, p. 238).’

4. the following shall be added in the adaptation text in point 10 (Regulation (EC) No 998/2003 of the European Parliament and of the Council) in Part 1.1:

‘(d) In Article 16, the word ‘Norway’ shall be added between the words ‘Malta’ and ‘Sweden’.’

5. the text of point 24 (Commission Decision 93/623/EEC) in Part 2.2 shall be deleted.

6. the following point shall be inserted after point 32 (Commission Decision 2006/427/EC) in Part 2.2:

‘33. **32008 R 0504**: Commission Regulation (EC) No 504/2008 of 6 June 2008 implementing Council Directives 90/426/EEC and 90/427/EEC as regards methods for the identification of equidae (OJ L 149, 7.6.2008, p. 3).

This act shall not apply to Iceland.’

7. the following indent shall be added in point 32 (Commission Decision 2005/176/EC) in Part 3.2:

‘— **32008 D 0755**: Commission Decision 2008/755/EC of 24 September 2008 (OJ L 258, 26.9.2008, p. 72).’

8. the following indents shall be added in point 40 (Commission Regulation (EC) No 1266/2007) in Part 3.2:

‘— **32008 R 0394**: Commission Regulation (EC) No 394/2008 of 30 April 2008 (OJ L 117, 1.5.2008, p. 22),

— **32008 R 0708**: Commission Regulation (EC) No 708/2008 of 24 July 2008 (OJ L 197, 25.7.2008, p. 18),

- **32008 R 1108**: Commission Regulation (EC) No 1108/2008 of 7 November 2008 (OJ L 299, 8.11.2008, p. 17),
- **32008 R 1304**: Commission Regulation (EC) No 1304/2008 of 19 December 2008 (OJ L 344, 20.12.2008, p. 28).'
9. under the heading 'ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT' the following indent shall be added in point 29 (Commission Decision 2005/59/EC) in Part 3.2:
- **32008 D 0686**: Commission Decision 2008/686/EC of 20 August 2008 (OJ L 224, 22.8.2008, p. 13).'
10. under the heading 'ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT' the following indent shall be added in point 42 (Commission Decision 2007/683/EC) in Part 3.2:
- **32008 D 0674**: Commission Decision 2008/674/EC of 13 August 2008 (OJ L 220, 15.8.2008, p. 30).'
11. under the heading 'ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT' the following shall be added in point 43 (Commission Decision 2007/870/EC) in Part 3.2:
- ‘, as amended by:
- **32008 D 0682**: Commission Decision 2008/682/EC of 18 August 2008 (OJ L 222, 20.8.2008, p. 9).'
12. under the heading 'ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT' the following points shall be inserted after point 44 (Commission Decision 2008/77/EC) in Part 3.2:
- ‘45. **32008 D 0655**: Commission Decision 2008/655/EC of 24 July 2008 approving the emergency vaccination plans against bluetongue of certain Member States and fixing the level of the Community's financial contribution for 2007 and 2008 (OJ L 214, 9.8.2008, p. 66).
- This act shall not apply to Iceland.
46. **32008 D 0838**: Commission Decision 2008/838/EC of 3 November 2008 concerning preventive vaccination against low pathogenic avian influenza in mallard ducks in Portugal and certain measures restricting the movements of such poultry and their products (OJ L 299, 8.11.2008, p. 40).
- This act shall not apply to Iceland.’
13. the following indent shall be added in point 1 (Council Directive 64/432/EEC) in Part 4.1:
- **32008 D 0984**: Commission Decision 2008/984/EC of 10 December 2008 (OJ L 352, 31.12.2008, p. 38), as corrected by OJ L 10, 15.1.2009, p. 35.’
14. the following indents shall be added in point 70 (Commission Decision 2003/467/EC) in Part 4.2:
- **32008 D 0404**: Commission Decision 2008/404/EC of 21 May 2008 (OJ L 141, 31.5.2008, p. 16),
- **32008 D 0576**: Commission Decision 2008/576/EC of 4 July 2008 (OJ L 183, 11.7.2008, p. 40),
- **32008 D 0816**: Commission Decision 2008/816/EC of 20 October 2008 (OJ L 283, 28.10.2008, p. 46).'

15. the following shall be added in point 75 (Commission Decision 2004/226/EC) in Part 4.2:

‘, as amended by:

— **32008 D 0984**: Commission Decision 2008/984/EC of 10 December 2008 (OJ L 352, 31.12.2008, p. 38), as corrected by OJ L 10, 15.1.2009, p. 35.’

16. the following shall be added in point 84 (Commission Decision 2008/185/EC) in Part 4.2:

‘, as amended by:

— **32008 D 0476**: Commission Decision 2008/476/EC of 6 June 2008 (OJ L 163, 24.6.2008, p. 34),

— **32008 D 0988**: Commission Decision 2008/988/EC of 17 December 2008 (OJ L 352, 31.12.2008, p. 52).’

17. the following point shall be inserted after point 84 (Commission Decision 2008/185/EC) in Part 4.2:

‘85. **32008 R 0504**: Commission Regulation (EC) No 504/2008 of 6 June 2008 implementing Council Directives 90/426/EEC and 90/427/EEC as regards methods for the identification of equidae (OJ L 149, 7.6.2008, p. 3).

This act shall not apply to Iceland.’

18. The following shall be added in point 46 (Commission Decision 2007/182/EC) in Part 7.2:

‘, as amended by:

— **32008 D 0661**: Commission Decision 2008/661/EC of 1 August 2008 (OJ L 215, 12.8.2008, p. 8).’

DECISION OF THE EEA JOINT COMMITTEE

No 2/2010

of 29 January 2010

amending Annex I (Veterinary and phytosanitary matters) and Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

84/425/EEC ⁽¹³⁾, 86/174/EEC ⁽¹⁴⁾, 93/70/EEC ⁽¹⁵⁾,
 93/117/EC ⁽¹⁶⁾, 98/64/EC ⁽¹⁷⁾, 1999/27/EC ⁽¹⁸⁾,
 1999/76/EC ⁽¹⁹⁾, 2000/45/EC ⁽²⁰⁾, 2002/70/EC ⁽²¹⁾ and
 2003/126/EC ⁽²²⁾ which have been incorporated into
 the Agreement and are therefore to be repealed under
 the Agreement.

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:

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

(1) Annex I to the Agreement was amended by Decision of the EEA Joint Committee No 122/2009 of 4 December 2009 ⁽¹⁾.

HAS DECIDED AS FOLLOWS:

(2) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 127/2009 of 4 December 2009 ⁽²⁾.

Article 1

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

(3) Commission Regulation (EC) No 124/2009 of 10 February 2009 setting maximum levels for the presence of coccidiostats or histomonostats in food resulting from the unavoidable carry-over of these substances in non-target feed ⁽³⁾ is to be incorporated into the Agreement.

1. the texts of points 1zc (Commission Directive 2002/70/EC), 13 (Commission Directive 86/174/EEC), 19 (First Commission Directive 71/250/EEC), 20 (Second Commission Directive 71/393/EEC), 21 (Third Commission Directive 72/199/EEC), 22 (Fourth Commission Directive 73/46/EEC), 25 (First Commission Directive 76/371/EEC), 26 (Seventh Commission Directive 76/372/EEC), 27 (Eighth Commission Directive 78/633/EEC), 28 (Ninth Commission Directive 81/715/EEC), 29 (Tenth Commission Directive 84/425/EEC), 30 (Eleventh Commission Directive 93/70/EEC), 31 (Twelfth Commission Directive 93/117/EC), 31c (Commission Directive 98/64/EC), 31f (Commission Directive 1999/27/EC), 31g (Commission Directive 1999/76/EC), 31h (Commission Directive 2000/45/EC) and 31i (Commission Directive 2003/126/EC) shall be deleted;

(4) Commission Regulation (EC) No 152/2009 of 27 January 2009 laying down the methods of sampling and analysis for the official control of feed ⁽⁴⁾ is to be incorporated into the Agreement.

2. the following point shall be inserted after point 1zzzzza (Commission Regulation (EC) No 403/2009):

(5) Regulation (EC) No 152/2009 repeals Commission Directives 71/250/EEC ⁽⁵⁾, 71/393/EEC ⁽⁶⁾, 72/199/EEC ⁽⁷⁾, 73/46/EEC ⁽⁸⁾, 76/371/EEC ⁽⁹⁾, 76/372/EEC ⁽¹⁰⁾, 78/633/EEC ⁽¹¹⁾, 81/715/EEC ⁽¹²⁾,

⁽¹⁾ OJ L 62, 11.3.2010, p. 5.

⁽²⁾ OJ L 62, 11.3.2010, p. 14.

⁽³⁾ OJ L 40, 11.2.2009, p. 7.

⁽⁴⁾ OJ L 54, 26.2.2009, p. 1.

⁽⁵⁾ OJ L 155, 12.7.1971, p. 13.

⁽⁶⁾ OJ L 279, 20.12.1971, p. 7.

⁽⁷⁾ OJ L 123, 29.5.1972, p. 6.

⁽⁸⁾ OJ L 83, 30.3.1973, p. 21.

⁽⁹⁾ OJ L 102, 15.4.1976, p. 1.

⁽¹⁰⁾ OJ L 102, 15.4.1976, p. 8.

⁽¹¹⁾ OJ L 206, 29.7.1978, p. 43.

⁽¹²⁾ OJ L 257, 10.9.1981, p. 38.

⁽¹³⁾ OJ L 238, 6.9.1984, p. 34.

⁽¹⁴⁾ OJ L 130, 16.5.1986, p. 53.

⁽¹⁵⁾ OJ L 234, 17.9.1993, p. 17.

⁽¹⁶⁾ OJ L 329, 30.12.1993, p. 54.

⁽¹⁷⁾ OJ L 257, 19.9.1998, p. 14.

⁽¹⁸⁾ OJ L 118, 6.5.1999, p. 36.

⁽¹⁹⁾ OJ L 207, 6.8.1999, p. 13.

⁽²⁰⁾ OJ L 174, 13.7.2000, p. 32.

⁽²¹⁾ OJ L 209, 6.8.2002, p. 15.

⁽²²⁾ OJ L 339, 24.12.2003, p. 78.

'1zzzzzb. **32009 R 0124**: Commission Regulation (EC) No 124/2009 of 10 February 2009 setting maximum levels for the presence of coccidiostats or histomonostats in food resulting from the unavoidable carry-over of these substances in non-target feed (OJ L 40, 11.2.2009, p. 7).';

3. the following point shall be inserted after point 31n (Commission Decision 2007/363/EC):

'31o. **32009 R 0152**: Commission Regulation (EC) No 152/2009 of 27 January 2009 laying down the methods of sampling and analysis for the official control of feed (OJ L 54, 26.2.2009, p. 1).'

Article 2

The following point shall be inserted after point 54zzzzb (Commission Regulation (EC) No 1213/2008) in Chapter XII of Annex II to the Agreement:

'54zzzzc. **32009 R 0124**: Commission Regulation (EC) No 124/2009 of 10 February 2009 setting maximum levels for the presence of coccidiostats or histomonostats in food resulting from the unavoidable carry-over of these substances in non-target feed (OJ L 40, 11.2.2009, p. 7).';

Article 3

The texts of Regulations (EC) No 124/2009 and (EC) No 152/2009 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 30 January 2010, 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, 29 January 2010.

For the EEA Joint Committee

The President

Alan SEATTER

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 3/2010

of 29 January 2010

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 123/2009 of 4 December 2009 ⁽¹⁾.
- (2) Commission Directive 2009/74/EC of 26 June 2009 amending Council Directives 66/401/EEC, 66/402/EEC, 2002/55/EC and 2002/57/EC as regards the botanical names of plants, the scientific names of other organisms and certain Annexes to Directives 66/401/EEC, 66/402/EEC and 2002/57/EC in the light of developments of scientific and technical knowledge ⁽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 points 2 (Council Directive 66/401/EEC), 3 (Council Directive 66/402/EEC), 12

(Council Directive 2002/55/EC) and 13 (Council Directive 2002/57/EC) in Part 1 of Chapter III of Annex I to the Agreement:

‘— **32009 L 0074**: Commission Directive 2009/74/EC of 26 June 2009 (OJ L 166, 27.6.2009, p. 40).’

Article 2

The text of Directive 2009/74/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 30 January 2010, 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, 29 January 2010.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 62, 11.3.2010, p. 7.

⁽²⁾ OJ L 166, 27.6.2009, p. 40.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 4/2010

of 29 January 2010

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 127/2009 of 4 December 2009 ⁽¹⁾.
- (2) Directive 2009/54/EC of the European Parliament and of the Council of 18 June 2009 on the exploitation and marketing of natural mineral waters (Recast) ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Decision 2009/163/EC of 26 February 2009 amending Decision 1999/217/EC as regards the register of flavouring substances used in or on foodstuffs ⁽³⁾ is to be incorporated into the Agreement.
- (4) Directive 2009/54/EC repeals Council Directive 80/777/EEC ⁽⁴⁾ which is incorporated into the Agreement and is therefore to be repealed under the Agreement.
- (5) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

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

1. the text of point 26 (Council Directive 80/777/EEC) shall be deleted;

2. the following indent shall be added in point 54v (Commission Decision 1999/217/EC):

— **32009 D 0163**: Commission Decision 2009/163/EC of 26 February 2009 (OJ L 55, 27.2.2009, p. 41).;

3. the following point shall be inserted after point 54zzzzc (Commission Regulation (EC) No 124/2009):

'54zzzzd. **32009 L 0054**: Directive 2009/54/EC of the European Parliament and of the Council of 18 June 2009 on the exploitation and marketing of natural mineral waters (Recast) (OJ L 164, 26.6.2009, p. 45).'

Article 2

The texts of Directive 2009/54/EC and Decision 2009/163/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 30 January 2010, 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, 29 January 2010.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 62, 11.3.2010, p. 14.

⁽²⁾ OJ L 164, 26.6.2009, p. 45.

⁽³⁾ OJ L 55, 27.2.2009, p. 41.

⁽⁴⁾ OJ L 229, 30.8.1980, p. 1.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 5/2010

of 29 January 2010

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 129/2009 of 4 December 2009 ⁽¹⁾.
- (2) Commission Directive 2009/135/EC of 3 November 2009 allowing temporary derogations to certain eligibility criteria for whole blood and blood components donors laid down in Annex III to Directive 2004/33/EC in the context of a risk of shortage caused by the influenza A(H1N1) pandemic ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 15zj (Commission Regulation (EC) No 658/2007) of Chapter XIII of Annex II to the Agreement:

'15zk. **32009 L 0135**: Commission Directive 2009/135/EC of 3 November 2009 allowing temporary derogations to certain eligibility criteria for whole blood and

blood components donors laid down in Annex III to Directive 2004/33/EC in the context of a risk of shortage caused by the influenza A(H1N1) pandemic (OJ L 288, 4.11.2009, p. 7).'

Article 2

The text of Directive 2009/135/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 30 January 2010, 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, 29 January 2010.

*For the EEA Joint Committee**The President*

Alan SEATTER

⁽¹⁾ OJ L 62, 11.3.2010, p. 18.

⁽²⁾ OJ L 288, 4.11.2009, p. 7.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 6/2010

of 29 January 2010

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 137/2009 of 4 December 2009 ⁽¹⁾.
- (2) Commission Directive 2008/75/EC of 24 July 2008 amending Directive 98/8/EC of the European Parliament and of the Council to include carbon dioxide as an active substance in Annex I thereto ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Directive 2008/77/EC of 25 July 2008 amending Directive 98/8/EC of the European Parliament and of the Council to include thiamethoxam as an active substance in Annex I thereto ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Directive 2008/78/EC of 25 July 2008 amending Directive 98/8/EC of the European Parliament and of the Council to include propiconazole as an active substance in Annex I thereto ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Directive 2008/79/EC of 28 July 2008 amending Directive 98/8/EC of the European Parliament and of the Council to include IPBC as an active substance in Annex I thereto ⁽⁵⁾ is to be incorporated into the Agreement.
- (6) Commission Directive 2008/80/EC of 28 July 2008 amending Directive 98/8/EC of the European Parliament and of the Council to include cyclohexylhydroxydiazene

1-oxide, potassium salt (K-HDO) as an active substance in Annex I thereto ⁽⁶⁾ is to be incorporated into the Agreement.

- (7) Commission Directive 2008/81/EC of 29 July 2008 amending Directive 98/8/EC of the European Parliament and of the Council to include difenacoum as an active substance in Annex I thereto ⁽⁷⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indents shall be added in point 12n (Directive 98/8/EC of the European Parliament and of the Council) of Chapter XV of Annex II to the Agreement:

- **32008 L 0075:** Commission Directive 2008/75/EC of 24 July 2008 (OJ L 197, 25.7.2008, p. 54),
- **32008 L 0077:** Commission Directive 2008/77/EC of 25 July 2008 (OJ L 198, 26.7.2008, p. 41),
- **32008 L 0078:** Commission Directive 2008/78/EC of 25 July 2008 (OJ L 198, 26.7.2008, p. 44),
- **32008 L 0079:** Commission Directive 2008/79/EC of 28 July 2008 (OJ L 200, 29.7.2008, p. 12),
- **32008 L 0080:** Commission Directive 2008/80/EC of 28 July 2008 (OJ L 200, 29.7.2008, p. 15),
- **32008 L 0081:** Commission Directive 2008/81/EC of 29 July 2008 (OJ L 201, 30.7.2008, p. 46).'

Article 2

The texts of Directives 2008/75/EC, 2008/77/EC, 2008/78/EC, 2008/79/EC, 2008/80/EC and 2008/81/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.

⁽¹⁾ OJ L 62, 11.3.2010, p. 30.

⁽²⁾ OJ L 197, 25.7.2008, p. 54.

⁽³⁾ OJ L 198, 26.7.2008, p. 41.

⁽⁴⁾ OJ L 198, 26.7.2008, p. 44.

⁽⁵⁾ OJ L 200, 29.7.2008, p. 12.

⁽⁶⁾ OJ L 200, 29.7.2008, p. 15.

⁽⁷⁾ OJ L 201, 30.7.2008, p. 46.

Article 3

This Decision shall enter into force on 30 January 2010, 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, 29 January 2010.

For the EEA Joint Committee

The President

Alan SEATTER

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 7/2010

of 29 January 2010

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

HAS DECIDED AS FOLLOWS:

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,

Article 1

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

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 137/2009 of 4 December 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 506/2007 of 8 May 2007 imposing testing and information requirements on the importers or manufacturers of certain priority substances in accordance with Council Regulation (EEC) No 793/93 on the evaluation and control of the risks of existing substances ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 465/2008 of 28 May 2008 imposing, pursuant to Council Regulation (EEC) No 793/93, testing and information requirements on importers and manufacturers of certain substances that may be persistent, bioaccumulating and toxic and are listed in the European Inventory of Existing Commercial Chemical Substances ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Regulation (EC) No 466/2008 of 28 May 2008 imposing testing and information requirements on the importers and manufacturers of certain priority substances in accordance with Council Regulation (EEC) No 793/93 on the evaluation and control of the risks of existing substances ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Directive 2008/103/EC of the European Parliament and of the Council of 19 November 2008 amending Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators as regards placing batteries and accumulators on the market ⁽⁵⁾ is to be incorporated into the Agreement,

1. the following shall be added in point 12x (Directive 2006/66/EC of the European Parliament and of the Council):

‘, as amended by:

- **32008 L 0103**: Directive 2008/103/EC of the European Parliament and of the Council of 19 November 2008 (OJ L 327, 5.12.2008, p. 7).’

2. the following points shall be inserted after point 12zk (Commission Decision 2008/681/EC):

‘12zl. **32007 R 0506**: Commission Regulation (EC) No 506/2007 of 8 May 2007 imposing testing and information requirements on the importers or manufacturers of certain priority substances in accordance with Council Regulation (EEC) No 793/93 on the evaluation and control of the risks of existing substances (OJ L 119, 9.5.2007, p. 24).

12zm. **32008 R 0465**: Commission Regulation (EC) No 465/2008 of 28 May 2008 imposing, pursuant to Council Regulation (EEC) No 793/93, testing and information requirements on importers and manufacturers of certain substances that may be persistent, bioaccumulating and toxic and are listed in the European Inventory of Existing Commercial Chemical Substances (OJ L 139, 29.5.2008, p. 8).

12zn. **32008 R 0466**: Commission Regulation (EC) No 466/2008 of 28 May 2008 imposing testing and information requirements on the importers and manufacturers of certain priority substances in accordance with Council Regulation (EEC) No 793/93 on the evaluation and control of the risks of existing substances (OJ L 139, 29.5.2008, p. 10).’

⁽¹⁾ OJ L 62, 11.3.2010, p. 30.

⁽²⁾ OJ L 119, 9.5.2007, p. 24.

⁽³⁾ OJ L 139, 29.5.2008, p. 8.

⁽⁴⁾ OJ L 139, 29.5.2008, p. 10.

⁽⁵⁾ OJ L 327, 5.12.2008, p. 7.

Article 2

The texts of Regulations (EC) No 506/2007, (EC) No 465/2008 and (EC) No 466/2008 and Directive 2008/103/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 30 January 2010, 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, 29 January 2010.

For the EEA Joint Committee

The President

Alan SEATTER

(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 8/2010

of 29 January 2010

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

HAS DECIDED AS FOLLOWS:

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 137/2009 of 4 December 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 134/2009 of 16 February 2009 amending Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards Annex XI ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Decision 2009/63/EC of 20 November 2008 defining a format for the submission of the information by Member States in accordance with Article 7(4)(b)(iii) of the Regulation (EC) No 850/2004 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Decision 2009/321/EC of 8 April 2009 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 ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Decision 2009/322/EC of 8 April 2009 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 ⁽⁵⁾ is to be incorporated into the Agreement.
- (6) Commission Decision 2009/324/EC of 14 April 2009 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 ⁽⁶⁾ is to be incorporated into the Agreement,

Article 1

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

1. the following indent shall be added in point 12zc (Regulation (EC) No 1907/2006 of the European Parliament and of the Council):

‘— **32009 R 0134**: Commission Regulation (EC) No 134/2009 of 16 February 2009 (OJ L 46, 17.2.2009, p. 3).’
2. the following points shall be inserted after point 12zn (Commission Regulation (EC) No 466/2008):

‘12zo. **32009 D 0063**: Commission Decision 2009/63/EC of 20 November 2008 defining a format for the submission of the information by Member States in accordance with Article 7(4)(b)(iii) of the Regulation (EC) No 850/2004 of the European Parliament and of the Council (OJ L 23, 27.1.2009, p. 30).

12zp. **32009 D 0321**: Commission Decision 2009/321/EC of 8 April 2009 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 95, 9.4.2009, p. 42).

12zq. **32009 D 0322**: Commission Decision 2009/322/EC of 8 April 2009 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 95, 9.4.2009, p. 44).

12zr. **32009 D 0324**: Commission Decision 2009/324/EC of 14 April 2009 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 96, 15.4.2009, p. 37).’

Article 2

The texts of Regulation (EC) No 134/2009 and Decisions 2009/63/EC, 2009/321/EC, 2009/322/EC and 2009/324/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 62, 11.3.2010, p. 30.

⁽²⁾ OJ L 46, 17.2.2009, p. 3.

⁽³⁾ OJ L 23, 27.1.2009, p. 30.

⁽⁴⁾ OJ L 95, 9.4.2009, p. 42.

⁽⁵⁾ OJ L 95, 9.4.2009, p. 44.

⁽⁶⁾ OJ L 96, 15.4.2009, p. 37.

Article 3

This Decision shall enter into force on 30 January 2010, 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, 29 January 2010.

For the EEA Joint Committee

The President

Alan SEATTER

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 9/2010

of 29 January 2010

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 79/2009 of 3 July 2009 ⁽¹⁾.
- (2) Commission Directive 2009/36/EC of 16 April 2009 amending Council Directive 76/768/EEC, concerning cosmetic products, for the purpose of adapting Annex III thereto to technical progress ⁽²⁾, as corrected by OJ L 103, 23.4.2009, p. 30, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 1 (Council Directive 76/768/EEC) of Chapter XVI of Annex II to the Agreement:

- **32009 L 0036:** Commission Directive 2009/36/EC of 16 April 2009 (OJ L 98, 17.4.2009, p. 31), as corrected by OJ L 103, 23.4.2009, p. 30.'

Article 2

The text of Directive 2009/36/EC, as corrected by OJ L 103, 23.4.2009, p. 30, in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 30 January 2010, 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, 29 January 2010.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 277, 22.10.2009, p. 29.

⁽²⁾ OJ L 98, 17.4.2009, p. 31.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 10/2010

of 29 January 2010

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 141/2009 of 4 December 2009 ⁽¹⁾.
- (2) Commission Decision 2008/961/EC of 12 December 2008 on the use by third countries' issuers of securities of certain third country's national accounting standards and International Financial Reporting Standards to prepare their consolidated financial statements ⁽²⁾ is to be incorporated into the Agreement.
- (3) Decision 2008/961/EC repeals Commission Decision 2006/891/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 23c (Commission Decision 2006/891/EC) of Annex IX to the Agreement shall be replaced by the following:

'32008 D 0961: Commission Decision 2008/961/EC of 12 December 2008 on the use by third countries' issuers

of securities of certain third country's national accounting standards and International Financial Reporting Standards to prepare their consolidated financial statements (OJ L 340, 19.12.2008, p. 112).'

Article 2

The text of Decision 2008/961/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 30 January 2010, 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, 29 January 2010.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 62, 11.3.2010, p. 35.

⁽²⁾ OJ L 340, 19.12.2008, p. 112.

⁽³⁾ OJ L 343, 8.12.2006, p. 96.

(*) Constitutional requirements indicated.

Joint Declaration by the Contracting Parties to Decision No 10/2010 incorporating Commission Decision 2008/961/EC into the Agreement

'Commission Decision 2008/961/EC of 12 December 2008 on the use by third countries' issuers of securities of certain third country's national accounting standards and International Financial Reporting Standards to prepare their consolidated financial statements considers certain third country Generally Accepted Accounting Principles as equivalent to the EEA standards and grants third country issuers the right to prepare their annual consolidated financial statements and half-yearly consolidated financial statements in accordance with the Generally Accepted Accounting Principles of the People's Republic of China or Canada, the Republic of Korea or the Republic of India. The incorporation of this Decision is without prejudice to the scope of the EEA Agreement as regards third country relations.'

DECISION OF THE EEA JOINT COMMITTEE

No 11/2010

of 29 January 2010

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 145/2009 of 4 December 2009 ⁽¹⁾.
- (2) Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community ⁽²⁾ is to be incorporated into the Agreement.
- (3) Directive 2008/57/EC repeals, with effect from 19 July 2010, Council Directive 96/48/EC ⁽³⁾ and Directive 2001/16/EC of the European Parliament and of the Council ⁽⁴⁾, which are incorporated into the Agreement and which are consequently to be repealed under the Agreement with effect from 19 July 2010,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XIII to the Agreement shall be amended as follows:

1. the current point 37d (Directive 2001/16/EC of the European Parliament and of the Council) shall be renumbered as point 37ca;
2. the following point shall be inserted after the new point 37ca (Directive 2001/16/EC of the European Parliament and of the Council):

'37d. **32008 L 0057**: Directive 2008/57/EC of the European Parliament and of the Council of 17 June

2008 on the interoperability of the rail system within the Community (OJ L 191, 18.7.2008, p. 1).';

3. the following shall be added in point 42e (Directive 2004/49/EC of the European Parliament and of the Council):

'as amended by:

— **32008 L 0057**: Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 (OJ L 191, 18.7.2008, p. 1).';

4. the text of points 37a (Council Directive 96/48/EC) and 37ca (Directive 2001/16/EC of the European Parliament and of the Council) shall be deleted with effect from 19 July 2010.

Article 2

The text of Directive 2008/57/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 30 January 2010, 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, 29 January 2010.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 62, 11.3.2010, p. 42.⁽²⁾ OJ L 191, 18.7.2008, p. 1.⁽³⁾ OJ L 235, 17.9.1996, p. 6.⁽⁴⁾ OJ L 110, 20.4.2001, p. 1.

(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 12/2010
of 29 January 2010
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 145/2009 of 4 December 2009 ⁽¹⁾.
- (2) Commission Decision 2009/460/EC of 5 June 2009 on the adoption of a common safety method for assessment of achievement of safety targets, as referred to in Article 6 of Directive 2004/49/EC of the European Parliament and of the Council ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Decision 2009/561/EC of 22 July 2009 amending Decision 2006/679/EC as regards the implementation of the technical specification for interoperability relating to the control-command and signalling subsystem of the trans-European conventional rail system ⁽³⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XIII to the Agreement shall be amended as follows:

1. The following point shall be inserted after point 42ea (Commission Regulation (EC) No 653/2007):

'42eb. **32009 D 0460**: Commission Decision 2009/460/EC of 5 June 2009 on the adoption of a common safety method for assessment of achievement of safety

targets, as referred to in Article 6 of Directive 2004/49/EC of the European Parliament and of the Council (OJ L 150, 13.6.2009, p. 11).'

2. The following indent shall be added in point 37i (Commission Decision 2006/679/EC):

'— **32009 D 0561**: Commission Decision 2009/561/EC of 22 July 2009 (OJ L 194, 25.7.2009, p. 60).'

Article 2

The texts of Decisions 2009/460/EC and 2009/561/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 30 January 2010, 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 11/2010 of 29 January 2010 ⁽⁴⁾, 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, 29 January 2010.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 62, 11.3.2010, p. 42.

⁽²⁾ OJ L 150, 13.6.2009, p. 11.

⁽³⁾ OJ L 194, 25.7.2009, p. 60.

(*) No constitutional requirements indicated.

⁽⁴⁾ See page 22 of this Official Journal.

DECISION OF THE EEA JOINT COMMITTEE

No 13/2010

of 29 January 2010

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 145/2009 of 4 December 2009 ⁽¹⁾.
- (2) Directive 2009/45/EC of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships ⁽²⁾ is to be incorporated into the Agreement.
- (3) Directive 2009/45/EC repeals Council Directive 98/18/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 56f (Council Directive 98/18/EC) of Annex XIII to the Agreement shall be replaced by the following:

'**32009 L 0045**: Directive 2009/45/EC of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships (OJ L 163, 25.6.2009, p. 1).'

Article 2

The text of Directive 2009/45/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 30 January 2010, 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, 29 January 2010.

*For the EEA Joint Committee**The President*

Alan SEATTER

⁽¹⁾ OJ L 62, 11.3.2010, p. 42.

⁽²⁾ OJ L 163, 25.6.2009, p. 1.

⁽³⁾ OJ L 144, 15.5.1998, p. 1.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 14/2010

of 29 January 2010

amending Annex XVI (Procurement) 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 XVI to the Agreement was amended by Decision of the EEA Joint Committee No 53/2008 of 25 April 2008 ⁽¹⁾.
- (2) Commission Regulation (EC) No 213/2008 of 28 November 2007 amending Regulation (EC) No 2195/2002 of the European Parliament and of the Council on the Common Procurement Vocabulary (CPV) and Directives 2004/17/EC and 2004/18/EC of the European Parliament and of the Council on public procurement procedures, as regards the revision of the CPV ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in points 2 (Directive 2004/18/EC of the European Parliament and of the Council), 4 (Directive 2004/17/EC of the European Parliament and of the

Council) and 6a (Regulation (EC) No 2195/2002 of the European Parliament and of the Council) of Annex XVI to the Agreement:

— **32008 R 0213**: Commission Regulation (EC) No 213/2008 of 28 November 2007 (OJ L 74, 15.3.2008, p. 1).'

Article 2

The text of Regulation (EC) No 213/2008 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 30 January 2010, 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, 29 January 2010.

*For the EEA Joint Committee**The President*

Alan SEATTER

⁽¹⁾ OJ L 223, 21.8.2008, p. 51.

⁽²⁾ OJ L 74, 15.3.2008, p. 1.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 15/2010

of 29 January 2010

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 158/2009 of 4 December 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 824/2009 of 9 September 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 Accounting Standard (IAS) 39 and International Financial Reporting Standard (IFRS) 7 ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 839/2009 of 15 September 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 Accounting Standard (IAS) 39 ⁽³⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

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

— **32009 R 0824**: Commission Regulation (EC) No 824/2009 of 9 September 2009 (OJ L 239, 10.9.2009, p. 48),

— **32009 R 0839**: Commission Regulation (EC) No 839/2009 of 15 September 2009 (OJ L 244, 16.9.2009, p. 6).'

Article 2

The texts of Regulations (EC) No 824/2009 and (EC) No 839/2009 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 30 January 2010, 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, 29 January 2010.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 62, 11.3.2010, p. 64.

⁽²⁾ OJ L 239, 10.9.2009, p. 48.

⁽³⁾ OJ L 244, 16.9.2009, p. 6.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 16/2010

of 29 January 2010

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 91/2009 of 3 July 2009 ⁽¹⁾.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Council Recommendation 2008/C 319/03 of 20 November 2008 on the mobility of young volunteers across the European Union ⁽²⁾,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in paragraph 8 of Article 4 of Protocol 31 to the Agreement:

— **32008 H 1213**: Council Recommendation 2008/C 319/03 of 20 November 2008 on the mobility of young volunteers across the European Union (OJ C 319, 13.12.2008, p. 8).'

Article 2

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

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 29 January 2010.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 277, 22.10.2009, p. 15.

⁽²⁾ OJ C 319, 13.12.2008, p. 8.

(*) No constitutional requirements indicated.

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