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IV

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EUROPEAN ECONOMIC AREA

THE EEA JOINT COMMITTEE

DECISION OF THE EEA JOINT COMMITTEE

No 132/2007

of 26 October 2007

amending certain Annexes and Protocols 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) Article 128 of the Agreement stipulates that any European State becoming a member of the Community shall apply to become a Party to the Agreement, and that the terms and conditions for such participation shall be subject to an agreement between the Contracting Parties and the applicant State.
- (2) Following successful conclusion of the Community enlargement negotiations, the Republic of Bulgaria and Romania (New Contracting Parties) submitted applications to become parties to the Agreement.
- (3) The Agreement on the participation of the Republic of Bulgaria and Romania in the European Economic Area (EEA Enlargement Agreement) was signed on 25 July 2007 in Brussels.
- (4) Pursuant to Article 1(2) of the EEA Enlargement Agreement, the provisions of the Agreement, as amended by the Decisions of the EEA Joint Committee adopted before 1 October 2004, shall, as from the entry into force of the EEA Enlargement Agreement, be binding on the New Contracting Parties under the same conditions as on the Present Contracting Parties, as defined in the EEA Enlargement Agreement, and under the terms and conditions laid down in the EEA Enlargement Agreement.
- (5) Since 1 October 2004, a number of EC acts have been incorporated into the Agreement through Decisions of the EEA Joint Committee.
- (6) In order to guarantee the homogeneity of the Agreement and the legal security for individuals and economic operators, these EC acts shall be binding upon the New Contracting Parties as of the entry into force of the EEA Enlargement Agreement.
- (7) Pursuant to Article 3(6) of the EEA Enlargement Agreement, where adaptations to EC acts incorporated into the Agreement prior to the date of entry into force of the EEA Enlargement Agreement are required by reason of the New Contracting Parties' participation in the European Economic Area, and those adaptations have not been provided for in the EEA Enlargement Agreement, those adaptations will be addressed in accordance with the procedures laid down in the Agreement.

- (8) Pursuant to Article 4(3) of the EEA Enlargement Agreement, any of the arrangements of relevance for the Agreement referred to in or adopted on the basis of the Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the Treaties on which the European Union is founded ⁽¹⁾ (Act of Accession of 25 April 2005) which is not in the EEA Enlargement Agreement, will be addressed in accordance with the procedures laid down in the Agreement.
- (9) Pursuant to Protocol 44 to the Agreement on safeguard mechanisms pursuant to enlargements of the European Economic Area, the general decision-making procedure provided for by the Agreement shall be applicable to decisions taken by the Commission of the European Communities in application of Article 37 of the Act of Accession of 25 April 2005.
- (10) To this end, certain Protocols and Annexes to the Agreement need to be amended.
- (11) The amendments to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽²⁾ provided for by the Act of Accession of 25 April 2005 are to be made part of the Agreement.
- (12) Commission Regulation (EC) No 1792/2006 of 23 October 2006 adapting certain regulations and decisions in the fields of free movement of goods, freedom of movement of persons, competition policy, agriculture (veterinary and phytosanitary legislation), fisheries, transport policy, taxation, statistics, social policy and employment, environment, customs union, and external relations by reason of the accession of Bulgaria and Romania ⁽³⁾ is to be incorporated into the Agreement.
- (13) Council Regulation (EC) No 1791/2006 of 20 November 2006 adapting certain Regulations and Decisions in the fields of free movement of goods, freedom of movement of persons, company law, competition policy, agriculture (including veterinary and phytosanitary legislation), transport policy, taxation, statistics, energy, environment, cooperation in the fields of justice and home affairs, customs union, external relations, common foreign and security policy and institutions, by reason of the accession of Bulgaria and Romania ⁽⁴⁾ is to be incorporated into the Agreement.
- (14) Commission Regulation (EC) No 2016/2006 of 19 December 2006 adapting several regulations concerning the common organisation of the market in wine by reason of the accession of Bulgaria and Romania to the European Union ⁽⁵⁾ is to be incorporated into the Agreement.
- (15) Commission Regulation (EC) No 1962/2006 of 21 December 2006 in application of Article 37 of the Act of Accession of Bulgaria to the European Union ⁽⁶⁾, as corrected by OJ L 47, 16.2.2007, p. 8, is to be incorporated into the Agreement.
- (16) Commission Directive 2006/80/EC of 23 October 2006 adapting certain directives in the field of energy, by reason of the accession of Bulgaria and Romania ⁽⁷⁾ is to be incorporated into the Agreement.
- (17) Commission Directive 2006/81/EC of 23 October 2006 adapting Directive 95/17/EC as regards the non-inclusion of one or more ingredients on the list used for the labelling of cosmetic products and Directive 2005/78/EC as regards the measures to be taken against the emission of gaseous and particulate pollutants from engines for use in vehicles, by reason of the accession of Bulgaria and Romania ⁽⁸⁾ is to be incorporated into the Agreement.

⁽¹⁾ OJ L 157, 21.6.2005, p. 203.

⁽²⁾ OJ L 179, 14.7.1999, p. 1.

⁽³⁾ OJ L 362, 20.12.2006, p. 1.

⁽⁴⁾ OJ L 363, 20.12.2006, p. 1.

⁽⁵⁾ OJ L 384, 29.12.2006, p. 38.

⁽⁶⁾ OJ L 408, 30.12.2006, p. 8.

⁽⁷⁾ OJ L 362, 20.12.2006, p. 67.

⁽⁸⁾ OJ L 362, 20.12.2006, p. 92.

- (18) Commission Directive 2006/82/EC of 23 October 2006 adapting Directive 91/321/EEC on infant formulae and follow-on formulae and Directive 1999/21/EC on dietary foods for special medical purposes, by reason of the accession of Bulgaria and Romania ⁽¹⁾ is to be incorporated into the Agreement.
- (19) Commission Directive 2006/83/EC of 23 October 2006 adapting Directive 2002/4/EC on the registration of establishments keeping laying hens, covered by Council Directive 1999/74/EC, by reason of the accession of Bulgaria and Romania ⁽²⁾ is to be incorporated into the Agreement.
- (20) Council Directive 2006/96/EC of 20 November 2006 adapting certain Directives in the field of free movement of goods, by reason of the accession of Bulgaria and Romania ⁽³⁾ is to be incorporated into the Agreement.
- (21) Council Directive 2006/97/EC of 20 November 2006 adapting certain Directives in the field of free movement of goods, by reason of the accession of Bulgaria and Romania ⁽⁴⁾ is to be incorporated into the Agreement.
- (22) Council Directive 2006/99/EC of 20 November 2006 adapting certain Directives in the field of company law, by reason of the accession of Bulgaria and Romania ⁽⁵⁾ is to be incorporated into the Agreement.
- (23) Council Directive 2006/100/EC of 20 November 2006 adapting certain Directives in the field of free movement of persons, by reason of the accession of Bulgaria and Romania ⁽⁶⁾ is to be incorporated into the Agreement.
- (24) Council Directive 2006/101/EC of 20 November 2006 adapting Directives 73/239/EEC, 74/557/EEC and 2002/83/EC in the field of freedom to provide services, by reason of the accession of Bulgaria and Romania ⁽⁷⁾ is to be incorporated into the Agreement.
- (25) Council Directive 2006/102/EC of 20 November 2006 adapting Directive 67/548/EEC on the classification, packaging and labelling of dangerous substances, by reason of the accession of Bulgaria and Romania ⁽⁸⁾ is to be incorporated into the Agreement.
- (26) Council Directive 2006/103/EC of 20 November 2006 adapting certain Directives in the field of transport policy, by reason of the accession of Bulgaria and Romania ⁽⁹⁾ is to be incorporated into the Agreement.
- (27) Council Directive 2006/104/EC of 20 November 2006 adapting certain Directives in the field of agriculture (veterinary and phytosanitary legislation), by reason of the accession of Bulgaria and Romania ⁽¹⁰⁾ is to be incorporated into the Agreement.
- (28) Council Directive 2006/105/EC of 20 November 2006 adapting Directives 73/239/EC, 74/557/EEC and 2002/83/EC in the field of environment, by reason of the accession of Bulgaria and Romania ⁽¹¹⁾ is to be incorporated into the Agreement.
- (29) Council Directive 2006/107/EC of 20 November 2006 adapting Directive 89/108/EEC relating to quick-frozen foodstuffs for human consumption and Directive 2000/13/EC of the European Parliament and of the Council relating to the labelling, presentation and advertising of foodstuffs, by reason of the accession of Bulgaria and Romania ⁽¹²⁾ is to be incorporated into the Agreement.

⁽¹⁾ OJ L 362, 20.12.2006, p. 94.

⁽²⁾ OJ L 362, 20.12.2006, p. 97.

⁽³⁾ OJ L 363, 20.12.2006, p. 81.

⁽⁴⁾ OJ L 363, 20.12.2006, p. 107.

⁽⁵⁾ OJ L 363, 20.12.2006, p. 137.

⁽⁶⁾ OJ L 363, 20.12.2006, p. 141.

⁽⁷⁾ OJ L 363, 20.12.2006, p. 238.

⁽⁸⁾ OJ L 363, 20.12.2006, p. 241.

⁽⁹⁾ OJ L 363, 20.12.2006, p. 344.

⁽¹⁰⁾ OJ L 363, 20.12.2006, p. 352.

⁽¹¹⁾ OJ L 363, 20.12.2006, p. 368.

⁽¹²⁾ OJ L 363, 20.12.2006, p. 411.

- (30) Council Directive 2006/108/EC of 20 November 2006 adapting Directives 90/377/EEC and 2001/77/EC in the field of energy, by reason of the accession of Bulgaria and Romania ⁽¹⁾ is to be incorporated into the Agreement.
- (31) Council Directive 2006/109/EC of 20 November 2006 adapting Directive 94/45/EC on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees, by reason of the accession of Bulgaria and Romania ⁽²⁾ is to be incorporated into the Agreement.
- (32) Council Directive 2006/110/EC of 20 November 2006 adapting Directives 95/57/EC and 2001/109/EC in the field of statistics, by reason of the accession of Bulgaria and Romania ⁽³⁾ is to be incorporated into the Agreement.
- (33) Commission Decision 2006/800/EC of 23 November 2006 approving the plans for the eradication of classical swine fever in feral pigs and the emergency vaccination of those pigs against that disease in Bulgaria ⁽⁴⁾ is to be incorporated into the Agreement.
- (34) Commission Decision 2006/802/EC of 23 November 2006 approving the plans for the eradication of classical swine fever in feral pigs and the emergency vaccination of those pigs and of pigs in holdings against that disease in Romania ⁽⁵⁾ is to be incorporated into the Agreement.
- (35) Commission Decision 2006/924/EC of 13 December 2006 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 ⁽⁶⁾ is to be incorporated into the Agreement.
- (36) Commission Decision 2006/926/EC of 13 December 2006 amending Decision 2001/881/EC as regards the list of border inspection posts in view of the accession of Bulgaria and Romania ⁽⁷⁾ is to be incorporated into the Agreement.
- (37) Commission Decision 2007/13/EC of 22 December 2006 adapting Decision 2002/459/EC as regards the additions to be made to the list of units in the Traces computer network as a result of the accession of Bulgaria and Romania ⁽⁸⁾ is to be incorporated into the Agreement.
- (38) Commission Decision 2007/16/EC of 22 December 2006 laying down transitional measures for intra-Community trade in semen, ova and embryos of the bovine, porcine, ovine, caprine and equine species obtained in Bulgaria and Romania ⁽⁹⁾ is to be incorporated into the Agreement.
- (39) Commission Decision 2007/17/EC of 22 December 2006 approving plans for the approval of establishments for the purposes of intra-Community trade in poultry and hatching eggs pursuant to Council Directive 90/539/EEC ⁽¹⁰⁾ is to be incorporated into the Agreement.
- (40) Commission Decision 2007/18/EC of 22 December 2006 approving contingency plans for the control of foot-and-mouth disease pursuant to Council Directive 2003/85/EC ⁽¹¹⁾ is to be incorporated into the Agreement.

⁽¹⁾ OJ L 363, 20.12.2006, p. 414.

⁽²⁾ OJ L 363, 20.12.2006, p. 416.

⁽³⁾ OJ L 363, 20.12.2006, p. 418.

⁽⁴⁾ OJ L 325, 24.11.2006, p. 35.

⁽⁵⁾ OJ L 329, 25.11.2006, p. 34.

⁽⁶⁾ OJ L 354, 14.12.2006, p. 48.

⁽⁷⁾ OJ L 354, 14.12.2006, p. 52.

⁽⁸⁾ OJ L 7, 12.1.2007, p. 23.

⁽⁹⁾ OJ L 7, 12.1.2007, p. 31.

⁽¹⁰⁾ OJ L 7, 12.1.2007, p. 33.

⁽¹¹⁾ OJ L 7, 12.1.2007, p. 36.

- (41) Commission Decision 2007/19/EC of 22 December 2006 approving contingency plans for the control of classical swine fever pursuant to Council Directive 2001/89/EC ⁽¹⁾ is to be incorporated into the Agreement.
- (42) Commission Decision 2007/24/EC of 22 December 2006 approving contingency plans for the control of avian influenza and Newcastle disease ⁽²⁾ is to be incorporated into the Agreement.
- (43) Commission Decision 2007/69/EC of 18 December 2006 authorising Romania to postpone the application of certain provisions of Council Directive 2002/53/EC with regard to the marketing of seed of certain varieties of agricultural plant species ⁽³⁾ is to be incorporated into the Agreement.
- (44) Commission Decision 2007/136/EC of 23 February 2007 laying down transitional measures for the system for the identification and registration of ovine and caprine animals in Bulgaria, as provided for in Council Regulation (EC) No 21/2004 ⁽⁴⁾ is to be incorporated into the Agreement.
- (45) Commission Decision 2007/228/EC of 11 April 2007 laying down transitional measures for the system for the identification and registration of ovine and caprine animals in Romania provided for in Council Regulation (EC) No 21/2004 ⁽⁵⁾ is to be incorporated into the Agreement.
- (46) Commission Decision 2007/329/EC of 2 May 2007 laying down transitional measures derogating from Council Directive 2002/53/EC as regards the marketing of seed of *Helianthus annuus* of varieties which have not been assessed as resistant to *Orobanche* spp., by reason of the accession of Bulgaria ⁽⁶⁾ is to be incorporated into the Agreement.
- (47) As the Agreement extends the internal market to the EFTA States, it is necessary for the good functioning of the internal market that this decision will apply and enter into force without undue delay.
- (48) As the EEA Enlargement Agreement has not yet entered into force, but is applicable on a provisional basis, this Decision will, pending the entry into force of the EEA Enlargement Agreement, apply provisionally as well,

HAS DECIDED AS FOLLOWS:

Article 1

All Decisions of the EEA Joint Committee adopted after 1 October 2004, are hereby declared binding upon the New Contracting Parties.

Article 2

The texts of the Decisions of the EEA Joint Committee referred to in Article 1 shall be drawn up and authenticated by the Contracting Parties in the Bulgarian and Romanian languages.

Article 3

The following indent shall be added in point 2 (Council Regulation (EC) No 1493/1999) of Appendix 1 to Protocol 47 on the abolition of technical barriers to trade in wine:

‘— **1 2005 SA:** Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the Treaties on which the European Union is founded adopted on 25 April 2005 (OJ L 157, 21.6.2005, p. 203).’

⁽¹⁾ OJ L 7, 12.1.2007, p. 38.

⁽²⁾ OJ L 8, 13.1.2007, p. 26.

⁽³⁾ OJ L 32, 6.2.2007, p. 167.

⁽⁴⁾ OJ L 57, 24.2.2007, p. 23.

⁽⁵⁾ OJ L 98, 13.4.2007, p. 27.

⁽⁶⁾ OJ L 122, 11.5.2007, p. 59.

Article 4

1. The following indent shall be introduced in the points of the Annexes and Protocol to the Agreement listed in Annex I to this Decision:

‘— **32006 R 1792**: Commission Regulation (EC) No 1792/2006 of 23 October 2006 (OJ L 362, 20.12.2006, p. 1).’

2. The following indent shall be introduced in the points of the Annexes and Protocols to the Agreement listed in Annex II to this Decision:

‘— **32006 R 1791**: Council Regulation (EC) No 1791/2006 of 20 November 2006 (OJ L 363, 20.12.2006, p. 1).’

3. The following indent shall be introduced in the point of the Protocol to the Agreement mentioned in Annex III to this Decision:

‘— **32006 R 2016**: Commission Regulation (EC) No 2016/2006 of 19 December 2006 (OJ L 384, 29.12.2006, p. 38).’

4. If an indent referred to in the previous paragraphs is the first indent in the point in question, it shall be preceded by the words ‘, as amended by:’.

5. Other adaptations required by reason of the acts incorporated by the previous paragraphs are listed in Part II of the respective Annexes to this Decision.

Article 5

1. The following indent shall be introduced in the points of the Annexes to the Agreement listed in Annex IV to this Decision:

‘— **32006 L 0080**: Commission Directive 2006/80/EC of 23 October 2006 (OJ L 362, 20.12.2006, p. 67).’

2. The following indent shall be introduced in the points of the Annex to the Agreement listed in Annex V to this Decision:

‘— **32006 L 0081**: Commission Directive 2006/81/EC of 23 October 2006 (OJ L 362, 20.12.2006, p. 92).’

3. The following indent shall be introduced in the points of the Annex to the Agreement listed in Annex VI to this Decision:

‘— **32006 L 0082**: Commission Directive 2006/82/EC of 23 October 2006 (OJ L 362, 20.12.2006, p. 94).’

4. The following indent shall be introduced in the point of the Annex to the Agreement mentioned in Annex VII to this Decision:

‘— **32006 L 0083**: Commission Directive 2006/83/EC of 23 October 2006 (OJ L 362, 20.12.2006, p. 97).’

5. The following indent shall be introduced in the points of the Annex to the Agreement listed in Annex VIII to this Decision:

‘— **32006 L 0096**: Council Directive 2006/96/EC of 20 November 2006 (OJ L 363, 20.12.2006, p. 81).’

6. The following indent shall be introduced in the points of the Annex to the Agreement listed in Annex IX to this Decision:

‘— **32006 L 0097**: Council Directive 2006/97/EC of 20 November 2006 (OJ L 363, 20.12.2006, p. 107).’

7. The following indent shall be introduced in the points of the Annex to the Agreement listed in Annex X to this Decision:

‘— **32006 L 0099**: Council Directive 2006/99/EC of 20 November 2006 (OJ L 363, 20.12.2006, p. 137).’

8. The following indent shall be introduced in the points of the Annex to the Agreement listed in Annex XI to this Decision:

‘— **32006 L 0100**: Council Directive 2006/100/EC of 20 November 2006 (OJ L 363, 20.12.2006, p. 141).’

9. The following indent shall be introduced in the points of the Annexes to the Agreement listed in Annex XII to this Decision:

‘— **32006 L 0101**: Council Directive 2006/0101/EC of 20 November 2006 (OJ L 363, 20.12.2006, p. 238).’

10. The following indent shall be introduced in the point of the Annex to the Agreement listed in Annex XIII to this Decision:

‘— **32006 L 0102**: Council Directive 2006/102/EC of 20 November 2006 (OJ L 363, 20.12.2006, p. 241).’

11. The following indent shall be introduced in the points of the Annex to the Agreement listed in Annex XIV to this Decision:

‘— **32006 L 0103**: Council Directive 2006/103/EC of 20 November 2006 (OJ L 363, 20.12.2006, p. 344).’

12. The following indent shall be introduced in the points of the Annexes to the Agreement listed in Annex XV to this Decision:

‘— **32006 L 0104**: Council Directive 2006/104/EC of 20 November 2006 (OJ L 363, 20.12.2006, p. 352).’

13. The following indent shall be introduced in the points of the Annexes to the Agreement listed in Annex XVI to this Decision:

‘— **32006 L 0105**: Council Directive 2006/105/EC of 20 November 2006 (OJ L 363, 20.12.2006, p. 368).’

14. The following indent shall be introduced in the points of the Annex to the Agreement listed in Annex XVII to this Decision:

‘— **32006 L 0107**: Council Directive 2006/107/EC of 20 November 2006 (OJ L 363, 20.12.2006, p. 411).’

15. The following indent shall be introduced in the points of the Annex to the Agreement listed in Annex XVIII to this Decision:

‘— **32006 L 0108**: Council Directive 2006/108/EC of 20 November 2006 (OJ L 363, 20.12.2006, p. 414).’

16. The following indent shall be introduced in the point of the Annex to the Agreement listed in Annex XIX to this Decision:

‘— **32006 L 0109**: Council Directive 2006/109/EC of 20 November 2006 (OJ L 363, 20.12.2006, p. 416).’

17. The following indent shall be introduced in the point of the Annex to the Agreement listed in Annex XX to this Decision:

‘— **32006 L 0110**: Council Directive 2006/110/EC of 20 November 2006 (OJ L 363, 20.12.2006, p. 418).’

18. If the indent referred to in the previous paragraphs is the first indent in the point in question, it shall be preceded by the words ‘, as amended by:’.

19. Other adaptations required by reason of the acts incorporated by the previous paragraphs are listed in Part II of the respective Annexes to this Decision.

Article 6

1. The following indent shall be introduced in the point of the Annex to the Agreement mentioned in Annex XXI to this Decision:

‘— **32006 D 0924**: Commission Decision 2006/924/EC of 13 December 2006 (OJ L 354, 14.12.2006, p. 48).’

2. The following indent shall be introduced in the point of the Annex to the Agreement mentioned in Annex XXII to this Decision:

‘— **32006 D 0926**: Commission Decision 2006/926/EC of 13 December 2006 (OJ L 354, 14.12.2006, p. 52).’

3. The following indent shall be introduced in the point of the Annex to the Agreement mentioned in Annex XXIII to this Decision:

‘— **32007 D 0013**: Commission Decision 2007/13/EC of 22 December 2006 (OJ L 7, 12.1.2007, p. 23).’

Article 7

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

1. The following shall be added in point 7b (Council Regulation (EC) No 21/2004) in Part 1.1:

‘The transitional arrangements set out in the following acts shall apply:

— **32007 D 0136**: Commission Decision 2007/136/EC of 23 February 2007 laying down transitional measures for the system for the identification and registration of ovine and caprine animals in Bulgaria, as provided for in Council Regulation (EC) No 21/2004 (OJ L 57, 24.2.2007, p. 23).

— **32007 D 0228**: Commission Decision 2007/228/EC of 11 April 2007 laying down transitional measures for the system for the identification and registration of ovine and caprine animals in Romania provided for in Council Regulation (EC) No 21/2004 (OJ L 98, 13.4.2007, p. 27).’

2. The following point shall be inserted after point 132 (Commission Decision 2006/968/EC) in Part 1.2:

‘133. **32007 D 0016**: Commission Decision 2007/16/EC of 22 December 2006 laying down transitional measures for intra-Community trade in semen, ova and embryos of the bovine, porcine, ovine, caprine and equine species obtained in Bulgaria and Romania (OJ L 7, 12.1.2007, p. 31).’

3. Under the heading '*ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT*' in Part 3.2, the following points shall be inserted after point 35 (Commission Decision 2007/123/EC):
 - '36. **32006 D 0800**: Commission Decision 2006/800/EC of 23 November 2006 approving the plans for the eradication of classical swine fever in feral pigs and the emergency vaccination of those pigs against that disease in Bulgaria (OJ L 325, 24.11.2006, p. 35).
 37. **32006 D 0802**: Commission Decision 2006/802/EC of 23 November 2006 approving the plans for the eradication of classical swine fever in feral pigs and the emergency vaccination of those pigs and of pigs in holdings against that disease in Romania (OJ L 329, 25.11.2005, p. 34).
 38. **32007 D 0018**: Commission Decision 2007/18/EC of 22 December 2006 approving contingency plans for the control of foot-and-mouth disease pursuant to Council Directive 2003/85/EC (OJ L 7, 12.1.2007, p. 36).
 39. **32007 D 0019**: Commission Decision 2007/19/EC of 22 December 2006 approving contingency plans for the control of classical swine fever pursuant to Council Directive 2001/89/EC (OJ L 7, 12.1.2007, p. 38).
 40. **32007 D 0024**: Commission Decision 2007/24/EC of 22 December 2006 approving contingency plans for the control of avian influenza and Newcastle disease (OJ L 8, 13.1.2007, p. 26).'
4. Under the heading '*ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT*' in Part 4.2, the following point shall be inserted after point 57 (Commission Decision 2004/835/EC):
 - '58. **32007 D 0017**: Commission Decision 2007/17/EC of 22 December 2006 approving plans for the approval of establishments for the purposes of intra-Community trade in poultry and hatching eggs pursuant to Council Directive 90/539/EEC (OJ L 7, 12.1.2007, p. 33).'

Article 8

The following paragraph shall be inserted between the paragraph regarding the transitional arrangements and the adaptation text in Point 10 (Council Directive 2002/53/EC) of Part 1.1 of Chapter III of Annex I to the Agreement:

'The transitional arrangements set out in the following acts shall apply:

- **32007 D 0069**: Commission Decision 2007/69/EC of 18 December 2006 authorising Romania to postpone the application of certain provisions of Council Directive 2002/53/EC with regard to the marketing of seed of certain varieties of agricultural plant species (OJ L 32, 6.2.2007, p. 167).
- **32007 D 0329**: Commission Decision 2007/329/EC of 2 May 2007 laying down transitional measures derogating from Council Directive 2002/53/EC as regards the marketing of seed of *Helianthus annuus* of varieties which have not been assessed as resistant to *Orobanche* spp., by reason of the accession of Bulgaria (OJ L 122, 11.5.2007, p. 59).'

Article 9

The following paragraph shall be inserted before the adaptation text in points 64a (Council Regulation (EEC) No 2408/92) and 66n (Regulation (EC) No 1592/2002 of the European Parliament and of the Council) of Annex XIII to the Agreement:

‘The transitional arrangements set out in the following act shall apply:

- **32006 R 1962:** Commission Regulation (EC) No 1962/2006 of 21 December 2006 in application of Article 37 of the Act of Accession of Bulgaria to the European Union (OJ L 408, 30.12.2006, p. 8, as corrected by OJ L 47, 16.2.2007, p. 8).’

Article 10

The texts of Annex III, Chapter 2, point 6 to the Act of Accession of 25 April 2005 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 11

The texts of Regulations (EC) No 1791/2006, (EC) No 1792/2006, (EC) No 1962/2006 (as corrected by OJ L 47, 16.2.2007, p. 8), and (EC) No 2016/2006, Directives 2006/80/EC, 2006/81/EC, 2006/82/EC, 2006/83/EC, 2006/96/EC, 2006/97/EC, 2006/99/EC, 2006/100/EC, 2006/101/EC, 2006/102/EC, 2006/103/EC, 2006/104/EC, 2006/105/EC, 2006/107/EC, 2006/108/EC, 2006/109/EC and 2006/110/EC and Decisions 2006/800/EC, 2006/802/EC, 2006/924/EC, 2006/926/EC, 2007/13/EC, 2007/16/EC, 2007/17/EC, 2007/18/EC, 2007/19/EC, 2007/24/EC, 2007/69/EC, 2007/136/EC, 2007/228/EC and 2007/329/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 12

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 (*) or on the day of entry into force of the EEA Enlargement Agreement, whichever is the later.

Pending the entry into force of the EEA Enlargement Agreement, it shall apply provisionally from the date of its adoption.

Any constitutional requirements indicated by any Contracting Party concerning any of the Decisions of the EEA Joint Committee referred to in Article 1, will remain unaffected by this Decision.

Article 13

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, 26 October 2007.

For the EEA Joint Committee

The President

Stefán Haukur JÓHANNESSON

(*) Constitutional requirements indicated.

ANNEX I

LIST REFERRED TO IN ARTICLE 4(1) OF THE DECISION

The indent referred to in Article 4(1) shall be inserted in the following locations in the Annexes and Protocols to the Agreement:

in Annex I (Veterinary and phytosanitary matters), Chapter I (Veterinary matters):

- Part 1.2, Point 39 (Commission Decision 2001/881/EC),
- Part 1.2, Point 114 (Commission Decision 2003/630/EC),
- Part 1.2, Point 115 (Commission Regulation (EC) No 136/2004),
- Part 1.2, Point 116 (Commission Decision 2004/253/EC),
- Part 4.2, Point 76 (Commission Decision 2004/233/EC),
- Part 6.2, Point 39 (Commission Decision 98/536/EC),
- Part 7.2, Point 14 (Commission Decision 98/179/EC);

in Annex II (Technical regulations, standards, testing and certification), Chapter XV (Dangerous substances):

- Point 12l (Commission Decision 2000/657/EC);

in Annex XIII (Transport):

- Point 33c (Commission Regulation (EC) No 2121/98),
- Point 49 (Commission Decision No 77/527/EEC);

in Annex XVI (Procurement):

- Point 6c (Commission Regulation (EC) No 1564/2005);

in Annex XXI (Statistics):

- Point 1c (Commission Regulation (EC) No 2702/98),
- Point 1f (Commission Regulation (EC) No 1227/1999),
- Point 1g (Commission Regulation (EC) No 1228/1999),
- Point 1h (Commission Regulation (EC) No 1668/2003),
- Point 4ca (Commission Regulation (EC) No 772/2005),
- Point 7i (Commission Regulation (EC) No 1358/2003),
- Point 23a (Commission Decision 2000/115/EC),
- Point 23b (Commission Regulation (EC) No 2139/2004);

in Protocol 21 on the implementation of competition rules applicable to undertakings:

- Point 4 of Article 3(1) (Commission Regulation (EC) No 773/2004).
-

ANNEX II

PART I

LIST REFERRED TO IN ARTICLE 4(2) OF THE DECISION

The indent referred to in Article 4(2) shall be inserted in the following locations in the Annexes and Protocols to the Agreement:

in Annex I (Veterinary and phytosanitary matters), Chapter I (Veterinary matters):

- Part 1.1, Point 7b (Council Regulation (EC) No 21/2004),
- Part 7.1, Point 8b (Regulation (EC) No 2160/2003 of the European Parliament and of the Council),
- Part 7.1, Point 12 (Regulation (EC) No 999/2001 of the European Parliament and of the Council);

in Annex II (Technical regulations, standards, testing and certification):

A. in Chapter XII (Foodstuffs):

- Point 54b (Council Regulation (EEC) No 2092/91);

B. in Chapter XIV (Fertilizers):

- Point 1 (Regulation (EC) No 2003/2003 of the European Parliament and of the Council);

C. in Chapter XIX (General provisions in the field of technical barriers to trade):

- Point 3b (Council Regulation (EEC) No 339/93);

in Annex VI (Social security):

- Point 1 (Council Regulation (EEC) No 1408/71),
- Point 2 (Council Regulation (EEC) No 574/72),
- Point 3.18 (Decision No 117),
- Point 3.27 (Decision No 136),
- Point 3.37 (Decision No 150),
- Point 3.68 (Decision No 192);

in Annex XIII (Transport):

- Point 1 (Council Regulation (EEC) No 1108/70),
- Point 5 (Decision No 1692/96/EC of the European Parliament and of the Council),
- Point 21 (Council Regulation (EEC) No 3821/85),
- Point 26a (Council Regulation (EEC) No 881/92),
- Point 32 (Council Regulation (EEC) No 684/92),
- Point 39 (Council Regulation (EEC) No 1192/69),
- Point 64a (Council Regulation (EEC) No 2408/92);

in Annex XX (Environment):

- Point 1ea (Regulation (EC) No 761/2001 of the European Parliament and of the Council),
- Point 21aa (Regulation (EC) No 2037/2000 of the European Parliament and of the Council);

in Annex XXI (Statistics):

- Point 7f (Council Regulation (EC) No 1172/98),
- Point 24 (Council Regulation (EEC) No 837/90),
- Point 24a (Council Regulation (EEC) No 959/93);

in Annex XXII (Company law):

- Point 10a (Council Regulation (EC) No 2157/2001);

in Protocol 26 on the powers and functions of the EFTA Surveillance Authority in the field of state aid:

- Point 1 of Article 2 (Council Regulation (EC) No 659/1999);

in Protocol 47 on the abolition of technical barriers to trade in wine:

- Point 2 of Appendix 1 (Council Regulation (EC) No 1493/1999).

PART II

OTHER ADAPTATIONS REQUIRED BY REASON OF ACCESSION

In Annex VI (Social security):

1) the adaptations in point 1 (Council Regulation (EEC) No 1408/71) shall be amended as follows:

(a) the lists in adaptation (n) and (o) shall be amended as follows:

(i) Points 374 (NORWAY — SLOVENIA) to 378 (NORWAY — UNITED KINGDOM) shall be renumbered as points 431 to 435.

(ii) The following shall be inserted before new point 431 (NORWAY — SLOVENIA):

‘430. NORWAY — ROMANIA

No convention.’

(iii) Points 355 (NORWAY — CZECH REPUBLIC) to 373 (NORWAY — PORTUGAL) shall be renumbered as points 411 to 429.

(iv) The following shall be inserted before new point 411 (NORWAY — CZECH REPUBLIC):

‘410. NORWAY — BULGARIA

No convention.’

(v) Points 348 (LIECHTENSTEIN — SLOVENIA) to 354 (NORWAY — BELGIUM) shall be renumbered as points 403 to 409.

(vi) The following shall be inserted before new point 403 (LIECHTENSTEIN — SLOVENIA):

‘402. LIECHTENSTEIN — ROMANIA

No convention.’

- (vii) Points 329 (LIECHTENSTEIN — CZECH REPUBLIC) to 347 (LIECHTENSTEIN — PORTUGAL) shall be renumbered as points 383 to 401.
 - (viii) The following shall be inserted before new point 383 (LIECHTENSTEIN — CZECH REPUBLIC):

‘382. LIECHTENSTEIN — BULGARIA

No convention.’
 - (ix) Points 321 (ICELAND — SLOVENIA) to 328 (LIECHTENSTEIN — BELGIUM) shall be renumbered as points 374 to 381.
 - (x) The following shall be inserted before new point 374 (ICELAND — SLOVENIA)

‘373. ICELAND — ROMANIA

No convention.’
 - (xi) Points 302 (ICELAND — CZECH REPUBLIC) to 320 (ICELAND — PORTUGAL) shall be renumbered as points 354 to 372.
 - (xii) The following shall be inserted before new point 354 (ICELAND — CZECH REPUBLIC):

‘353. ICELAND — BULGARIA

No Convention.’
 - (xiii) Point 301 (ICELAND — BELGIUM) shall be renumbered as point 352;
 - (b) The points 17 to 19 in adaptation (u) shall be renumbered as points 19 to 21.
- 2) The adaptations in point 2 (Council Regulation (EEC) No 574/72) shall be amended as follows:
- (a) in adaptations (b), (c) and (d) under (A), the entry ‘D. Germany’ shall be replaced by the entry ‘E. Germany’;
 - (b) in adaptation (d) under (B), and adaptation (e) the entry ‘R. Austria’ shall be replaced by the entry ‘S. Austria’;
 - (c) the list in adaptation (g) shall be amended as follows:
 - (i) Points 374 (NORWAY — SLOVENIA) to 378 (NORWAY — UNITED KINGDOM) shall be renumbered as points 431 to 435.
 - (ii) The following shall be inserted before new point 431 (NORWAY — SLOVENIA):

‘430. NORWAY — ROMANIA

No convention.’
 - (iii) Points 355 (NORWAY — CZECH REPUBLIC) to 373 (NORWAY — PORTUGAL) shall be renumbered as points 411 to 429.
 - (iv) The following shall be inserted before new point 411 (NORWAY — CZECH REPUBLIC):

‘410. NORWAY — BULGARIA

No convention.’
 - (v) Points 348 (LIECHTENSTEIN — SLOVENIA) to 354 (NORWAY — BELGIUM) shall be renumbered as points 403 to 409.
 - (vi) The following shall be inserted before new point 403 (LIECHTENSTEIN — SLOVENIA):

‘402. LIECHTENSTEIN — ROMANIA

No convention.’

- (vii) Points 329 (LIECHTENSTEIN — CZECH REPUBLIC) to 347 (LIECHTENSTEIN — PORTUGAL) shall be renumbered as points 383 to 401.
 - (viii) The following shall be inserted before new point 383 (LIECHTENSTEIN — CZECH REPUBLIC):

‘382. LIECHTENSTEIN — BULGARIA

No convention.’
 - (ix) Points 321 (ICELAND — SLOVENIA) to 328 (LIECHTENSTEIN — BELGIUM) shall be renumbered as points 374 to 381.
 - (x) The following shall be inserted before new point 374 (ICELAND — SLOVENIA)

‘373. ICELAND — ROMANIA

No convention.’
 - (xi) Points 302 (ICELAND — CZECH REPUBLIC) to 320 (ICELAND — PORTUGAL) shall be renumbered as points 354 to 372.
 - (xii) The following shall be inserted before new point 354 (ICELAND — CZECH REPUBLIC):

‘353. ICELAND — BULGARIA

No Convention.’
 - (xiii) Point 301 (ICELAND — BELGIUM) shall be renumbered as point 352;
 - (d) the list in adaptation (j) shall be amended as follows:
 - (i) the words ‘Iceland and Bulgaria’ shall be inserted before the words ‘Iceland and Czech Republic’.
 - (ii) The words ‘Iceland and Romania’ shall be inserted before the words ‘Iceland and Slovenia’.
 - (iii) The words ‘Liechtenstein and Bulgaria’ shall be inserted before the words ‘Liechtenstein and Czech Republic’.
 - (iv) The words ‘Liechtenstein and Romania’ shall be inserted before the words ‘Liechtenstein and Slovenia’.
 - (v) The words ‘Norway and Bulgaria’ shall be inserted before the words ‘Norway and Czech Republic’.
 - (vi) The words ‘Norway and Romania’ shall be inserted before the words ‘Norway and Slovenia’.
-

ANNEX III**LIST REFERRED TO IN ARTICLE 4(3) OF THE DECISION**

The indent referred to in Article 4(3) shall be inserted in the following location in Protocol 47 on the abolition of technical barriers to trade in wine to the Agreement:

- point 6 of Appendix 1 (Commission Regulation (EC) No 753/2002).
-

ANNEX IV

LIST REFERRED TO IN ARTICLE 5(1) OF THE DECISION

The indent referred to in Article 5(1) shall be inserted in the following locations in the Annexes to the Agreement:

in Annex II (Technical regulations, standards, testing and certification), Chapter IV (Household appliances):

- Point 4a (Commission Directive 94/2/EC),
- Point 4b (Commission Directive 95/12/EC),
- Point 4c (Commission Directive 95/13/EC),
- Point 4d (Commission Directive 96/60/EC),
- Point 4f (Commission Directive 97/17/EC),
- Point 4g (Commission Directive 2002/40/EC),
- Point 4h (Commission Directive 2002/31/EC);

in Annex IV (Energy):

- Point 11a (Commission Directive 94/2/EC),
 - Point 11b (Commission Directive 95/12/EC),
 - Point 11c (Commission Directive 95/13/EC),
 - Point 11d (Commission Directive 96/60/EC),
 - Point 11f (Commission Directive 97/17/EC),
 - Point 11g (Commission Directive 2002/40/EC),
 - Point 11h (Commission Directive 2002/31/EC).
-

ANNEX V

LIST REFERRED TO IN ARTICLE 5(2) OF THE DECISION

The indent referred to in Article 5(2) shall be inserted in the following locations in Annex II (Technical regulations, standards, testing and certification) to the Agreement:

in Chapter I (Motor Vehicles):

- Point 45zo (Commission Directive 2005/78/EC);

in Chapter XVI (Cosmetics):

- Point 9 (Commission Directive 95/17/EC).
-

ANNEX VI

LIST REFERRED TO IN ARTICLE 5(3) OF THE DECISION

The indent referred to in Article 5(3) shall be inserted in the following locations in Chapter XII (Foodstuffs) of Annex II (Technical regulations, standards, testing and certification) to the Agreement:

- Point 54a (Commission Directive 91/321/EEC),
 - Point 54w (Commission Directive 1999/21/EC).
-

ANNEX VII

LIST REFERRED TO IN ARTICLE 5(4) OF THE DECISION

The indent referred to in Article 5(4) shall be inserted in the following location in Chapter I (Veterinary matters) of Annex I (Veterinary and phytosanitary matters) to the Agreement:

- Part 9.2, Point 2 (Commission Directive 2002/4/EC).
-

ANNEX VIII

LIST REFERRED TO IN ARTICLE 5(5) OF THE DECISION

The indent referred to in Article 5(5) shall be inserted in the following locations in Annex II (Technical regulations, standards, testing and certification) to the Agreement:

A. in Chapter I (Motor Vehicles):

- Point 1 (Council Directive 70/156/EEC),
- Point 2 (Council Directive 70/157/EEC),
- Point 3 (Council Directive 70/220/EEC),
- Point 4 (Council Directive 70/221/EEC),
- Point 8 (Council Directive 70/388/EEC),
- Point 9 (Council Directive 71/127/EEC),
- Point 10 (Council Directive 71/320/EEC),
- Point 11 (Council Directive 72/245/EEC),
- Point 14 (Council Directive 74/61/EEC),
- Point 16 (Council Directive 74/408/EEC),
- Point 17 (Council Directive 74/483/EEC),
- Point 19 (Council Directive 76/114/EEC),
- Point 22 (Council Directive 76/757/EEC),
- Point 23 (Council Directive 76/758/EEC),
- Point 24 (Council Directive 76/759/EEC),
- Point 25 (Council Directive 76/760/EEC),
- Point 26 (Council Directive 76/761/EEC),
- Point 27 (Council Directive 76/762/EEC),
- Point 29 (Council Directive 77/538/EEC),
- Point 30 (Council Directive 77/539/EEC),
- Point 31 (Council Directive 77/540/EEC),
- Point 32 (Council Directive 77/541/EEC),
- Point 36 (Council Directive 78/318/EEC),
- Point 39 (Council Directive 78/932/EEC),
- Point 45a (Council Directive 91/226/EEC),
- Point 45r (Directive 94/20/EC of the European Parliament and of the Council),
- Point 45t (Directive 95/28/EC of the European Parliament and of the Council),

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- Point 45y (Directive 2001/85/EC of the European Parliament and of the Council,
 - Point 45za (Directive 2002/24/EC of the European Parliament and of the Council),
 - Point 45zc (Directive 2003/97/EC of the European Parliament and of the Council);
- B. in Chapter II (Agricultural and forestry tractors):
- Point 7 (Council Directive 75/322/EEC),
 - Point 11 (Council Directive 77/536/EEC),
 - Point 13 (Council Directive 78/764/EEC),
 - Point 17 (Council Directive 79/622/EEC),
 - Point 20 (Council Directive 86/298/EEC),
 - Point 22 (Council Directive 87/402/EEC),
 - Point 23 (Council Directive 89/173/EEC),
 - Point 28 (Directive 2003/37/EC of the European Parliament and of the Council),
 - Point 29 (Directive 2000/25/EC of the European Parliament and of the Council);
- C. in Chapter VIII (Pressure vessels):
- Point 2 (Council Directive 76/767/EEC);
- D. in Chapter IX (Measuring instruments):
- Point 1 (Council Directive 71/316/EEC),
 - Point 5 (Council Directive 71/347/EEC),
 - Point 27b (Directive 2004/22/EC of the European Parliament and of the Council);
- E. in Chapter XI (Textiles):
- Point 4b (Directive 96/74/EC of the European Parliament and of the Council);
- F. in Chapter XV (Dangerous substances):
- Point 12r (Directive 1999/45/EC of the European Parliament and of the Council);
- G. in Chapter XIX (General provisions in the field of technical barriers to trade):
- Point 1 (Directive 98/34/EC of the European Parliament and of the Council),
 - Point 3e (Directive 94/11/EC of the European Parliament and of the Council),
 - Point 3g (Council Directive 69/493/EEC);
- H. in Chapter XXIV (Machinery):
- Point 1a (Directive 97/68/EC of the European Parliament and of the Council).
-

ANNEX IX

LIST REFERRED TO IN ARTICLE 5(6) OF THE DECISION

The indent referred to in Article 5(6) shall be inserted in the following locations in Annex XVI (Procurement) to the Agreement:

- Point 2 (Directive 2004/18/EC of the European Parliament and of the Council),
 - Point 4 (Directive 2004/17/EC of the European Parliament and of the Council),
 - Point 5a (Council Directive 92/13/EEC).
-

ANNEX X

LIST REFERRED TO IN ARTICLE 5(7) OF THE DECISION

The indent referred to in Article 5(7) shall be inserted in the following locations in Annex XXII (Company law) to the Agreement:

- Point 1 (First Council Directive 68/151/EEC),
 - Point 2 (Second Council Directive 77/91/EEC),
 - Point 3 (Third Council Directive 78/855/EEC),
 - Point 4 (Fourth Council Directive 78/660/EEC),
 - Point 6 (Seventh Council Directive 83/349/EEC),
 - Point 9 (Twelfth Council Company Law Directive 89/667/EEC).
-

ANNEX XI

PART I

LIST REFERRED TO IN ARTICLE 5(8) OF THE DECISION

The indent referred to in Article 5(8) shall be inserted in the following locations in Annex VII (Mutual recognition of professional qualifications) to the Agreement:

- Point 1a (Council Directive 92/51/EEC),
- Point 2 (Council Directive 77/249/EEC),
- Point 2a (Council Directive 98/5/EC),
- Point 4 (Council Directive 93/16/EEC),
- Point 8 (Council Directive 77/452/EEC),
- Point 10 (Council Directive 78/686/EEC),
- Point 11 (Council Directive 78/687/EEC),
- Point 12 (Council Directive 78/1026/EEC),
- Point 14 (Council Directive 80/154/EEC),
- Point 17 (Council Directive 85/433/EEC),
- Point 18 (Council Directive 85/384/EEC).

PART II

OTHER ADAPTATIONS REQUIRED BY REASON OF ACCESSION

In paragraph 1 of the adaptations in point 11 (Council Directive 78/687/EEC) in Annex VII (Mutual Recognition of professional qualifications), the words 'Article 19, 19a, 19b, 19c and 19d' shall be replaced by the words 'Article 19, 19a, 19b, 19c, 19d and 19e'.

ANNEX XII

LIST REFERRED TO IN ARTICLE 5(9) OF THE DECISION

The indent referred to in Article 5(9) shall be inserted in the following locations in the Annexes to the Agreement:

in Annex VII (Mutual recognition of professional qualifications):

- Point 28 (Council Directive 74/557/EEC);

in Annex IX (Financial services):

- Point 2 (First Council Directive 73/239/EEC),
- Point 11 (Directive 2002/83/EC of the European Parliament and of the Council).

ANNEX XIII

LIST REFERRED TO IN ARTICLE 5(10) OF THE DECISION

The indent referred to in Article 5(10) shall be inserted in the following location in Chapter XV (Dangerous substances) of Annex II (Technical regulations, standards, testing and certification) to the Agreement:

- Point 1 (Council Directive 67/548/EEC).
-

ANNEX XIV

LIST REFERRED TO IN ARTICLE 5(11) OF THE DECISION

The indent referred to in Article 5(11) shall be inserted in the following locations in Annex XIII (Transport) to the Agreement:

- Point 13 (Council Directive 92/106/EEC),
 - Point 18a (Directive 1999/62/EC of the European Parliament and the Council),
 - Point 19 (Council Directive 96/26/EC),
 - Point 24a (Council Directive 91/439/EEC),
 - Point 24c (Council Directive 1999/37/EC),
 - Point 36a (Directive 2003/59/EC of the European Parliament and of the Council),
 - Point 37 (Council Directive 91/440/EEC),
 - Point 46a (Council Directive 91/672/EEC),
 - Point 47 (Council Directive 82/714/EEC).
-

ANNEX XV

PART I

LIST REFERRED TO IN ARTICLE 5(12) OF THE DECISION

The indent referred to in Article 5(12) shall be inserted in the following locations in the Annexes to the Agreement:

in Annex I (Veterinary and phytosanitary matters), Chapter I (Veterinary matters):

- Part 1.1, Point 4 (Council Directive 97/78/EC),
- Part 1.1, Point 5 (Council Directive 91/496/EEC),
- Part 3.1, Point 1a (Council Directive 2003/85/EC),
- Part 3.1, Point 3 (Council Directive 2001/89/EC),
- Part 3.1, Point 4 (Council Directive 92/35/EEC),
- Part 3.1, Point 6 (Council Directive 92/66/EEC),
- Part 3.1, Point 7 (Council Directive 93/53/EEC),
- Part 3.1, Point 8 (Council Directive 95/70/EC),
- Part 3.1, Point 9 (Council Directive 92/119/EEC),
- Part 3.1, Point 9a (Council Directive 2000/75/EC),
- Part 3.1, Point 9b (Council Directive 2002/60/EC),
- Part 4.1, Point 1 (Council Directive 64/432/EEC),
- Part 4.1, Point 2 (Council Directive 91/68/EEC),
- Part 4.1, Point 3 (Council Directive 90/426/EEC),
- Part 4.1, Point 4 (Council Directive 90/539/EEC),
- Part 7.1, Point 2 (Council Directive 96/23/EC),
- Part 7.1, Point 8a (Council Directive 2003/99/EC);

in Annex II (Technical regulations, standards, testing and certification), Chapter XV (Dangerous substances):

- Point 12a (Council Directive 91/414/EEC).

PART II

OTHER ADAPTATIONS REQUIRED BY REASON OF ACCESSION

The entries for Iceland and Norway in adaptation (b) in point 4 (Council Directive 97/78/EC) of Part 1.1 of Annex I (Veterinary and phytosanitary matters), Chapter I (Veterinary matters), shall be renumbered as 28 and 29.

ANNEX XVI

LIST REFERRED TO IN ARTICLE 5(13) OF THE DECISION

The indent referred to in Article 5(13) shall be inserted in the following locations in the Annexes to the Agreement:

in Annex II (Technical regulations, standards, testing and certification), Chapter XXIV (Machinery):

— Point 1a (Directive 97/68/EC of the European Parliament and of the Council);

in Annex XX (Environment):

— Point 19a (Directive 2001/80/EC of the European Parliament and of the Council).

ANNEX XVII

LIST REFERRED TO IN ARTICLE 5(14) OF THE DECISION

The indent referred to in Article 5(14) shall be inserted in the following locations in Chapter XII (Foodstuffs) of Annex II (Technical regulations, standards, testing and certification) to the Agreement:

— Point 18 (Directive 2000/13/EC of the European Parliament and of the Council),

— Point 47 (Council Directive 89/108/EEC).

ANNEX XVIII

LIST REFERRED TO IN ARTICLE 5(15) OF THE DECISION

The indent referred to in Article 5(15) shall be inserted in the following locations in Annex IV (Energy) to the Agreement:

— Point 7 (Council Directive 90/377/EEC),

— Point 19 (Directive 2001/77/EC of the European Parliament and of the Council).

ANNEX XIX

LIST REFERRED TO IN ARTICLE 5(16) OF THE DECISION

The indent referred to in Article 5(16) shall be inserted in the following location in Annex XVIII (Health and safety at work, labour law, and equal treatment for men and women) to the Agreement:

- Point 27 (Council Directive 94/45/EC).

ANNEX XX

LIST REFERRED TO IN ARTICLE 5(17) OF THE DECISION

The indent referred to in Article 5(17) shall be inserted in the following location in Annex XXI (Statistics) to the Agreement:

- Point 7c (Council Directive 95/57/EC).

ANNEX XXI

LIST REFERRED TO IN ARTICLE 6(1) OF THE DECISION

The indent referred to in Article 6(1) shall be inserted in the following location of Chapter I (Veterinary matters) of Annex I (Veterinary and phytosanitary matters) to the Agreement:

- Part 3.2, Point 32 (Commission Decision 2005/176/EC).

ANNEX XXII

LIST REFERRED TO IN ARTICLE 6(2) OF THE DECISION

The indent referred to in Article 6(2) shall be inserted in the following location of Chapter I (Veterinary matters) of Annex I (Veterinary and phytosanitary matters) to the Agreement:

- Part 1.2, Point 39 (Commission Decision 2001/881/EC).

*ANNEX XXIII***LIST REFERRED TO IN ARTICLE 6(3) OF THE DECISION**

The indent referred to in Article 6(3) shall be inserted in the following location of Chapter I (Veterinary matters) of Annex I (Veterinary and phytosanitary matters) to the Agreement:

- Part 1.2, Point 46 (Commission Directive 2002/459/EC).
-

DECISION OF THE EEA JOINT COMMITTEE**No 133/2007****of 26 October 2007****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 99/2007 of 28 September 2007 ⁽¹⁾.
- (2) Chapter I of Annex I currently applies to Iceland only with regard to aquaculture animals and products and fisheries products.
- (3) Paragraph 2 of the introductory part of Chapter I of Annex I states that the acts referred to in Chapter I of Annex I shall apply to Iceland, where this is so stated in relation to the specific act.
- (4) Paragraph 2 of the introductory part of Chapter I of Annex I envisages a review of Chapter I of Annex I for Iceland.
- (5) The Contracting Parties have reviewed the situation for Iceland and decided that Iceland will take over the acts referred to in Chapter I of Annex I, except for the provisions that concern live animals, other than fish and aquaculture animals, and animal products such as ova, embryo and semen.
- (6) The acts referred to in Chapter I of Annex I shall apply to Iceland unless it is stated in relation to the specific act that it shall not apply to Iceland. Therefore, paragraph 2 of the introductory part to Chapter I of Annex I must be amended.
- (7) Due to the specific situation of Iceland as regards climate, geographical localisation and nature of resources available, the feeding of fishmeal to ruminants may be accepted. This authorisation takes account of the absence of production and importation of meat and bone meal in Iceland.
- (8) Iceland needs a transitional period of 18 months in order to comply fully with the provisions in the areas which are made applicable to Iceland by the adoption of this Decision.
- (9) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

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

Article 2

This Decision shall enter into force on 27 October 2007, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

⁽¹⁾ OJ L 47, 21.2.2008, p. 10.

(*) Constitutional requirements indicated.

Article 3

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

Done at Brussels, 26 October 2007.

For the EEA Joint Committee

The President

Stefán Haukur JÓHANNESSON

ANNEX

Chapter I of Annex I shall be amended as specified below.

1) The Introductory Part shall be amended as follows:

(a) The text of paragraph 2 shall be replaced by the following:

‘The provisions contained in this Chapter shall apply to Iceland, except for the provisions concerning live animals, other than fish and aquaculture animals, and animal products such as ova, embryo and semen. When an act is not to apply or is to apply partly to Iceland, it shall be stated in relation to the specific act.

Iceland shall implement the provisions contained in this Chapter, in the areas which did not apply to Iceland prior to the review of this Chapter by Decision of the EEA Joint Committee No 133/2007, no later than 18 months after the entry into force of this Decision.

The other Contracting Parties may maintain their third-country regimes in trade with Iceland for areas not applicable to Iceland.’

(b) The text of paragraphs 3(c), 4D, 6(c), 7(c) and 8(d) shall be replaced by the following text:

‘This paragraph applies also to Iceland for the areas referred to in paragraph 2.’

- 2) The sentence ‘This act applies also to Iceland for the areas covered by the specific acts to which reference is made in paragraph 2 of the introductory Part’ in points 1 (Council Directive 89/662/EEC), 4 (Council Directive 97/78/EC) and 6 (Council Decision 92/438/EEC) in Part 1.1 shall be deleted.
- 3) The sentence ‘This act applies also to Iceland for the areas covered by the specific acts to which reference is made in paragraph 2 of the introductory Part’ in points 2 (Council Directive 90/425/EEC), 5 (Council Directive 91/496/EEC) and 8 (Council Directive 85/73/EEC) in Part 1.1 shall be replaced by the sentence ‘This act applies to Iceland for the areas referred to in paragraph 2 of the Introductory Part.’
- 4) The sentence ‘This act applies also to Iceland for the areas referred to in paragraph 2 of the Introductory Part’ shall be inserted in points 3 (Council Directive 89/608/EEC) and 9 (Council Directive 96/93/EC) in Part 1.1.
- 5) The sentence ‘This act shall not apply to Iceland’ shall be inserted in point 10 (Regulation (EC) No 998/2003 of the European Parliament and of the Council) in Part 1.1.
- 6) The sentence ‘This act applies also to Iceland’ in points 84 (Commission Decision 98/470/EC), 104 (Commission Decision 2000/351/EC) and 114 (Commission Decision 2003/630/EC) in Part 1.2 shall be deleted.
- 7) The sentence ‘This act applies also to Iceland for the areas covered by the specific acts to which reference is made in paragraph 2 of the introductory Part’ in points 21 (Commission Decision 93/352/EEC), 25 (Commission Decision 94/360/EC), 29 (Commission Decision 94/641/EC), 31 (Commission Decision 94/958/EC), 33 (Commission Decision 94/971/EC), 87 (Commission Decision 2000/25/EC), 88 (Commission Decision 2000/208/EC), 106 (Commission Decision 2000/571/EC), 111 (Commission Decision 2001/812/EC), 113 (Commission Decision 2002/349/EC) and 115 (Commission Regulation (EC) No 136/2004) in Part 1.2 shall be deleted.
- 8) The sentence ‘This act applies also to Iceland for the areas covered by the specific acts to which reference is made in paragraph 2 of the introductory Part’ in points 2 (Commission Decision 91/398/EEC), 3 (Commission Decision 91/585/EEC), 4 (Commission Decision 91/637/EEC), 5 (Commission Decision 91/638/EEC), 6 (Commission Decision 92/176/EEC), 8 (Commission Decision 92/341/EEC), 9 (Commission Decision 92/373/EEC), 11 (Commission Decision 92/432/EEC), 12 (Commission Decision 92/486/EEC), 15 (Commission Decision 92/563/EEC), 17 (Commission Decision 93/14/EEC), 18 (Commission Decision 93/70/EEC), 22 (Commission Decision 93/444/EEC), 23 (Commission Decision 94/338/EC), 24 (Commission Decision 94/339/EC), 30 (Commission Decision 94/957/

EC), 32 (Commission Decision 94/970/EC), 39 (Commission Decision 2001/881/EC), 42 (Commission Decision 96/105/EC), 46 (Commission Decision 2002/459/EC), 116 (Commission Decision 2004/253/EC), 117 (Commission Regulation (EC) No 282/2004), 118 (Commission Decision 2004/292/EC) and 119 (Commission Regulation (EC) No 599/2004) in Part 1.2 shall be replaced by the sentence 'This act applies also to Iceland for the areas referred to in paragraph 2 of the Introductory Part.'

- 9) Under the heading 'ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT' in Part 1.2, the sentence 'This act applies also to Iceland' in point 1 (Commission Decision 98/140/EC) shall be deleted.
- 10) The sentence 'This act applies also to Iceland for the areas referred to in paragraph 2 of the Introductory Part' shall be inserted in point 68 (Commission Decision 97/794/EC) and 74 (Commission Decision 98/139/EC) in Part 1.2.
- 11) The sentence 'This act shall not apply to Iceland' shall be inserted before the adaptation text in points 121 (Commission Decision 2003/803/EC), 122 (Commission Decision 2004/301/EC), 123 (Commission Decision 2004/595/EC), 124 (Commission Decision 2004/824/EC), 125 (Commission Decision 2004/839/EC), 126 (Commission Decision 2005/91/EC) and 129 (Commission Decision 2005/64/EC) in Part 1.2.
- 12) Under the heading 'ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT' in Part 1.2, the sentence 'This act shall not apply to Iceland' shall be inserted in points 11 (Commission Decision 2000/62/EC) and 18 (Commission Decision 2004/557/EC) in Part 1.2.
- 13) The sentence 'This act applies also to Iceland for the areas referred to in paragraph 2 of the Introductory Part' shall be inserted in points 57 (Commission Decision 97/152/EC) and 60 (Commission Decision 97/394/EC) in Part 1.2.
- 14) The sentence 'This act shall not apply to Iceland' shall be inserted in points 1 (Council Directive 77/504/EEC), 2 (Council Directive 88/661/EEC), 3 (Council Directive 89/361/EEC), 4 (Council Directive 90/427/EEC), 5 (Council Directive 90/428/EEC), 6 (Council Directive 91/174/EEC) and 7 (Council Decision 96/463/EC) in Part 2.1 and points 1 (Commission Decision 84/247/EEC), 2 (Commission Decision 84/419/EEC), 5 (Council Directive 87/328/EEC), 7 (Commission Decision 89/501/EEC), 8 (Commission Decision 89/502/EEC), 9 (Commission Decision 89/503/EEC), 10 (Commission Decision 89/504/EEC), 11 (Commission Decision 89/505/EEC), 12 (Commission Decision 89/506/EEC), 13 (Commission Decision 89/507/EEC), 14 (Council Directive 90/118/EEC), 15 (Council Directive 90/119/EEC), 16 (Commission Decision 90/254/EEC), 17 (Commission Decision 90/255/EEC), 18 (Commission Decision 90/256/EEC), 19 (Commission Decision 90/257/EEC), 20 (Commission Decision 90/258/EEC), 21 (Commission Decision 92/216/EEC), 22 (Commission Decision 92/353/EEC), 23 (Commission Decision 92/354/EEC), 24 (Commission Decision 93/623/EEC), 25 (Commission Decision 96/78/EC), 26 (Commission Decision 96/79/EC), 30 (Commission Decision 2002/8/EC), 31 (Commission Decision 2005/379/EC) and 32 (Commission Decision 2006/427/EC) in Part 2.2.
- 15) The sentence 'This act applies also to Iceland' in points 7 (Council Directive 93/53/EEC), 8 (Council Directive 95/70/EC) and 10 (Council Directive 82/894/EEC) in Part 3.1 and point 29 (Commission Decision 2003/466/EC) in Part 3.2 shall be deleted.
- 16) The sentence 'This act shall not apply to Iceland' shall be inserted in points 1a (Council Directive 2003/85/EC), 2 (Council Directive 90/423/EEC), 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 and points 2 (Commission Decision 88/397/EEC), 5 (Commission Decision 91/42/EEC), 7 (Council Decision 91/666/EEC), 8 (Commission Decision 93/455/EEC), 9 (Commission Decision 93/590/EC), 10 (Commission Decision 1999/128/EC), 11 (Commission Decision 98/502/EC), 12 (Commission Decision 2000/111/EC), 13 (Commission Decision 2000/112/EC), 14 (Commission Decision 2000/428/EC), 17 (Commission Decision 2001/138/EC), 18 (Commission Decision 2001/246/EC), 19 (Commission Decision 2001/257/EC), 20 (Commission Decision 2001/295/EC), 21 (Commission Decision 2001/303/EC), 23 (Commission Decision 2002/106/EC), 24 (Commission Decision 2002/551/EC), 25 (Commission Decision 2002/552/EC), 28 (Commission Decision 2003/422/EC), 31 (Commission Decision 2004/288/EC), 32 (Commission Decision 2005/176/EC), 33 (Commission Decision 2005/393/EC), 35 (Commission Decision 2006/393/EC), 36 (Commission Decision 2006/416/EC) and 37 (Commission Decision 2006/437/EC) in Part 3.2.
- 17) Under the heading 'ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT' in Part 3.2, the sentence 'This act shall not apply to Iceland' shall be inserted in points 3 (Commission Decision 94/297/EC), 5 (Commission Decision 98/176/EC), 9 (Commission Decision 1999/246/EC), 18 (Commission Decision 2002/526/EC), 20 (Commission Decision 2003/135/EC), 22 (Commission Decision 2003/

362/EC), 24 (Commission Decision 2003/435/EC), 25 (Commission Decision 2004/402/EC), 26 (Commission Decision 2004/431/EC), 27 (Commission Decision 2004/435/EC), 28 (Commission Decision 2004/832/EC), 29 (Commission Decision 2005/59/EC), 30 (Commission Decision 2005/66/EC), 31 (Commission Decision 2005/235/EC), 32 (Commission Decision 2005/362/EC), 33 (Commission Decision 2005/773/EC) and 34 (Commission Decision 2006/705/EC).

- 18) The sentence 'This act applies also to Iceland' in point 5 (Council Directive 91/67/EEC) in Part 4.1 and points 51 (Commission Decision 1999/567/EC), 63 (Commission Decision 2001/183/EC), 65 (Commission Decision 2002/300/EC), 66 (Commission Decision 2002/308/EC), 68 (Commission Decision 2002/878/EC), 72 (Commission Decision 2003/390/EC), 73 (Commission Decision 2003/466/EC) and 79 (Commission Decision 2004/453/EC) in Part 4.2 shall be deleted.

- 19) Under the heading 'ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT' in Part 4.2, the sentence 'This act applies also to Iceland' in points 21 (Commission Decision 94/722/EC), 55 (Commission Decision 2003/634/EC) and 56 (Commission Decision 2003/904/EC) shall be deleted.

- 20) The sentence 'This act shall not apply to Iceland' shall be inserted in 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 and points 1 (Commission Decision 90/208/EEC), 3 (Commission Decision 92/339/EEC), 4 (Commission Decision 92/340/EEC), 5 (Commission Decision 92/381/EEC), 14 (Commission Decision 93/52/EEC), 18 (Commission Decision 93/152/EEC), 21 (Commission Decision 94/274/EC), 22 (Commission Decision 94/275/EC), 24 (Commission Decision 94/327/EC), 25 (Commission Decision 94/963/EC), 26 (Commission Decision 95/98/EC), 28 (Commission Decision 95/117/EC), 33 (Commission Decision 95/294/EC), 34 (Commission Decision 95/307/EC), 35 (Commission Decision 95/329/EC), 36 (Commission Decision 95/388/EC), 37 (Council Decision 95/410/EC), 40 (Commission Decision 95/483/EC), 41 (Commission Decision 96/93/EC), 42 (Commission Decision 96/94/EC), 43 (Commission Decision 96/95/EC), 54 (Council Decision 2000/258/EC), 56 (Commission Decision 2000/504/EC), 57 (Commission Decision 2000/678/EC), 58 (Commission Decision 97/262/EC), 59 (Commission Decision 97/263/EC), 61 (Commission Decision 2001/106/EC), 64 (Commission Decision 2001/618/EC), 67 (Commission Decision 2002/598/EC), 69 (Commission Decision 2004/205/EC), 70 (Commission Decision 2003/467/EC), 71 (Commission Decision 2003/644/EC), 74 (Commission Decision 2003/886/EC), 75 (Commission Decision 2004/226/EC), 76 (Commission Decision 2004/233/EC), 77 (Commission Decision 2004/235/EC), 78 (Commission Decision 2004/315/EC), 80 (Commission Decision 2004/558/EC), 81 (Commission Decision 2005/65/EC) and 82 (Commission Regulation (EC) No 1739/2005) in Part 4.2.

- 21) Under the heading 'ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT' in Part 4.2, the sentence 'This act shall not apply to Iceland' shall be inserted in points 4 (Commission Decision 88/267/EEC), 27 (Commission Decision 94/968/EC), 28 (Commission Decision 95/50/EC), 29 (Commission Decision 95/59/EC), 32 (Commission Decision 95/70/EC), 33 (Commission Decision 95/71/EC), 37 (Commission Decision 95/210/EC), 40 (Commission Decision 96/283/EC), 51 (Commission Decision 2001/905/EC) and 57 (Commission Decision 2004/835/EC).

- 22) The sentence 'The provisions of Annex I, Chapter 6(l)(A), second indent, shall apply to Iceland.' in point 7 (Council Directive 92/118/EEC) in Part 5.1 and point 16 (Council Directive 92/118/EEC) in part 8.1 shall be deleted.

- 23) The sentence 'The provisions of Annex I, Chapter 6, are applicable to Iceland for processed animal protein derived from fish and intended for animal feedingstuff. For processed animal protein derived from fish and intended for human consumption, the matter shall be reviewed in the year 2000' in point 15 (Council Directive 92/118/EEC) in Part 6.1 shall be deleted.

- 24) The sentence 'This act applies also to Iceland' in points 10 (Commission Decision 92/92/EEC), 13 (Commission Decision 93/51/EEC), 14 (Commission Decision 94/140/EC), 17 (Council Decision 93/383/EEC), 19 (Council Decision 94/117/EC), 20 (Commission Decision 94/306/EC), 21 (Commission Decision 94/356/EC), 28 (Commission Decision 95/149/EC), 37 (Commission Decision 97/757/EC), 39 (Commission Decision 98/536/EC), 42 (Commission Decision 2002/225/EC), 43 (Commission Decision 2002/226/EC) and 47 (Commission Decision 2003/774/EC) in Part 6.2 shall be deleted.

- 25) The following amendments shall be made to the adaptation texts in point 12 (Regulation (EC) No 999/2001 of the European Parliament and of the Council) in Part 7.1:

1. The following text shall be added in adaptation text B:

'Iceland	The Institute for Experimental Pathology, University of Iceland Keldur 112 Reykjavik Iceland'
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2. The following adaptation texts shall be inserted:

'D. In Annex IV, point 2, the following provision shall be added:

"Iceland may continue feeding fishmeal to ruminants. The fishmeal shall be produced in processing plants dedicated exclusively to the production of fish derived products."

E. The provisions concerning the eradication of transmissible spongiform encephalopathy in ovine and caprine animals contained in Annex VII, Chapter A, paragraphs 2.3, 3, 4, 5 and 6 shall not apply to Iceland. However, only ovine animals may be introduced to the holding(s) where complete destruction has been undertaken provided they do not carry a VRQ allele.

F. The provisions of Chapters A, B, and D of Annex VIII that concern intra-Community trade and export of live animals, and the provisions of Chapters A, B, D, E and H of Annex IX that concern importation into the Community of live animals, shall not apply to Iceland.

G. Iceland continues to prohibit the import of meat and bone meal and products containing meat and bone meal, from the Community, the EFTA States and third countries.'

- 26) The sentence 'This act applies also to Iceland, but only as regards the disposal and processing of fish-waste, its placing on the market and the prevention of pathogens in feedingstuffs of fish origin' in point 7 (Commission Decision 92/562/EEC) in Part 7.2 shall be deleted.
- 27) The sentence 'This act applies also to Iceland' in point 4 (Council Directive 91/67/EEC) in Part 8.1 shall be deleted.
- 28) The sentence 'This act shall not apply to Iceland' shall be inserted in 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), 15 (Council Directive 92/65/EEC) and 16a (Council Directive 2004/68/EC) in Part 8.1.
- 29) The sentence 'This act shall not apply to Iceland' shall be inserted in points 1 (Council Directive 91/628/EEC), 3 (Council Directive 88/166/EEC), 4 (Council Directive 91/629/EEC), 5 (Council Directive 91/630/EEC), 6 (Council Directive 98/58/EC), 7 (Council Regulation (EC) No 411/98), 8 (Council Directive 1999/74/EC) and 10 (Council Regulation (EC) No 1/2005) in Part 9.1 and points 1 (Commission Decision 94/96/EC), 2 (Commission Directive 2002/4/EC), 3 (Commission Decision 2004/433/EC) and 4 (Commission Decision 2006/778/EC) in Part 9.2.
- 30) Under the heading 'ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE NOTE' in Part 9.2, the sentence 'This act shall not apply to Iceland' shall be inserted in points 1 (Council Decision 78/923/EEC) and 3 (Commission Recommendation 89/214/EEC).
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DECISION OF THE EEA JOINT COMMITTEE

No 134/2007

of 26 October 2007

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 100/2007 of 28 September 2007 ⁽¹⁾.
- (2) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 104/2007 of 28 September 2007 ⁽²⁾.
- (3) Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ⁽³⁾ should be incorporated into the Agreement.
- (4) Commission Regulation (EC) No 1304/2003 of 11 July 2003 on the procedure applied by the European Food Safety Authority to requests for scientific opinions referred to it ⁽⁴⁾, should be incorporated into the Agreement.
- (5) Regulation (EC) No 1642/2003 of the European Parliament and of the Council of 22 July 2003 amending Regulation (EC) No 178/2002 ⁽⁵⁾ should be incorporated into the Agreement.
- (6) Commission Decision 2004/478/EC of 29 April 2004 concerning the adoption of a general plan for food/feed crisis management ⁽⁶⁾ should be incorporated into the Agreement.
- (7) Commission Regulation (EC) No 2230/2004 of 23 December 2004 laying down detailed rules for the implementation of European Parliament and Council Regulation (EC) No 178/2002 with regard to the network of organisations operating in the fields within the European Food Safety Authority's mission ⁽⁷⁾ should be incorporated into the Agreement.
- (8) Commission Regulation (EC) No 575/2006 of 7 April 2006 amending Regulation (EC) No 178/2002 of the European Parliament and of the Council as regards the number and names of the permanent Scientific Panels of the European Food Safety Authority ⁽⁸⁾ should be incorporated into the Agreement.
- (9) Council Decision 2006/478/EC of 19 June 2006 appointing half of the members of the Management Board of the European Food Safety Authority ⁽⁹⁾ should be incorporated into the Agreement.

⁽¹⁾ OJ L 47, 21.2.2008, p. 12.

⁽²⁾ OJ L 47, 21.2.2008, p. 21.

⁽³⁾ OJ L 31, 1.2.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 575/2006 (OJ L 100, 8.4.2006, p. 3).

⁽⁴⁾ OJ L 185, 24.7.2003, p. 6. Regulation as corrected in OJ L 186, 25.7.2003, p. 46.

⁽⁵⁾ OJ L 245, 29.9.2003, p. 4.

⁽⁶⁾ OJ L 160, 30.4.2004, p. 98. Decision as corrected in OJ L 212, 12.6.2004, p. 60.

⁽⁷⁾ OJ L 379, 24.12.2004, p. 64.

⁽⁸⁾ OJ L 100, 8.4.2006, p. 3.

⁽⁹⁾ OJ L 189, 12.7.2006, p. 7.

- (10) This Decision is not to apply to Liechtenstein.
- (11) This Decision should apply to Iceland without the transitional period specified in paragraph 2 of the Introductory Part of Chapter I of Annex I to the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annexes I and II to the Agreement shall be amended as specified in the Annex to this Decision.

Article 2

The texts of Regulations (EC) No 178/2002, (EC) No 1304/2003 (as corrected by OJ L 186, 25.7.2003, p. 46), (EC) No 1642/2003, (EC) No 2230/2004 and (EC) No 575/2006 and Decisions 2004/478/EC (as corrected by OJ L 212, 12.6.2004, p. 60) and 2006/478/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 27 October 2007 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 the entry into force of Decision of the EEA Joint Committee No 133/2007 of 26 October 2007, 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, 26 October 2007.

For the EEA Joint Committee

The President

Stefán Haukur JÓHANNESSON

(*) Constitutional requirements indicated.

ANNEX

Annexes I and II to the Agreement shall be amended as follows:

1. the following shall be added after point 12 (Regulation (EC) No 999/2001 of the European Parliament and of the Council) in Part 7.1 of Chapter I of Annex I to the Agreement:

‘General food law and the European Food Safety Authority

13. **32002 R 0178:** Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1), as amended by:

- **32003 R 1642:** Regulation (EC) No 1642/2003 of the European Parliament and of the Council of 22 July 2003 (OJ L 245, 29.9.2003, p. 4),
- **32006 R 0575:** Commission Regulation (EC) No 575/2006 of 7 April 2006 (OJ L 100, 8.4.2006, p. 3).

The provisions of Regulation (EC) No 178/2002 shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) the Regulation, and acts adopted pursuant to it, shall apply to Iceland without the transitional period laid down in paragraph 2 of the Introductory Part of Chapter I of Annex I;
- (b) the EFTA States shall participate in the work of the European Food Safety Authority, hereinafter referred to as “the Authority”, except for the right to vote. Unless otherwise established hereafter, and notwithstanding the provisions of Protocol 1 to the Agreement, the term “Member State(s)” contained in the Regulation shall be understood to include, in addition to its meaning in the Regulation, the EFTA States. Paragraph 11 of Protocol 1 shall apply;
- (c) the EFTA States concerned shall be invited to send observers to the meetings of the Standing Committee on the Food Chain and Animal Health, dealing with matters which fall within acts referred to in the Agreement. The representatives of the EFTA States shall participate fully in the work of the Committee, but shall not have the right to vote;
- (d) the text of Article 12 shall be replaced by the following:

“The legislation of the EFTA States pertaining to production, import and marketing of food and feed shall comply with the relevant requirements of food law, including effective measures to ensure that products withdrawn from the market in an EU Member State cannot be exported or re-exported to a third country via an EFTA State.”;

- (e) the EFTA Surveillance Authority shall receive the information provided for in Articles 26(3), 32(2), 33(4) and (6), and 34(4);
- (f) Article 29 shall apply with the following adaptations:

An EFTA State may request the Authority to issue a scientific opinion on matters falling within its mission. Such a request shall, in the first place, be addressed to the Commission which shall, where it considers that the request is of common interest, forward it to the Authority with a view to obtaining the opinion requested.

The EFTA Surveillance Authority may request the Authority for scientific opinions in the case. The EFTA Surveillance Authority shall cooperate with the Commission to ensure a harmonised approach;

- (g) Article 31 shall apply with the following adaptation:

the EFTA Surveillance Authority may request the Authority to provide scientific and technical assistance as described in Article 31, on matters falling within its competence pursuant to the Agreement;

- (h) the following shall be added in Article 48:

“By way of derogation from Article 12(2)(a) of the Conditions of employment of other servants of the European Communities, nationals of the EFTA States enjoying their full rights as citizens may be engaged under contract by the Executive Director of the Authority.”;

- (i) Articles 53 and 54 shall apply with the following adaptations:

1. In the case of food or feed of Community or EFTA State origin the following shall apply:

- (a) if the Community or an EFTA State intends to adopt emergency measures against the other Contracting Parties, it shall inform the other Parties without delay.

The proposed measures shall be notified without delay to each Contracting Party and to both the EC Commission and the EFTA Surveillance Authority.

Without prejudice to the possibility of putting the measures into force immediately, consultations among the EC Commission and the Parties concerned, at the request of any of them, shall take place as soon as possible in order to find appropriate solutions.

In case of disagreement, any of the Parties concerned may refer the matter to the EEA Joint Committee. If an agreement cannot be reached in that Committee, a Contracting Party may adopt appropriate measures. Such measures shall be restricted to what is strictly necessary to remedy the situation. Priority shall be given to such measures as will least disturb the functioning of the Agreement;

- (b) if the EC Commission intends to take a decision on emergency measures concerning part of the territory of the Community, it shall inform the EFTA Surveillance Authority and the EFTA States without delay.

If the EC Commission takes a decision on emergency measures concerning part of the territory of the Community, the EFTA State concerned, after consultation and after an examination of the situation, shall adopt corresponding measures unless the specific situation of that State indicates that such measures are not justified. In that case, it shall immediately inform the EFTA Surveillance Authority and the EC Commission.

Consultations shall take place as soon as possible in order to find appropriate solutions. In case of disagreement, the fourth subparagraph of paragraph (a) shall apply.

2. In the case of food and feed from a third country the following shall apply:

- (a) the EFTA States shall simultaneously with the EC Member States take emergency measures corresponding to those taken by the latter on imports from third countries;

- (b) in the case of any difficulty relating to the application of a Community act, the EFTA State concerned shall immediately report the matter to the EEA Joint Committee;

- (c) the application of this paragraph is without prejudice to the possibility of an EFTA State taking unilateral emergency measures pending the adoption of the decisions mentioned in (a);

- (d) the EEA Joint Committee may take note of the Community decisions;

- (j) Article 60 shall be amended as follows:

1. The following shall be added in paragraph 1:

“If an EFTA State is of the opinion that a measure taken by an EU Member State is either incompatible with this Regulation or is likely to affect the functioning of the Agreement, it shall refer the matter to the EEA Joint Committee. The same shall apply if an EU Member State is of the opinion that a measure taken by an EFTA State is either incompatible with this Regulation or is likely to affect the functioning of the Agreement.”;

2. in paragraph 2, first and last sentence, the words “the two Member States” shall read “the EFTA State and the EU Member State” and the term “Commission” shall read “EEA Joint Committee”. In the second sentence, the words “Commission may” shall read “EEA Joint Committee may, at the request of either of the Contracting Parties”;
 - (k) the EFTA States shall contribute financially to the budget of the Authority in accordance with Article 82(1)(a) and Protocol 32 of the Agreement;
 - (l) the EFTA States shall grant privileges and immunities to the Authority equivalent to those contained in the Protocol on the privileges and immunities of the European Communities.;
2. the following points shall be inserted after point 29 (Commission Regulation (EC) No 1177/2006) in Part 7.2 of Chapter I of Annex I:
30. **32003 R 1304:** Commission Regulation (EC) No 1304/2003 of 11 July 2003 on the procedure applied by the European Food Safety Authority to requests for scientific opinions referred to it (OJ L 185, 24.7.2003, p. 6), Regulation as corrected by OJ L 186, 25.7.2003, p. 46.
 31. **32004 D 0478:** Commission Decision 2004/478/EC of 29 April 2004 concerning the adoption of a general plan for food/feed crisis management (OJ L 160, 30.4.2004, p. 98), Decision as corrected by OJ L 212, 12.6.2004, p. 60.

The provisions of Decision 2004/478/EC shall, for the purposes of the Agreement, be read with the following adaptation:

Where the Commission identifies a situation referred to in Article 56(1) of Regulation (EC) No 178/2002 in which an EFTA State is directly concerned and sets up a crisis unit in accordance with Article 56(2) of Regulation (EC) No 178/2002, the crisis coordinator(s) designated by the EFTA State directly concerned and the crisis coordinator designated by the EFTA Surveillance Authority shall take part in the work of the crisis unit.

32. **32004 R 2230:** Commission Regulation (EC) No 2230/2004 of 23 December 2004 laying down detailed rules for the implementation of European Parliament and Council Regulation (EC) No 178/2002 with regard to the network of organisations operating in the fields within the European Food Safety Authority’s mission (OJ L 379, 24.12.2004, p. 64).
 33. **32006 D 0478:** Council Decision 2006/478/EC of 19 June 2006 appointing half of the members of the Management Board of the European Food Safety Authority (OJ L 189, 12.7.2006, p. 7).;
3. the following shall be inserted after point 40 (Regulation (EC) No 396/2005 of the European Parliament and of the Council) of Chapter II of Annex I to the Agreement:

‘General food law and the European Food Safety Authority

41. **32002 R 0178:** Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1), as amended by:
 - **32003 R 1642:** Regulation (EC) No 1642/2003 of the European Parliament and of the Council of 22 July 2003 (OJ L 245, 29.9.2003, p. 4),
 - **32006 R 0575:** Commission Regulation (EC) No 575/2006 of 7 April 2006 (OJ L 100, 8.4.2006, p. 3).

The provisions of Regulation (EC) No 178/2002 shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) the Regulation, and acts adopted pursuant to it, shall apply to Iceland without the transitional period laid down in paragraph 2 of the Introductory Part of Chapter I of Annex I;
- (b) the EFTA States shall participate in the work of the European Food Safety Authority, hereinafter referred to as “the Authority”, except for the right to vote. Unless otherwise established hereafter, and notwithstanding the provisions of Protocol 1 to the Agreement, the term “Member State(s)” contained in the Regulation shall be understood to include, in addition to its meaning in the Regulation, the EFTA States. Paragraph 11 of Protocol 1 shall apply;

- (c) the EFTA States concerned shall be invited to send observers to the meetings of the Standing Committee on the Food Chain and Animal Health, dealing with matters which fall within acts referred to in the Agreement. The representatives of the EFTA States shall participate fully in the work of the Committee, but shall not have the right to vote;

- (d) the text of Article 12 shall be replaced by the following:

“The legislation of the EFTA States pertaining to production, import and marketing of food and feed shall comply with the relevant requirements of food law, including effective measures to ensure that products withdrawn from the market in an EU Member State cannot be exported or re-exported to a third country via an EFTA State.”;

- (e) the EFTA Surveillance Authority shall receive the information provided for in Articles 26(3), 32(2), 33(4) and (6), and 34(4);

- (f) Article 29 shall apply with the following adaptations:

An EFTA State may request the Authority to issue a scientific opinion on matters falling within its mission. Such a request shall, in the first place, be addressed to the Commission which shall, where it considers that the request is of common interest, forward it to the Authority with a view to obtaining the opinion requested.

The EFTA Surveillance Authority may request the Authority for scientific opinions in the case. The EFTA Surveillance Authority shall cooperate with the Commission to ensure a harmonised approach;

- (g) Article 31 shall apply with the following adaptation:

The EFTA Surveillance Authority may request the Authority to provide scientific and technical assistance as described in Article 31, on matters falling within its competence pursuant to the Agreement;

- (h) the following shall be added to Article 48:

“By way of derogation from Article 12(2)(a) of the Conditions of employment of other servants of the European Communities, nationals of the EFTA States enjoying their full rights as citizens may be engaged under contract by the Executive Director of the Authority.”;

- (i) Articles 53 and 54 shall apply with the following adaptations:

1. in the case of food or feed of Community or EFTA State origin, the following shall apply:

- (a) if the Community or an EFTA State intends to adopt emergency measures against the other Contracting Parties, it shall inform the other Parties without delay.

The proposed measures shall be notified without delay to each Contracting Party and to both the EC Commission and the EFTA Surveillance Authority.

Without prejudice to the possibility of putting the measures into force immediately, consultations among the EC Commission and the Parties concerned, at the request of any of them, shall take place as soon as possible in order to find appropriate solutions.

In case of disagreement, any of the Parties concerned may refer the matter to the EEA Joint Committee. If an agreement cannot be reached in that Committee, a Contracting Party may adopt appropriate measures. Such measures shall be restricted to what is strictly necessary to remedy the situation. Priority shall be given to such measures as will least disturb the functioning of the Agreement;

- (b) if the EC Commission intends to take a decision on emergency measures concerning part of the territory of the Community, it shall inform the EFTA Surveillance Authority and the EFTA States without delay.

If the EC Commission takes a decision on emergency measures concerning part of the territory of the Community, the EFTA State concerned, after consultation and after an examination of the situation, shall adopt corresponding measures unless the specific situation of that State indicates that such measures are not justified. In that case, it shall immediately inform the EFTA Surveillance Authority and the EC Commission.

Consultations shall take place as soon as possible in order to find appropriate solutions. In case of disagreement, the fourth subparagraph of paragraph (a) shall apply.

2. In the case of food and feed from a third country the following shall apply:

- (a) the EFTA States shall simultaneously with the EC Member States take emergency measures corresponding to those taken by the latter on imports from third countries;
- (b) in the case of any difficulty relating to the application of a Community act, the EFTA State concerned shall immediately report the matter to the EEA Joint Committee;
- (c) the application of this paragraph is without prejudice to the possibility of an EFTA State taking unilateral emergency measures pending the adoption of the decisions mentioned in (a);
- (d) the EEA Joint Committee may take note of the Community decisions;

- (j) Article 60 shall be amended as follows:

1. The following shall be added in paragraph 1:

"If an EFTA State is of the opinion that a measure taken by an EU Member State is either incompatible with this Regulation or is likely to affect the functioning of the Agreement, it shall refer the matter to the EEA Joint Committee. The same shall apply if an EU Member State is of the opinion that a measure taken by an EFTA State is either incompatible with this Regulation or is likely to affect the functioning of the Agreement.";

2. in paragraph 2, first and last sentence, the words "the two Member States" shall read "the EFTA State and the EU Member State" and the term "Commission" shall read "EEA Joint Committee". In the second sentence, the words "Commission may" shall read "EEA Joint Committee may, at the request of either of the Contracting Parties.";

- (k) the EFTA States shall contribute financially to the budget of the Authority in accordance with Article 82(1)(a) and Protocol 32 of the Agreement;
 - (l) the EFTA States shall grant privileges and immunities to the Authority equivalent to those contained in the Protocol on the privileges and immunities of the European Communities;
 - (m) this Regulation shall not apply to Liechtenstein. Consequently Liechtenstein will not participate in the European Food Safety Authority or contribute financially to its operation.
42. **32003 R 1304:** Commission Regulation (EC) No 1304/2003 of 11 July 2003 on the procedure applied by the European Food Safety Authority to requests for scientific opinions referred to it (OJ L 185, 24.7.2003, p. 6), Regulation as corrected by OJ L 186, 25.7.2003, p. 46.
 43. **32004 D 0478:** Commission Decision 2004/478/EC of 29 April 2004 concerning the adoption of a general plan for food/feed crisis management (OJ L 160, 30.4.2004, p. 98), Decision as corrected by OJ L 212, 12.6.2004, p. 60.

The provisions of Decision 2004/478/EC shall, for the purposes of the Agreement, be read with the following adaptation:

Where the Commission identifies a situation referred to in Article 56(1) of Regulation (EC) No 178/2002 in which an EFTA State is directly concerned and sets up a crisis unit in accordance with Article 56(2) of

Regulation (EC) No 178/2002, the crisis coordinator(s) designated by the EFTA State directly concerned and the crisis coordinator designated by the EFTA Surveillance Authority shall take part in the work of the crisis unit.

44. **32004 R 2230:** Commission Regulation (EC) No 2230/2004 of 23 December 2004 laying down detailed rules for the implementation of European Parliament and Council Regulation (EC) No 178/2002 with regard to the network of organisations operating in the fields within the European Food Safety Authority's mission (OJ L 379, 24.12.2004, p. 64).
45. **32006 D 0478:** Council Decision 2006/478/EC of 19 June 2006 appointing half of the members of the Management Board of the European Food Safety Authority (OJ L 189, 12.7.2006, p. 7).;
4. the following shall be inserted after point 54zzzb (Commission Regulation (EC) No 2023/2006) of Chapter XII of Annex II to the Agreement:

‘54zzzc. **32002 R 0178:** Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1), as amended by:

 - **32003 R 1642:** Regulation (EC) No 1642/2003 of the European Parliament and of the Council of 22 July 2003 (OJ L 245, 29.9.2003, p. 4),
 - **32006 R 0575:** Commission Regulation (EC) No 575/2006 of 7 April 2006 (OJ L 100, 8.4.2006, p. 3).

The provisions of Regulation (EC) No 178/2002 shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) the Regulation, and acts adopted pursuant to the Regulation, shall apply to Iceland without the transitional period laid down in paragraph 2 of the Introductory Part of Chapter I of Annex I;
- (b) the EFTA States shall participate in the work of the European Food Safety Authority, hereinafter referred to as “the Authority”, except for the right to vote. Unless otherwise established hereafter, and notwithstanding the provisions of Protocol 1 to the Agreement, the term “Member State(s)” contained in the Regulation shall be understood to include, in addition to its meaning in the Regulation, the EFTA States. Paragraph 11 of Protocol 1 shall apply;
- (c) the EFTA States concerned shall be invited to send observers to the meeting of the Standing Committee on the Food Chain and Animal Health, dealing with matters which fall within acts referred to in the Agreement. The representatives of the EFTA States shall participate fully in the work of the Committee, but shall not have the right to vote;
- (d) the text of Article 12 shall be replaced by the following:

“The legislation of the EFTA States pertaining to production, import and marketing of food and feed shall comply with the relevant requirements of food law, including effective measures to ensure that products withdrawn from the market in an EU Member State cannot be exported or re-exported to a third country via an EFTA State.”;
- (e) the EFTA Surveillance Authority shall receive the information provided for in Articles 26(3), 32(2), 33(4) and (6), and 34(4);
- (f) Article 29 shall apply with the following adaptations:

An EFTA State may request the Authority to issue a scientific opinion on matters falling within its mission. Such a request shall, in the first place, be addressed to the Commission which shall, where it considers that the request is of common interest, forward it to the Authority with a view to obtaining the opinion requested.

The EFTA Surveillance Authority may request the Authority for scientific opinions in the case. The EFTA Surveillance Authority shall cooperate with the Commission to ensure a harmonised approach;

- (g) Article 31 shall apply with the following adaptation:

The EFTA Surveillance Authority may request the Authority to provide scientific and technical assistance as described in Article 31, on matters falling within its competence pursuant to the Agreement;

- (h) the following shall be added to Article 48:

“By way of derogation from Article 12(2)(a) of the Conditions of employment of other servants of the European Communities, nationals of the EFTA States enjoying their full rights as citizens may be engaged under contract by the Executive Director of the Authority.”;

- (i) Articles 53 and 54 shall apply with the following adaptations:

1. in the case of food or feed of Community or EFTA State origin the following shall apply:

- (a) if the Community or an EFTA State intends to adopt emergency measures against the other Contracting Parties, it shall inform the other Parties without delay.

The proposed measures shall be notified without delay to each Contracting Party and to both the EC Commission and the EFTA Surveillance Authority.

Without prejudice to the possibility of putting the measures into force immediately, consultations among the EC Commission and the Parties concerned, at the request of any of them, shall take place as soon as possible in order to find appropriate solutions.

In case of disagreement, any of the Parties concerned may refer the matter to the EEA Joint Committee. If an agreement cannot be reached in that Committee, a Contracting Party may adopt appropriate measures. Such measures shall be restricted to what is strictly necessary to remedy the situation. Priority shall be given to such measures as will least disturb the functioning of the Agreement;

- (b) if the EC Commission intends to take a decision on emergency measures concerning part of the territory of the Community, it shall inform the EFTA Surveillance Authority and the EFTA States without delay.

If the EC Commission takes a decision on emergency measures concerning part of the territory of the Community, the EFTA State concerned, after consultation and after an examination of the situation, shall adopt corresponding measures unless the specific situation of that State indicates that such measures are not justified. In that case, it shall immediately inform the EFTA Surveillance Authority and the EC Commission.

Consultations shall take place as soon as possible in order to find appropriate solutions. In case of disagreement, the fourth subparagraph of paragraph (a) shall apply.

2. In the case of food and feed from a third country the following shall apply:

- (a) the EFTA States shall simultaneously with the EC Member States take emergency measures corresponding to those taken by the latter on imports from third countries;
- (b) in the case of any difficulty relating to the application of a Community act, the EFTA State concerned shall immediately report the matter to the EEA Joint Committee;

- (c) the application of this paragraph is without prejudice to the possibility of an EFTA State taking unilateral emergency measures pending the adoption of the decisions mentioned in (a);
 - (d) the EEA Joint Committee may take note of the Community decisions;
 - (j) Article 60 shall be amended as follows:
 - 1. The following shall be added to paragraph 1:

“If an EFTA State is of the opinion that a measure taken by an EU Member State is either incompatible with this Regulation or is likely to affect the functioning of the Agreement, it shall refer the matter to the EEA Joint Committee. The same shall apply if an EU Member State is of the opinion that a measure taken by an EFTA State is either incompatible with this Regulation or is likely to affect the functioning of the Agreement.”;
 - 2. In paragraph 2, first and last sentence, the words “the two Member States” shall read “the EFTA State and the EU Member State” and the term “Commission” shall read “EEA Joint Committee”. In the second sentence, the words “Commission may” shall read “EEA Joint Committee may, at the request of either of the Contracting Parties.”;
 - (k) the EFTA States shall contribute financially to the budget of the Authority in accordance with Article 82(1) (a) and Protocol 32 of the Agreement;
 - (l) the EFTA States shall grant privileges and immunities to the Authority equivalent to those contained in the Protocol on the privileges and immunities of the European Communities;
 - (m) this Regulation shall not apply to Liechtenstein. Consequently Liechtenstein will not participate in the European Food Safety Authority or contribute financially to its operation.
- 54zzzd. **32003 R 1304:** Commission Regulation (EC) No 1304/2003 of 11 July 2003 on the procedure applied by the European Food Safety Authority to requests for scientific opinions referred to it (OJ L 185, 24.7.2003, p. 6, Regulation as corrected by OJ L 186, 25.7.2003, p. 46).
- 54zzze. **32004 D 0478:** Commission Decision 2004/478/EC of 29 April 2004 concerning the adoption of a general plan for food/feed crisis management (OJ L 160, 30.4.2004, p. 98, Decision as corrected by OJ L 212, 12.6.2004, p. 60).
- The provisions of Decision 2004/478/EC shall, for the purposes of the Agreement, be read with the following adaptation:
- Where the Commission identifies a situation referred to in Article 56(1) of Regulation (EC) No 178/2002 in which an EFTA State is directly concerned and sets up a crisis unit in accordance with Article 56(2) of Regulation (EC) No 178/2002, the crisis coordinator(s) designated by the EFTA State directly concerned and the crisis coordinator designated by the EFTA Surveillance Authority shall take part in the work of the crisis unit.
- 54zzzf. **32004 R 2230:** Commission Regulation (EC) No 2230/2004 of 23 December 2004 laying down detailed rules for the implementation of European Parliament and Council Regulation (EC) No 178/2002 with regard to the network of organisations operating in the fields within the European Food Safety Authority’s mission (OJ L 379, 24.12.2004, p. 64).
- 54zzzg. **32006 D 0478:** Council Decision 2006/478/EC of 19 June 2006 appointing half of the members of the Management Board of the European Food Safety Authority (OJ L 189, 12.7.2006, p. 7).’
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Declaration by the EFTA states concerning article 12 of Regulation (EC) No 178/2002 on general food law and the European Food Safety Authority

The EEA Agreement does not entail a common trade policy with regard to export of food and feed to third countries. The EFTA States wish to state, however, that they consider their national legislation and procedures to be fully in line with the provisions of EU legislation as laid down in Article 12 of Regulation (EC) No 178/2002. Furthermore, the EFTA States are prepared to inform the Commission of any changes to national legislation related to exports of food and feed to third countries.

Joint declaration by the Contracting Parties on the participation of the EFTA Surveillance Authority in the Advisory Forum of the European Food Safety Authority (EFSA)

The Parties note that for the purpose of the integration of Regulation (EC) No 178/2002 into the EEA Agreement, the EFTA Surveillance Authority may be invited as observer by the Executive Director to the meetings of the Advisory Forum.

**Declaration by the government of Norway on equivalence agreements
Regulation (EC) No 178/2002 on general food law and the European Food Safety Authority**

If Norway negotiates equivalence agreements in the veterinary field with third countries having equivalence agreements with the European Union, Norway undertakes to negotiate agreements that are parallel to those of the Community in order to avoid discrepancies.

DECISION OF THE EEA JOINT COMMITTEE**No 135/2007****of 26 October 2007****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 99/2007 of 28 September 2007 ⁽¹⁾.
- (2) Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption ⁽²⁾, as corrected by OJ L 30, 3.2.2007, p. 3, is to be incorporated into the Agreement.
- (3) Directive 2002/33/EC of the European Parliament and of the Council of 21 October 2002 amending Council Directives 90/425/EEC and 92/118/EEC as regards health requirements for animal by-products ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Regulation (EC) No 808/2003 of 12 May 2003 amending Regulation (EC) No 1774/2002 of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Regulation (EC) No 809/2003 of 12 May 2003 on transitional measures under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the processing standards for category 3 material and manure used in composting plants ⁽⁵⁾ is to be incorporated into the Agreement.
- (6) Commission Regulation (EC) No 810/2003 of 12 May 2003 on transitional measures under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards processing standards for category 3 material and manure used in biogas plants ⁽⁶⁾ is to be incorporated into the Agreement.
- (7) Commission Regulation (EC) No 811/2003 of 12 May 2003 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the intra-species recycling ban for fish, the burial and burning of animal by-products and certain transitional measures ⁽⁷⁾ is to be incorporated into the Agreement.
- (8) Commission Regulation (EC) No 446/2004 of 10 March 2004 repealing a number of Decisions concerning animal by-products ⁽⁸⁾ is to be incorporated into the Agreement.
- (9) Commission Regulation (EC) No 668/2004 of 10 March 2004 amending certain Annexes to Regulation (EC) No 1774/2002 of the European Parliament and of the Council, as regards the importation from third countries of animal by-products ⁽⁹⁾, as corrected by OJ L 109, 22.4.2006, p. 12, is to be incorporated into the Agreement.

⁽¹⁾ OJ L 47, 21.2.2008, p. 10.

⁽²⁾ OJ L 273, 10.10.2002, p. 1.

⁽³⁾ OJ L 315, 19.11.2002, p. 14.

⁽⁴⁾ OJ L 117, 13.5.2003, p. 1.

⁽⁵⁾ OJ L 117, 13.5.2003, p. 10.

⁽⁶⁾ OJ L 117, 13.5.2003, p. 12.

⁽⁷⁾ OJ L 117, 13.5.2003, p. 14.

⁽⁸⁾ OJ L 72, 11.3.2004, p. 62.

⁽⁹⁾ OJ L 112, 19.4.2004, p. 1.

- (10) Commission Regulation (EC) No 878/2004 of 29 April 2004 laying down transitional measures in accordance with Regulation (EC) No 1774/2002 for certain animal by-products classified as Category 1 and 2 materials and intended for technical purposes ⁽¹⁾ is to be incorporated into the Agreement.
- (11) Commission Regulation (EC) No 92/2005 of 19 January 2005 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards means of disposal or uses of animal by-products and amending its Annex VI as regards biogas transformation and processing of rendered fats ⁽²⁾ is to be incorporated into the Agreement.
- (12) Commission Regulation (EC) No 93/2005 of 19 January 2005 amending Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards processing of animal by-products of fish origin and commercial documents for the transportation of animal by-products ⁽³⁾ is to be incorporated into the Agreement.
- (13) Commission Regulation (EC) No 2067/2005 of 16 December 2005 amending Regulation (EC) No 92/2005 as regards alternative means of disposal and use of animal by-products ⁽⁴⁾ is to be incorporated into the Agreement.
- (14) Commission Regulation (EC) No 209/2006 of 7 February 2006 amending Regulations (EC) No 809/2003 and (EC) No 810/2003 as regards the extension of the validity of the transitional measures for composting and biogas plants under Regulation (EC) No 1774/2002 of the European Parliament and of the Council ⁽⁵⁾ is to be incorporated into the Agreement.
- (15) Commission Regulation (EC) No 1192/2006 of 4 August 2006 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards lists of approved plants in Member States ⁽⁶⁾ is to be incorporated into the Agreement.
- (16) Commission Regulation (EC) No 1678/2006 of 14 November 2006 amending Regulation (EC) No 92/2005 as regards alternative means of disposal of and use of animal by-products ⁽⁷⁾ is to be incorporated into the Agreement.
- (17) Commission Regulation (EC) No 1877/2006 of 18 December 2006 amending Regulation (EC) No 878/2004 laying down transitional measures in accordance with Regulation (EC) No 1774/2002 for certain animal by-products classified as Category 1 and 2 materials and intended for technical purposes ⁽⁸⁾ is to be incorporated into the Agreement.
- (18) Commission Regulation (EC) No 2007/2006 of 22 December 2006 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the importation and transit of certain intermediate products derived from Category 3 material intended for technical uses in medical devices, in vitro diagnostics and laboratory reagents and amending that Regulation ⁽⁹⁾ is to be incorporated into the Agreement.
- (19) Regulation (EC) No 1774/2002 repeals Council Directive 90/667/EEC ⁽¹⁰⁾, Council Decision 95/348/EC ⁽¹¹⁾ and Council Decision 1999/534/EC ⁽¹²⁾, which are incorporated into the Agreement and which are consequently to be repealed under the Agreement.

⁽¹⁾ OJ L 162, 30.4.2004, p. 62.

⁽²⁾ OJ L 19, 21.1.2005, p. 27.

⁽³⁾ OJ L 19, 21.1.2005, p. 34.

⁽⁴⁾ OJ L 331, 17.12.2005, p. 12.

⁽⁵⁾ OJ L 36, 8.2.2006, p. 32.

⁽⁶⁾ OJ L 215, 5.8.2006, p. 10.

⁽⁷⁾ OJ L 314, 15.11.2006, p. 4.

⁽⁸⁾ OJ L 360, 19.12.2006, p. 133.

⁽⁹⁾ OJ L 379, 28.12.2006, p. 98.

⁽¹⁰⁾ OJ L 363, 27.12.1990, p. 51.

⁽¹¹⁾ OJ L 202, 26.8.1995, p. 8.

⁽¹²⁾ OJ L 204, 4.8.1999, p. 37.

- (20) Regulation (EC) No 446/2004 repeals Commission Decisions 92/562/EEC ⁽¹⁾, 97/735/EC ⁽²⁾ and 2001/25/EC ⁽³⁾, which are incorporated into the Agreement and which are consequently to be repealed under the Agreement.
- (21) This Decision is not to apply to Liechtenstein.
- (22) This Decision shall apply to Iceland with the transitional period specified in paragraph 2 of the Introductory Part of Chapter I of Annex I for the areas which did not apply to Iceland prior to the review of this Chapter by Decision of the EEA Joint Committee No 133/2007 of 26 October 2007,

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 1774/2002 (as corrected by OJ L 30, 3.2.2007, p. 3), (EC) No 808/2003, (EC) No 809/2003, (EC) No 810/2003, (EC) No 811/2003, (EC) No 446/2004, 668/2004 (as corrected by OJ L 109, 22.4.2006, p. 12), (EC) No 878/2004, (EC) No 92/2005, (EC) No 93/2005, (EC) No 2067/2005, (EC) No 209/2006, (EC) No 1192/2006, (EC) No 1678/2006, (EC) No 1877/2006 and (EC) No 2007/2006 and Directive 2002/33/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 27 October 2007, provided that all the notifications under Article 103 (1) of the Agreement have been made to the EEA Joint Committee (*) or at the day of the entry into force of the Decision on the EEA Joint Committee No 133/2007 of 26 October 2007, 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, 26 October 2007.

For the EEA Joint Committee

The President

Stefán Haukur JÓHANNESSON

⁽¹⁾ OJ L 359, 9.12.1992, p. 23.

⁽²⁾ OJ L 294, 28.10.1997, p. 7.

⁽³⁾ OJ L 6, 11.1.2001, p. 16.

(*) Constitutional requirements indicated.

ANNEX

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

- 1) The following point shall be inserted after point 9a (Council Decision 1999/534/EC) in Part 7.1:
 - '9b. **32002 R 1774**: Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption (OJ L 273, 10.10.2002, p. 1), as corrected by OJ L 30, 3.2.2007, p. 3, as amended by:
 - **32003 R 0808**: Commission Regulation (EC) No 808/2003 of 12 May 2003 (OJ L 117, 13.5.2003, p. 1),
 - **32004 R 0668**: Commission Regulation (EC) No 668/2004 of 10 March 2004 (OJ L 112, 19.4.2004, p. 1), as corrected by OJ L 109, 22.4.2006, p. 12,
 - **32005 R 0092**: Commission Regulation (EC) No 92/2005 of 19 January 2005 (OJ L 19, 21.1.2005, p. 27),
 - **32005 R 0093**: Commission Regulation (EC) No 93/2005 of 19 January 2005 (OJ L 19, 21.1.2005, p. 34).'
- 2) The heading 'Animal waste, pathogens' in Part 7.1 shall be replaced by the heading 'Animal by-products not intended for human consumption'.
- 3) The following indent shall be added in points 2 (Council Directive 90/425/EEC) in Part 1.1, 7 (Council Directive 92/118/EC) in Part 5.1 and 16 (Council Directive 92/118/EC) in Part 8.1:
 - **32002 L 0033**: Directive 2002/33/EC of the European Parliament and of the Council of 21 October 2002 (OJ L 315, 19.11.2002, p. 14).'
- 4) The following points shall be inserted after point 33 (Council Decision 2006/478/EC) in Part 7.2:
 - '34. **32003 R 0809**: Commission Regulation (EC) No 809/2003 of 12 May 2003 on transitional measures under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the processing standards for category 3 material and manure used in composting plants (OJ L 117, 13.5.2003, p. 10), as amended by:
 - **32006 R 0209**: Commission Regulation (EC) No 209/2006 of 7 February 2006 (OJ L 36, 8.2.2006, p. 32).
 35. **32003 R 0810**: Commission Regulation (EC) No 810/2003 of 12 May 2003 on transitional measures under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards processing standards for category 3 material and manure used in biogas plants (OJ L 117, 13.5.2003, p. 12), as amended by:
 - **32006 R 0209**: Commission Regulation (EC) No 209/2006 of 7 February 2006 (OJ L 36, 8.2.2006, p. 32).
 36. **32003 R 0811**: Commission Regulation (EC) No 811/2003 of 12 May 2003 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the intra-species recycling ban for fish, the burial and burning of animal by-products and certain transitional measures (OJ L 117, 13.5.2003, p. 14).
 37. **32004 R 0446**: Commission Regulation (EC) No 446/2004 of 10 March 2004 repealing a number of Decisions concerning animal by-products (OJ L 72, 11.3.2004, p. 62).
 38. **32004 R 0878**: Commission Regulation (EC) No 878/2004 of 29 April 2004 laying down transitional measures in accordance with Regulation (EC) No 1774/2002 for certain animal by-products classified as Category 1 and 2 materials and intended for technical purposes (OJ L 162, 30.4.2004, p. 62), as amended by:
 - **32006 R 1877**: Commission Regulation (EC) No 1877/2006 of 18 December 2006 (OJ L 360, 19.12.2006, p. 133).

39. **32005 R 0092**: Commission Regulation (EC) No 92/2005 of 19 January 2005 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards means of disposal or uses of animal by-products and amending its Annex VI as regards biogas transformation and processing of rendered fats (OJ L 19, 21.1.2005, p. 27), as amended by:
- **32005 R 2067**: Commission Regulation (EC) No 2067/2005 of 16 December 2005 (OJ L 331, 17.12.2005, p. 12).
 - **32006 R 1678**: Commission Regulation (EC) No 1678/2006 of 14 November 2006 (OJ L 314, 15.11.2006, p. 4).
40. **32006 R 1192**: Commission Regulation (EC) No 1192/2006 of 4 August 2006 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards lists of approved plants in Member States (OJ L 215, 5.8.2006, p. 10).
41. **32006 R 2007**: Commission Regulation (EC) No 2007/2006 of 22 December 2006 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the importation and transit of certain intermediate products derived from Category 3 material intended for technical uses in medical devices, in vitro diagnostics and laboratory reagents and amending that Regulation (OJ L 379, 28.12.2006, p. 98).'
- 5) The text of points 9 (Council Directive 90/667/EEC) and 9a (Council Decision 1999/534/EC) in Part 7.1 and points 7 (Commission Decision 92/562/EEC) and 11 (Council Decision 95/348/EC) in Part 7.2 shall be deleted.
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DECISION OF THE EEA JOINT COMMITTEE**No 136/2007****of 26 October 2007****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 99/2007 of 28 September 2007 ⁽¹⁾.
- (2) Commission Decision 2003/322/EC of 12 May 2003 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the feeding of certain necrophagous birds with certain category 1 materials ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Decision 2003/324/EC of 12 May 2003 as regards a derogation from the intra-species recycling ban for fur animals under Regulation (EC) No 1774/2002 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Decision 2004/407/EC of 26 April 2004 on transitional sanitary and certification rules under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards imports from certain third countries of photographic gelatine ⁽⁴⁾, as corrected by OJ L 208, 10.6.2004, p. 9 and OJ L 396, 31.12.2004, p. 63, is to be incorporated into the Agreement.
- (5) Commission Decision 2004/434/EC of 29 April 2004 adapting Decision 2003/324/EC as regards a derogation from the intra-species recycling ban for fur animals under Regulation (EC) No 1774/2002 of the European Parliament and of the Council by reason of the accession of Estonia ⁽⁵⁾, as corrected by OJ L 189, 27.5.2004, p. 43, is to be incorporated into the Agreement.
- (6) Commission Decision 2004/455/EC of 29 April 2004 adapting Decision 2003/322/EC implementing Regulation (EC) No 1774/2002 as regards the feeding of certain necrophagous birds with certain Category 1 materials by reason of the accession of Cyprus ⁽⁶⁾, as corrected by OJ L 202, 7.6.2004, p. 31, is to be incorporated into the Agreement.
- (7) Commission Regulation (EC) No 79/2005 of 19 January 2005 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the use of milk, milk-based products and milk-derived products, defined as Category 3 material in that Regulation ⁽⁷⁾ is to be incorporated into the Agreement.
- (8) Commission Regulation (EC) No 416/2005 of 11 March 2005 amending Annex XI to Regulation (EC) No 1774/2002 of the European Parliament and of the Council, as regards the importation from Japan of certain animal by-products intended for technical purposes ⁽⁸⁾ is to be incorporated into the Agreement.

⁽¹⁾ OJ L 47, 21.2.2008, p. 10.

⁽²⁾ OJ L 117, 13.5.2003, p. 32.

⁽³⁾ OJ L 117, 13.5.2003, p. 37.

⁽⁴⁾ OJ L 151, 30.4.2004, p. 11.

⁽⁵⁾ OJ L 154, 30.4.2004, p. 54.

⁽⁶⁾ OJ L 156, 30.4.2004, p. 41.

⁽⁷⁾ OJ L 16, 20.1.2005, p. 46.

⁽⁸⁾ OJ L 66, 12.3.2005, p. 10.

- (9) Commission Decision 2005/830/EC of 25 November 2005 amending Decision 2003/322/EC as regards the feeding of certain necrophagous birds with certain category 1 material ⁽¹⁾ is to be incorporated into the Agreement.
- (10) Commission Regulation (EC) No 181/2006 of 1 February 2006 implementing Regulation (EC) No 1774/2002 as regards organic fertilisers and soil improvers other than manure and amending that Regulation ⁽²⁾ is to be incorporated into the Agreement.
- (11) Commission Regulation (EC) No 197/2006 of 3 February 2006 on transitional measures under Regulation (EC) No 1774/2002 as regards the collection, transport, treatment, use and disposal of former foodstuffs ⁽³⁾ is to be incorporated into the Agreement.
- (12) Commission Regulation (EC) No 208/2006 of 7 February 2006 amending Annexes VI and VIII to Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards processing standards for biogas and composting plants and requirements for manure ⁽⁴⁾ is to be incorporated into the Agreement.
- (13) Commission Decision 2006/311/EC of 21 April 2006 amending Commission Decision 2004/407/EC as regards imports of photographic gelatine ⁽⁵⁾ is to be incorporated into the Agreement.
- (14) This Decision is not to apply to Liechtenstein.
- (15) This Decision shall apply to Iceland with the transitional period specified in paragraph 2 of the Introductory Part of Chapter I of Annex I for the areas which did not apply to Iceland prior to the review of this Chapter by Decision of the EEA Joint Committee No 133/2007 of 26 October 2007,

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 79/2005, (EC) No 416/2005, (EC) No 181/2006, (EC) No 197/2006 and (EC) No 208/2006 and Decisions 2003/322/EC, 2003/324/EC, 2004/407/EC (as corrected by OJ L 208, 10.6.2004, p. 9 and OJ L 396, 31.12.2004, p. 63), 2004/434/EC (as corrected by OJ L 189, 27.5.2004, p. 43), 2004/455/EC (as corrected by OJ L 202, 7.6.2004, p. 31), 2005/830/EC, and 2006/311/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 27 October 2007, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*) or at the day of the entry into force of the Decision on the EEA Joint Committee No 133/2007 of 26 October 2007, whichever is the later.

⁽¹⁾ OJ L 311, 26.11.2005, p. 40.

⁽²⁾ OJ L 29, 2.2.2006, p. 31.

⁽³⁾ OJ L 32, 4.2.2006, p. 13.

⁽⁴⁾ OJ L 36, 8.2.2006, p. 25.

⁽⁵⁾ OJ L 115, 28.4.2006, p. 40.

(*) 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, 26 October 2007.

For the EEA Joint Committee

The President

Stefán Haukur JÓHANNESSON

ANNEX

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

1. The following indents shall be added in point 9b (Regulation (EC) No 1774/2002 of the European Parliament and of the Council) in Part 7.1:

— **32005 R 0416:** Commission Regulation (EC) No 416/2005 of 11 March 2005 (OJ L 66, 12.3.2005, p. 10),

— **32006 R 0181:** Commission Regulation (EC) No 181/2006 of 1 February 2006 (OJ L 29, 2.2.2006, p. 31),

— **32006 R 0208:** Commission Regulation (EC) No 208/2006 of 7 February 2006 (OJ L 36, 8.2.2006, p. 25).'

2. The following shall be inserted after point 41 (Commission Regulation (EC) No 2007/2006) in Part 7.2:

‘42. **32004 D 0407:** Commission Decision 2004/407/EC of 26 April 2004 on transitional sanitary and certification rules under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards imports from certain third countries of photographic gelatine (OJ L 151, 30.4.2004, p. 11), as corrected by OJ L 208, 10.6.2004, p. 9 and OJ L 396, 31.12.2004, p. 63, as amended by:

— **32006 D 0311:** Commission Decision 2006/311/EC of 21 April 2006 (OJ L 115, 28.4.2006, p. 40).

43. **32005 R 0079:** Commission Regulation (EC) No 79/2005 of 19 January 2005 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the use of milk, milk-based products and milk-derived products, defined as Category 3 material in that Regulation (OJ L 16, 20.1.2005, p. 46).

44. **32006 R 0181:** Commission Regulation (EC) No 181/2006 of 1 February 2006 implementing Regulation (EC) No 1774/2002 as regards organic fertilisers and soil improvers other than manure and amending that Regulation (OJ L 29, 2.2.2006, p. 31).

45. **32006 R 0197:** Commission Regulation (EC) No 197/2006 of 3 February 2006 on transitional measures under Regulation (EC) No 1774/2002 as regards the collection, transport, treatment, use and disposal of former foodstuffs (OJ L 32, 4.2.2006, p. 13).'

3. Under the heading ‘ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT’ in Part 7.2, the following shall be inserted after point 41 (Commission Decision 2005/598/EC):

‘Animal by-products not intended for human consumption

42. **32003 D 0322:** Commission Decision 2003/322/EC of 12 May 2003 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the feeding of certain necrophagous birds with certain category 1 materials (OJ L 117, 13.5.2003, p. 32), as amended by:

— **32004 D 0455:** Commission Decision 2004/455/EC of 29 April 2004 (OJ L 156, 30.4.2004, p. 41), as corrected by OJ L 202, 7.6.2004, p. 31,

— **32005 D 0830:** Commission Decision 2005/830/EC of 25 November 2005 (OJ L 311, 26.11.2005, p. 40).

43. **32003 D 0324:** Commission Decision 2003/324/EC of 12 May 2003 as regards a derogation from the intra-species recycling ban for fur animals under Regulation (EC) No 1774/2002 of the European Parliament and of the Council (OJ L 117, 13.5.2003, p. 37), as amended by:

— **32004 D 0434:** Commission Decision 2004/434/EC of 29 April 2004 (OJ L 154, 30.4.2004, p. 54), as corrected by OJ L 189, 27.5.2004, p. 43.’

DECISION OF THE EEA JOINT COMMITTEE**No 137/2007****of 26 October 2007****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 100/2007 of 28 September 2007 ⁽¹⁾.
- (2) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 104/2007 of 28 September 2007 ⁽²⁾.
- (3) Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs ⁽³⁾, as corrected by OJ L 226, 25.6.2004, p. 3, is to be incorporated into the Agreement.
- (4) Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ⁽⁴⁾, as corrected by OJ L 226, 25.6.2004, p. 22, is to be incorporated into the Agreement.
- (5) Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ⁽⁵⁾, as corrected by OJ L 226, 25.6.2004, p. 83, is to be incorporated into the Agreement.
- (6) Directive 2004/41/EC of the European Parliament and of the Council of 21 April 2004 repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC ⁽⁶⁾, as corrected by OJ L 195, 2.6.2004, p. 12, is to be incorporated into the Agreement.
- (7) Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules ⁽⁷⁾, as corrected by OJ L 191, 28.5.2004, p. 1, is to be incorporated into the Agreement.
- (8) Commission Regulation (EC) No 1688/2005 of 14 October 2005 implementing Regulation (EC) No 853/2004 of the European Parliament and of the Council as regards special guarantees concerning salmonella for consignments to Finland and Sweden of certain meat and eggs ⁽⁸⁾ is to be incorporated into the Agreement.

⁽¹⁾ OJ L 47, 21.2.2008, p. 12.

⁽²⁾ OJ L 47, 21.2.2008, p. 21.

⁽³⁾ OJ L 139, 30.4.2004, p. 1.

⁽⁴⁾ OJ L 139, 30.4.2004, p. 55.

⁽⁵⁾ OJ L 139, 30.4.2004, p. 206.

⁽⁶⁾ OJ L 157, 30.4.2004, p. 33.

⁽⁷⁾ OJ L 165, 30.4.2004, p. 1.

⁽⁸⁾ OJ L 271, 15.10.2005, p. 17.

- (9) Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs ⁽¹⁾, as corrected by OJ L 278, 10.10.2006, p. 32 and OJ L 283, 14.10.2006, p. 62, is to be incorporated into the Agreement.
- (10) Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 ⁽²⁾ is to be incorporated into the Agreement.
- (11) Commission Regulation (EC) No 2075/2005 of 5 December 2005 laying down specific rules on official controls for *Trichinella* in meat ⁽³⁾ is to be incorporated into the Agreement.
- (12) Commission Regulation (EC) No 2076/2005 of 5 December 2005 laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 ⁽⁴⁾ is to be incorporated into the Agreement.
- (13) Commission Regulation (EC) No 401/2006 of 23 February 2006 laying down the methods of sampling and analysis for the official control of the levels of mycotoxins in foodstuffs ⁽⁵⁾ is to be incorporated into the Agreement.
- (14) Commission Regulation (EC) No 776/2006 of 23 May 2006 amending Annex VII to Regulation (EC) No 882/2004 of the European Parliament and of the Council as regards Community reference laboratories ⁽⁶⁾ is to be incorporated into the Agreement.
- (15) Commission Decision 2006/677/EC of 29 September 2006 setting out the guidelines laying down criteria for the conduct of audits under Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls to verify compliance with feed and food law, animal health and animal welfare rules ⁽⁷⁾ is to be incorporated into the Agreement.
- (16) Commission Regulation (EC) No 1662/2006 of 6 November 2006 amending Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin ⁽⁸⁾ is to be incorporated into the Agreement.
- (17) Commission Regulation (EC) No 1663/2006 of 6 November 2006 amending Regulation (EC) No 854/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ⁽⁹⁾ is to be incorporated into the Agreement.
- (18) Commission Regulation (EC) No 1664/2006 of 6 November 2006 amending Regulation (EC) No 2074/2005 as regards implementing measures for certain products of animal origin intended for human consumption and repealing certain implementing measures ⁽¹⁰⁾ is to be incorporated into the Agreement.
- (19) Commission Regulation (EC) No 1665/2006 of 6 November 2006 amending Regulation (EC) No 2075/2005 laying down specific rules on official controls for *Trichinella* in meat ⁽¹¹⁾ is to be incorporated into the Agreement.

⁽¹⁾ OJ L 338, 22.12.2005, p. 1.

⁽²⁾ OJ L 338, 22.12.2005, p. 27.

⁽³⁾ OJ L 338, 22.12.2005, p. 60.

⁽⁴⁾ OJ L 338, 22.12.2005, p. 83.

⁽⁵⁾ OJ L 70, 9.3.2006, p. 12.

⁽⁶⁾ OJ L 136, 24.5.2006, p. 3.

⁽⁷⁾ OJ L 278, 10.10.2006, p. 15.

⁽⁸⁾ OJ L 320, 18.11.2006, p. 1.

⁽⁹⁾ OJ L 320, 18.11.2006, p. 11.

⁽¹⁰⁾ OJ L 320, 18.11.2006, p. 13.

⁽¹¹⁾ OJ L 320, 18.11.2006, p. 46.

- (20) Commission Regulation (EC) No 1666/2006 of 6 November 2006 amending Regulation (EC) No 2076/2005 laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council ⁽¹⁾ is to be incorporated into the Agreement.
- (21) Commission Decision 2006/765/EC of 6 November 2006 repealing certain implementing acts concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption ⁽²⁾ is to be incorporated into the Agreement.
- (22) Regulation (EC) No 852/2004 repeals Council Directive 93/43/EEC ⁽³⁾, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.
- (23) Directive 2004/41/EC repeals several acts which are incorporated into the Agreement and which are consequently to be repealed under the Agreement.
- (24) Regulation (EC) No 882/2004 repeals Council Directives 70/373/EEC ⁽⁴⁾, 85/73/EEC ⁽⁵⁾, 85/591/EEC ⁽⁶⁾, 89/397/EEC ⁽⁷⁾, 93/99/E ⁽⁸⁾, 95/53/EC ⁽⁹⁾ and Council Decisions 93/383/EEC ⁽¹⁰⁾, 98/728/EC ⁽¹¹⁾ and 1999/313/EC ⁽¹²⁾, which are incorporated into the Agreement and which are consequently to be repealed under the Agreement.
- (25) Regulation (EC) No 1688/2005 repeals Commission Decision 95/168/EC ⁽¹³⁾, Council Decisions 95/409/EC ⁽¹⁴⁾, 95/411/EC ⁽¹⁵⁾ and Commission Decision 2003/470/EC ⁽¹⁶⁾, which are incorporated into the Agreement and which are consequently to be repealed under the Agreement.
- (26) Regulation (EC) No 2073/2005 repeals Commission Decision 93/51/EEC ⁽¹⁷⁾ which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.
- (27) Regulation (EC) No 401/2006 repeals Commission Directives 98/53/EC ⁽¹⁸⁾, 2002/26/EC ⁽¹⁹⁾, 2003/78/EC ⁽²⁰⁾ and 2005/38/EC ⁽²¹⁾, which are incorporated into the Agreement and which are consequently to be repealed under the Agreement.
- (28) Regulation (EC) No 1664/2006 repeals Commission Decision 91/180/EEC ⁽²²⁾, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.
- (29) Decision 2006/765/EC repeals several acts which are incorporated into the Agreement and which are consequently to be repealed under the Agreement.
- (30) This Decision is not to apply to Liechtenstein.

⁽¹⁾ OJ L 320, 18.11.2006, p. 47.

⁽²⁾ OJ L 320, 18.11.2006, p. 50.

⁽³⁾ OJ L 175, 19.7.1993, p. 1.

⁽⁴⁾ OJ L 170, 3.8.1970, p. 2.

⁽⁵⁾ OJ L 32, 5.2.1985, p. 14.

⁽⁶⁾ OJ L 372, 31.12.1985, p. 50.

⁽⁷⁾ OJ L 186, 30.6.1989, p. 23.

⁽⁸⁾ OJ L 290, 24.11.1993, p. 14.

⁽⁹⁾ OJ L 265, 8.11.1995, p. 17.

⁽¹⁰⁾ OJ L 166, 8.7.1993, p. 31.

⁽¹¹⁾ OJ L 346, 22.12.1998, p. 51.

⁽¹²⁾ OJ L 120, 8.5.1999, p. 40.

⁽¹³⁾ OJ L 109, 16.5.1995, p. 44.

⁽¹⁴⁾ OJ L 243, 11.10.1995, p. 21.

⁽¹⁵⁾ OJ L 243, 11.10.1995, p. 29.

⁽¹⁶⁾ OJ L 157, 26.6.2003, p. 66.

⁽¹⁷⁾ OJ L 13, 21.1.1993, p. 11.

⁽¹⁸⁾ OJ L 201, 17.7.1998, p. 93.

⁽¹⁹⁾ OJ L 75, 16.3.2002, p. 38.

⁽²⁰⁾ OJ L 203, 12.8.2003, p. 40.

⁽²¹⁾ OJ L 143, 7.6.2005, p. 18.

⁽²²⁾ OJ L 93, 13.4.1991, p. 1.

- (31) This Decision shall apply to Iceland with the transitional period specified in paragraph 2 of the Introductory Part of Chapter I of Annex I for the areas which did not apply to Iceland prior to the review of this Chapter by Decision of the EEA Joint Committee No 133/2007 of 26 October 2007,

HAS DECIDED AS FOLLOWS:

Article 1

Annexes I and II to the Agreement shall be amended as specified in the Annex to this Decision.

Article 2

The texts of Regulations (EC) No 852/2004 (as corrected by OJ L 226, 25.6.2004, p. 3), (EC) No 853/2004 (as corrected by OJ L 226, 25.6.2004, p. 22), (EC) No 854/2004 (as corrected by OJ L 226, 25.6.2004, p. 83), (EC) No 882/2004 (as corrected by OJ L 191, 28.5.2004, p. 1), (EC) No 1688/2005, (EC) No 2073/2005 (as corrected by OJ L 278, 10.10.2006, p. 32 and OJ L 283, 14.10.2006, p. 62), (EC) No 2074/2005, (EC) No 2075/2005, (EC) No 2076/2005, (EC) No 401/2006, (EC) No 776/2006, (EC) No 1662/2006, (EC) No 1663/2006, (EC) No 1664/2006, (EC) No 1665/2006 and (EC) No 1666/2006, and Directive 2004/41/EC (as corrected by OJ L 195, 2.6.2004, p. 12), and Decisions 2006/677/EC and 2006/765/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 27 October 2007, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*) or at the day of the entry into force of the Decision on the EEA Joint Committee No 133/2007 of 26 October 2007, 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, 26 October 2007.

For the EEA Joint Committee

The President

Stefán Haukur JÓHANNESSON

(*) Constitutional requirements indicated.

ANNEX

Annexes I and II to the Agreement shall be amended as specified below:

1. The following shall be inserted after point 10 (Regulation (EC) No 998/2003 of the European Parliament and of the Council) in Part 1.1 of Chapter I of Annex I:

‘Official control of food and feed

11. **32004 R 0882**: Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (OJ L 165, 30.4.2004, p. 1), as corrected by OJ L 191, 28.5.2004, p. 1, as amended by:

— **32006 R 0776**: Commission Regulation (EC) No 776/2006 of 23 May 2006 (OJ L 136, 24.5.2006, p. 3).

Official control of food of animal origin

12. **32004 R 0854**: Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption (OJ L 139, 30.4.2004, p. 206), as corrected by OJ L 226, 25.6.2004, p. 83, as amended by:

— **32005 R 2074**: Commission Regulation (EC) No 2074/2005 of 5 December 2005 (OJ L 338, 22.12.2005, p. 27),

— **32005 R 2076**: Commission Regulation (EC) No 2076/2005 of 5 December 2005 (OJ L 338, 22.12.2005, p. 83),

— **32006 R 1663**: Commission Regulation (EC) No 1663/2006 of 6 November 2006 (OJ L 320, 18.11.2006, p. 11).

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

(a) in Annex I, Section I, Chapter III, paragraph 3 (a) the following shall be added: “NO” and “IS”;

(b) in Annex I, Section I, Chapter III, paragraph 3 (c) the following shall be added: “EFTA”.

2. The text of point 8 (Council Directive 85/73/EEC) in Part 1.1 of Chapter I of Annex I shall be deleted with effect from 1 January 2008.

3. The following points shall be inserted after point 133 (Commission Decision 2007/16/EC) in Part 1.2 of Chapter I of Annex I:

- ‘134. **32005 R 2074**: Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 (OJ L 338, 22.12.2005, p. 27), as amended by:

— **32006 R 1664**: Commission Regulation (EC) No 1664/2006 of 6 November 2006 (OJ L 320, 18.11.2006, p. 13).

135. **32005 R 2076**: Commission Regulation (EC) No 2076/2005 of 5 December 2005 laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 (OJ L 338, 22.12.2005, p. 83), as amended by:

— **32006 R 1666**: Commission Regulation (EC) No 1666/2006 of 6 November 2006 (OJ L 320, 18.11.2006, p. 47).

136. **32006 D 0677**: Commission Decision 2006/677/EC of 29 September 2006 setting out the guidelines laying down criteria for the conduct of audits under Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls to verify compliance with feed and food law, animal health and animal welfare rules (OJ L 278, 10.10.2006, p. 15).'

4. The following shall be inserted after point 15 (Council Directive 92/118/EEC) in Part 6.1 of Chapter I of Annex I:

'Hygiene in foodstuffs and food of animal origin

16. **32004 R 0852**: Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (OJ L 139, 30.4.2004, p. 1), as corrected by OJ L 226, 25.6.2004, p. 3.

17. **32004 R 0853**: Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (OJ L 139, 30.4.2004, p. 55), as corrected by OJ L 226, 25.6.2004, p. 22, as amended by:

— **32005 R 2074**: Commission Regulation (EC) No 2074/2005 of 5 December 2005 (OJ L 338, 22.12.2005, p. 27),

— **32005 R 2076**: Commission Regulation (EC) No 2076/2005 of 5 December 2005 (OJ L 338, 22.12.2005, p. 83),

— **32006 R 1662**: Commission Regulation (EC) No 1662/2006 of 6 November 2006 (OJ L 320, 18.11.2006, p. 1).

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

(a) in Article 8, the word "Norway" shall be added after the word "Sweden";

(b) in Annex II, Section I, B, paragraph 6 second indent, the following shall be added: "NO" and "IS";

(c) in Annex II, Section I, B, paragraph 8 the following shall be added: "EFTA".

18. **32004 L 0041**: Directive 2004/41/EC of the European Parliament and of the Council of 21 April 2004 repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC (OJ L 157, 30.4.2004, p. 33), as corrected by OJ L 195, 2.6.2004, p. 12.'

5. The following indent shall be added in points 1 (Council Directive 89/662/EEC) in Part 1.1, 7 (Council Directive 92/118/EEC) in Part 5.1, 15 (Council Directive 92/118/EEC) in Part 6.1, 16 (Council Directive 92/118/EEC) in Part 8.1 and 18 (Council Decision 95/408/EC) in Part 8.1 of Chapter I of Annex I:

— **32004 L 0041**: Directive 2004/41/EC of the European Parliament and of the Council of 21 April 2004 (OJ L 157, 30.4.2004, p. 33), as corrected by OJ L 195, 2.6.2004, p. 12.'

6. The text of points 10a (Council Decision 1999/313/EC) in Part 6.1 and points 9 (Commission Decision 91/180/EEC) and 17 (Council Decision 93/383/EEC) in Part 6.2 of Chapter I of Annex I shall be deleted.

7. The text of points 1 (Council Directive 72/461/EEC), 2 (Council Directive 91/494/EEC), 3 (Council Directive 80/215/EEC), 4 (Council Directive 92/46/EEC), 5 (Council Directive 91/495/EEC) and 6 (Council Directive 92/45/EEC) in Part 5.1, 1 (Council Directive 64/433/EEC), 2 (Council Directive 71/118/EEC), 4 (Council Directive 77/99/EEC), 6 (Council Directive 94/65/EC), 7 (Council Directive 89/437/EEC), 8 (Council Directive 91/493/EEC), 9 (Council Directive 92/48/EEC), 10 (Council Directive 91/492/EEC), 11 (Council Directive 92/46/EEC), 13 (Council Directive 91/495/EEC) and 14 (Council Directive 92/45/EEC) in Part 6.1, 5 (Commission Directive 89/362/EEC) in Part 6.2, 8 (Council Directive 71/118/EEC), 9 (Council Directive 91/494/EEC), 10 (Council Directive 94/65/EC), 11 (Council Directive 91/493/EEC), 12 (Council Directive 91/492/EEC), 13 (Council Directive 92/46/EEC), 14 (Council Directive 92/45/EEC) and 17 (Council Directive 77/96/EEC) in Part 8.1 of Chapter I of Annex I shall be deleted.

8. The following points shall be inserted after point 50 (Commission Decision 2004/440/EC) in Part 6.2 of Chapter I of Annex I:

- ‘51. **32005 R 1688**: Commission Regulation (EC) No 1688/2005 of 14 October 2005 implementing Regulation (EC) No 853/2004 of the European Parliament and of the Council as regards special guarantees concerning salmonella for consignments to Finland and Sweden of certain meat and eggs (OJ L 271, 15.10.2005, p. 17).

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

This Regulation shall also apply to consignments intended for Norway.

52. **32005 R 2073**: Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs (OJ L 338, 22.12.2005, p. 1), as corrected by OJ L 278, 10.10.2006, p. 32 and OJ L 283, 14.10.2006, p. 62.
53. **32005 R 2074**: Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 (OJ L 338, 22.12.2005, p. 27).
54. **32005 R 2075**: Commission Regulation (EC) No 2075/2005 of 5 December 2005 laying down specific rules on official controls for *Trichinella* in meat (OJ L 338, 22.12.2005, p. 60), as amended by:
- **32006 R 1665**: Commission Regulation (EC) No 1665/2006 of 6 November 2006 (OJ L 320, 18.11.2006, p. 46).
55. **32005 R 2076**: Commission Regulation (EC) No 2076/2005 of 5 December 2005 laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 (OJ L 338, 22.12.2005, p. 83), as amended by:
- **32006 R 1666**: Commission Regulation (EC) No 1666/2006 of 6 November 2006 (OJ L 320, 18.11.2006, p. 47).
56. **32006 D 0765**: Commission Decision 2006/765/EC of 6 November 2006 repealing certain implementing acts concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption (OJ L 320, 18.11.2006, p. 50).’

9. The text of point 84 (Commission Decision 98/470/EC) in Part 1.2 and points 1 (Commission Directive 83/201/EEC), 2 (Commission Decision 84/371/EEC), 4 (Commission Decision 87/266/EEC), 7 (Commission Decision 90/514/EEC), 10 (Commission Decision 92/92/EEC), 14 (Commission Decision 93/140/EEC), 18 (Commission Decision 94/14/EC), 21 (Commission Decision 94/356/EC), 22 (Council Decision 94/371/EC), 23 (Commission Decision 94/383/EC), 25 (Commission Decision 94/837/EC), 28 (Commission Decision 95/149/EC), 29 (Commission Decision 95/165/EC), 34 (Commission Decision 96/536/EC), 40 (Commission Decision 2001/471/EC), 42 (Commission Decision 2002/225/EC), 45 (Commission Decision 2003/380/EC) and 47 (Commission Decision 2003/774/EC) in part 6.2 of Chapter I of Annex I shall be deleted.
10. The text of points 30 (Commission Decision 95/168/EC), 31 (Council Decision 95/409/EC), 32 (Council Decision 95/411/EC) and 46 (Commission Decision 2003/470/EC) in Part 6.2 of Chapter I of Annex I shall be deleted.
11. The text of point 13 (Commission Decision 93/51/EEC) in Part 6.2 of Chapter I of Annex I shall be deleted.
12. The following shall be inserted after point 31i (Commission Directive 2003/126/EC) in Chapter II of Annex I:
- ‘31j. **32004 R 0882**: Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (OJ L 165, 30.4.2004, p. 1), as corrected by OJ L 191, 28.5.2004, p. 1, as amended by:

- **32006 R 0776**: Commission Regulation (EC) No 776/2006 of 23 May 2006 (OJ L 136, 24.5.2006, p. 3).

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

This Regulation, and acts adopted pursuant to this Regulation, shall apply to Iceland with a transitional period specified in paragraph 2 of the Introductory Part of Chapter I of Annex I.

31k. **32005 R 2074:** Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 (OJ L 338, 22.12.2005, p. 27), as amended by:

— **32006 R 1664:** Commission Regulation (EC) No 1664/2006 of 6 November 2006 (OJ L 320, 18.11.2006, p. 13).

31l. **32006 D 0677:** Commission Decision 2006/677/EC of 29 September 2006 setting out the guidelines laying down criteria for the conduct of audits under Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls to verify compliance with feed and food law, animal health and animal welfare rules (OJ L 278, 10.10.2006, p. 15).'

13. The text of points 18 (Council Directive 70/373/EEC), 31a (Council Directive 95/53/EC), 31e (Council Decision 98/728/EC) in Chapter II of Annex I shall be deleted.

14. The following shall be inserted after point 54zzzg (Council Decision 2006/478/EC) in Chapter XII of Annex II:

'54zzzh. **32004 R 0852:** Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (OJ L 139, 30.4.2004, p. 1), as corrected by OJ L 226, 25.6.2004, p. 3.

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

This Regulation, and acts adopted pursuant to this Regulation, shall apply to Iceland with a transitional period specified in paragraph 2 of the Introductory Part of Chapter I of Annex I.

54zzzi. **32004 R 0882:** Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (OJ L 165, 30.4.2004, p. 1), as corrected by OJ L 191, 28.5.2004, p. 1, as amended by:

— **32006 R 0776:** Commission Regulation (EC) No 776/2006 of 23 May 2006 (OJ L 136, 24.5.2006, p. 3).

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

This Regulation, and acts adopted pursuant to this Regulation, shall apply to Iceland with a transitional period specified in paragraph 2 of the Introductory Part of Chapter I of Annex I.

54zzzj. **32005 R 2073:** Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs (OJ L 338, 22.12.2005, p. 1), as corrected by OJ L 278, 10.10.2006, p. 32 and OJ L 283, 14.10.2006, p. 62.

54zzzk. **32005 R 2074:** Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 (OJ L 338, 22.12.2005, p. 27), as amended by:

— **32006 R 1664:** Commission Regulation (EC) No 1664/2006 of 6 November 2006 (OJ L 320, 18.11.2006, p. 13).

54zzzl. **32006 R 0401:** Commission Regulation (EC) No 401/2006 of 23 February 2006 laying down the methods of sampling and analysis for the official control of the levels of mycotoxins in foodstuffs (OJ L 70, 9.3.2006, p. 12).

- 54zzzm. **32006 D 0677**: Commission Decision 2006/677/EC of 29 September 2006 setting out the guidelines laying down criteria for the conduct of audits under Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls to verify compliance with feed and food law, animal health and animal welfare rules (OJ L 278, 10.10.2006, p. 15).'
15. The text of points 37 (Council Directive 85/591/EEC), 50 (Council Directive 89/397/EEC), 54n (Council Directive 93/99/EEC), point 54j (Council Directive 93/43/EEC), 54s (Commission Directive 98/53/EC), 54zx (Commission Directive 2002/26/EC), 54zzj (Commission Directive 2003/78/EC) and 54zzv (Commission Directive 2005/38/EC) in Chapter XII of Annex II shall be deleted.

Declaration by the Government OF Iceland on Salmonella guaranties

Iceland declares its intentions to establish a control program equivalent to that approved for Sweden, Finland and Norway in respect of food of animal origin, and to have it approved in accordance with Regulation (EC) No 2160/2003 by the time the transitional period expires.

DECISION OF THE EEA JOINT COMMITTEE

No 138/2007

of 26 October 2007

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 100/2007 of 28 September 2007 ⁽¹⁾.
- (2) Regulation (EC) No 183/2005 of the European Parliament and of the Council of 12 January 2005 laying down requirements for feed hygiene ⁽²⁾ is to be incorporated into the Agreement.
- (3) Regulation (EC) No 183/2005 repeals Council Directive 95/69/EC ⁽³⁾ and Commission Directive 98/51/EC ⁽⁴⁾, which are incorporated into the Agreement and which are consequently to be repealed under the Agreement.
- (4) 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 point shall be inserted after point 31l (Commission Decision 2006/677/EC):

'31m. **32005 R 0183**: Regulation (EC) No 183/2005 of the European Parliament and of the Council of 12 January 2005 laying down requirements for feed hygiene (OJ L 35, 8.2.2005, p. 1).

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

The following shall be added in Article 18:

"5. The date referred to in Article 18 (1) and (2) shall for the EFTA States be two months following the date of entry into force of the EEA Joint Committee Decision incorporating Regulation (EC) No 183/2005 into the EEA Agreement."

2. The text of points 31b (Council Directive 95/69/EC) and 31ba (Commission Directive 98/51/EC) shall be deleted.

Article 2

The texts of Regulation (EC) No 183/2005 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 47, 21.2.2008, p. 12.

⁽²⁾ OJ L 35, 8.2.2005, p. 1.

⁽³⁾ OJ L 332, 30.12.1995, p. 15.

⁽⁴⁾ OJ L 208, 24.7.1998, p. 43

Article 3

This Decision shall enter into force on 27 October 2007, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*) or at the day of the entry into force of the Decision on the EEA Joint Committee No 137/2007 of 26 October 2007, 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, 26 October 2007.

For the EEA Joint Committee

The President

Stefán Haukur JÓHANNESSEN

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 139/2007

of 26 October 2007

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 104/2007 of 28 September 2007 ⁽¹⁾.
- (2) Commission Regulation (EC) No 1883/2006 of 19 December 2006 laying down methods of sampling and analysis for the official control of levels of dioxins and dioxin-like PCBs in certain foodstuffs ⁽²⁾ is to be incorporated into the Agreement.
- (3) Regulation (EC) No 1883/2006 repeals Commission Directive 2002/69/EC ⁽³⁾, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.
- (4) 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 following point shall be inserted after point 54zzzm (Commission Decision 2006/677/EC):

‘54zzzn. **32006 R 1883**: Commission Regulation (EC) No 1883/2006 of 19 December 2006 laying down methods of sampling and analysis for the official control of levels of dioxins and dioxin-like PCBs in certain foodstuffs (OJ L 364, 20.12.2006, p. 32).’
2. The text of point 54zzc (Commission Directive 2002/69/EC) shall be deleted.

Article 2

The texts of Regulation (EC) No 1883/2006 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 27 October 2007, provided that all the notifications under Article 103 (1) of the Agreement have been made to the EEA Joint Committee (*).

⁽¹⁾ OJ L 47, 21.2.2008, p. 21.

⁽²⁾ OJ L 364, 20.12.2006, p. 32.

⁽³⁾ OJ L 209, 6.8.2002, p. 5.

(*) No constitutional requirements indicated.

Article 4

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

Done at Brussels, 26 October 2007.

For the EEA Joint Committee

The President

Stefán Haukur JÓHANNESSON

DECISION OF THE EEA JOINT COMMITTEE

No 140/2007

of 26 October 2007

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 105/2007 of 28 September 2007 ⁽¹⁾.
- (2) Commission Regulation (EC) No 1950/2006 of 13 December 2006 establishing, in accordance with Directive 2001/82/EC of the European Parliament and of the Council on the Community code relating to veterinary medicinal products, a list of substances essential for the treatment of equidae ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 15z (Commission Directive 2006/86/EC) of Chapter XIII of Annex II to the Agreement:

'15za. **32006 R 1950:** Commission Regulation (EC) No 1950/2006 of 13 December 2006 establishing, in accordance with Directive 2001/82/EC of the European Parliament and of the Council on the Community code relating to veterinary medicinal products, a list of substances essential for the treatment of *equidae* (OJ L 367, 22.12.2006, p. 33).'

Article 2

The texts of Regulation (EC) No 1950/2006 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 27 October 2007, provided that all the notifications under Article 103 (1) of the Agreement have been made to the EEA Joint Committee (*).

⁽¹⁾ OJ L 47, 21.2.2008, p. 22.

⁽²⁾ OJ L 367, 22.12.2006, p. 33.

(*) 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, 26 October 2007.

For the EEA Joint Committee

The President

Stefán Haukur JÓHANNESSEN

DECISION OF THE EEA JOINT COMMITTEE

No 141/2007

of 26 October 2007

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 109/2007 of 28 September 2007 ⁽¹⁾.
- (2) Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC ⁽²⁾, as corrected by OJ L 311, 10.11.2006, p. 58, is to be incorporated into the Agreement.
- (3) Directive 2006/66/EC repeals, with effect from 26 September 2008, Council Directive 91/157/EEC ⁽³⁾, which is incorporated into the Agreement and is consequently to be repealed under the Agreement with effect from 26 September 2008,

HAS DECIDED AS FOLLOWS:

Article 1

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

1. The following point shall be inserted after point 12w (Commission Regulation (EC) No 850/2004):

 '12x. **32006 L 0066**: Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC (OJ L 266, 29.9.2006, p. 1), as corrected by OJ L 311, 10.11.2006, p. 58.'
2. The text of point 11 (Council Directive 91/157/EEC) shall be deleted with effect from 26 September 2008.

Article 2

The texts of Directive 2006/66/EC, as corrected by OJ L 311, 10.11.2006, p. 58, 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 27 October 2007, provided that all the notifications under Article 103 (1) of the Agreement have been made to the EEA Joint Committee (*).

⁽¹⁾ OJ L 47, 21.2.2008, p. 29.

⁽²⁾ OJ L 266, 26.9.2006, p. 1.

⁽³⁾ OJ L 78, 26.3.1991, p. 38.

(*) 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, 26 October 2007.

For the EEA Joint Committee

The President

Stefán Haukur JÓHANNESSEN

DECISION OF THE EEA JOINT COMMITTEE**No 142/2007****of 26 October 2007****amending Annex VII (Mutual recognition of professional qualifications) 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 Article 98 and Article 101 thereof,

Whereas:

- (1) Annex VII to the Agreement was amended by Decision of the EEA Joint Committee No 43/2005 of 11 March 2005 ⁽¹⁾.
- (2) Protocol 37 to the Agreement was amended by Decision of the EEA Joint Committee No 115/2007 of 28 September 2007 ⁽²⁾.
- (3) Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications ⁽³⁾ is to be incorporated into the Agreement.
- (4) Council Directive 2006/100/EC of 20 November 2006 adapting Certain Directives in the field of free movement of persons, by reason of accession of Bulgaria and Romania ⁽⁴⁾ was incorporated into the Agreement by Decision of the EEA Joint Committee No 132/2007 of 26 October 2007 and therefore needs to be added as an indent to Directive 2005/36/EC.
- (5) Commission Decision 2007/172/EC of 19 March 2007 setting up the group of coordinators for the recognition of professional qualifications ⁽⁵⁾ is to be incorporated into the Agreement.
- (6) For the Agreement to function well, Protocol 37 to the Agreement is to be extended to include the group of coordinators for the recognition of professional qualifications set up by Decision 2007/172/EC, and Annex VII is to be amended in order to specify the procedures for association with this group.
- (7) Directive 2005/36/EC repeals, with effect from 20 October 2007, Council Directives 77/452/EEC ⁽⁶⁾, 77/453/EEC ⁽⁷⁾, 78/686/EEC ⁽⁸⁾, 78/687/EEC ⁽⁹⁾, 78/1026/EEC ⁽¹⁰⁾, 78/1027/EEC ⁽¹¹⁾, 80/154/EEC ⁽¹²⁾, 80/155/EEC ⁽¹³⁾, 85/384/EEC ⁽¹⁴⁾, 85/432/EEC ⁽¹⁵⁾, 85/433/EEC ⁽¹⁶⁾, 89/48/EEC ⁽¹⁷⁾, 92/51/EEC ⁽¹⁸⁾, 93/16/EEC ⁽¹⁹⁾ and Directive 1999/42/EC ⁽²⁰⁾ of the European Parliament and of the Council, which are incorporated into the Agreement and which are consequently to be repealed under the Agreement with effect from 20 October 2007.

⁽¹⁾ OJ L 198, 28.7.2005, p. 45.

⁽²⁾ OJ L 47, 21.2.2008, p. 36.

⁽³⁾ OJ L 255, 30.9.2005, p. 22.

⁽⁴⁾ OJ L 363, 20.12.2006, p. 141.

⁽⁵⁾ OJ L 79, 20.3.2007, p. 38.

⁽⁶⁾ OJ L 176, 15.7.1977, p. 1.

⁽⁷⁾ OJ L 176, 15.7.1977, p. 8.

⁽⁸⁾ OJ L 233, 24.8.1978, p. 1.

⁽⁹⁾ OJ L 233, 24.8.1978, p. 10.

⁽¹⁰⁾ OJ L 362, 23.12.1978, p. 1.

⁽¹¹⁾ OJ L 362, 23.12.1978, p. 7.

⁽¹²⁾ OJ L 33, 11.2.1980, p. 1.

⁽¹³⁾ OJ L 33, 11.2.1980, p. 8.

⁽¹⁴⁾ OJ L 223, 21.8.1985, p. 15.

⁽¹⁵⁾ OJ L 253, 24.9.1985, p. 34.

⁽¹⁶⁾ OJ L 253, 24.9.1985, p. 37.

⁽¹⁷⁾ OJ L 19, 24.1.1989, p. 16.

⁽¹⁸⁾ OJ L 209, 24.7.1992, p. 25.

⁽¹⁹⁾ OJ L 165, 7.7.1993, p. 1.

⁽²⁰⁾ OJ L 201, 31.7.1999, p. 77.

- (8) Council Directive 81/1057/EEC ⁽¹⁾, which is incorporated into the Agreement, becomes devoid of purpose and is consequently to be repealed under the Agreement with effect from 20 October 2007.
- (9) Council Decision 85/368/EEC ⁽²⁾ and most acts under the heading 'Acts of which the Contracting Parties shall take note' are obsolete and are consequently to be repealed under the Agreement with effect from 20 October 2007,

HAS DECIDED AS FOLLOWS:

Article 1

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

Article 2

Protocol 37 (containing the list provided for in Article 101) to the Agreement shall be amended as follows:

1. The text of point 9 (Coordinating Group on Mutual Recognition of Higher-Education Diplomas (Council Directive 89/48/EEC)) shall be deleted.
2. The following point shall be inserted:

'20. The group of coordinators for the recognition of professional qualifications (Commission Decision 2007/172/EC).'

Article 3

The texts of Directive 2005/36/EC and Decision 2007/172/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 27 October 2007, 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, 26 October 2007.

For the EEA Joint Committee

The President

Stefán Haukur JÓHANNESSEN

⁽¹⁾ OJ L 385, 31.12.1981, p. 25.

⁽²⁾ OJ L 199, 31.7.1985, p. 56.

(*) Constitutional requirements indicated.

ANNEX

Annex VII to the Agreement shall be amended as follows:

1. The heading 'Mutual recognition of professional qualifications' shall be replaced by 'Recognition of professional qualifications'.
2. The heading 'A. General system' shall be replaced by 'A. General system, recognition of professional experience and automatic recognition'.
3. Points 1, 1a and 1b shall be renumbered as points 1a, 1b and 1c.
4. The following point shall be inserted before new point 1a (Council Directive 89/48/EEC):

1. **32005 L 0036:** Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (OJ L 255, 30.9.2005, p. 22), as amended by:

— **32006 L 0100:** Council Directive 2006/100/EC of 20 November 2006 (OJ L 363, 20.12.2006, p. 141).

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

(A) Article 9 (e) shall not apply with regard to the EFTA States.

(B) The following shall be added in Article 49(2):

“(d) 1 January 1994 for Iceland and Norway;

(e) 1 May 1995 for Liechtenstein.”

(C) The following shall be added to Annex II “List of courses having a special structure referred to in Article 11 point (c) subparagraph (ii)”:

(a) Under the heading “2. Master craftsman sector (Mester/Meister/Maitre), which represents education and training courses concerning skills not covered by Title III, Chapter II, of this Directive”:

“in Norway:

— teacher for technical and vocational subjects (yrkesfaglærer),

which represents education and training of a total duration of 18 to 20 years, including nine to 10 years of primary and lower secondary school, at least three to four years of apprenticeship training — alternatively two years of vocational upper secondary school and two years of apprenticeship training — leading to a trade or journeyman's certificate, professional experience as a craftsman for at least four years, further theoretical craft studies for at least one year, and a one-year study programme in educational theory and practice.”

(b) Under the heading “3. Seafaring sector”:

(i) Under the subheading “(a) Sea transport”:

“in Norway:

— Marine Chief Cook (skipskokk),

which represents training of nine years' primary schooling followed by a course of basic training and minimum three years' specialised vocational training including at least three months' seagoing service.”

(ii) Under the subheading “(b) Sea fishing”:

“in Iceland:

- ship’s captain (skipstjóri),
- chief mate (stýrimaður),
- watchkeeping officer (undirstýrimaður),

which represents training of nine or 10 years’ primary schooling followed by two years’ service at sea, supplemented by two years of specialised vocational training culminating in an examination and is recognised under the Torremolinos Convention (1977 International Convention for the Safety of Fishing Vessels).”

(iii) Under a new subheading “(c) Mobile drilling rig personnel”:

“in Norway:

- platform manager (plattformsjef),
- stability section manager (stabilitetssjef),
- control room operator (kontrollromoperatør),
- technical section leader (teknisk sjef),
- assistant technical section leader (teknisk assistent),

which represents training of nine years’ primary schooling, followed by a two year course of basic training, supplemented by at least one year’s service off-shore and,

- for the control room operator, one year of specialised vocational training,
- for the others, two and a half years of specialised vocational training.”

(c) Under the heading “4. Technical sector”:

“in Liechtenstein:

- fiduciary expert (Treuhänder)

Length, level and requirements

The training is based on nine years’ compulsory school — unless a maturity certificate is achieved — a commercial apprenticeship of three years with training of practical skills in an enterprise, while the necessary theoretical knowledge as well as general education are provided by a vocational school, both combined leading to the national examination (national certificate of proficiency as a commercial employee).

After three years of practical experience in an enterprise combined with further theoretical education of four years, which may be done simultaneously, the national diploma may be passed, leading to the abovementioned professional title.

In general the whole duration of this training is between 16 and 19 years.

Regulations

The profession is regulated by national legislation. Any candidate is free to choose the way he wants to prepare himself for the examination (vocational schools, private schools, distance learning).

- auditing expert (Wirtschaftsprüfer)

Length, level and requirements

The training is based on nine years of compulsory school, followed by a commercial apprenticeship of three years with training and practical skills in an enterprise, while the necessary theoretical knowledge as well as general education are provided by a vocational school.

After three more years of practical experience in an enterprise and further theoretical education of five years, which may be done simultaneously as distance learning, the national diploma may be passed, leading to the abovementioned professional title.

The whole duration of this training is between 17 and 18 years. Candidates who have gained their practical experience abroad have only to provide proof of a further year's professional experience in Liechtenstein.

Regulations

The profession is regulated by national legislation."

- (D) The following shall be added to Annex V "Recognition on the basis of coordination of the minimum training conditions":

- (a) Under the heading "V.1. DOCTOR OF MEDICINE":

- (i) Under the subheading "5.1.1. Evidence of formal qualifications in basic medical training":

"Country"	Evidence of formal qualifications	Body awarding the qualifications	Certificate accompanying the qualifications	Reference date
Ísland	Embættispróf í læknisfræði, candidatus medicinae (cand. med.)	Háskóli Íslands	Vottorð um viðbótarnám (kandidat-sár) útgefið af Heilbrigðis- og tryggingamálaráðuneytinu	1 January 1994
Liechtenstein	The diplomas, certificates and other titles awarded in another State to which this Directive applies and listed in the present Annex	Competent authorities	Certificate on the completed practical training issued by the competent authorities	1 May 1995
Norge	Vitnemål for fullført grad candidata/ candidatus medicinae, short form cand.med.	Medisinsk universitetsfakultet	Bekreftelse på praktisk tjeneste som lege utstedt av kompetent offentlig myndighet	1 January 1994

- (ii) Under the subheading "5.1.2. Evidence of formal qualifications of specialised doctors":

"Country"	Evidence of formal qualifications	Body awarding the qualifications	Reference date
Ísland	Sérfræðileyfi	Heilbrigðis- og tryggingamálaráðuneyti	1 January 1994
Liechtenstein	The diplomas, certificates and other titles awarded in another State to which this Directive applies and listed in the present Annex	Competent authorities	1 May 1995
Norge	Spesialistgodkjenning	Den norske lægeforening	1 January 1994

(iii) Under the subheading “5.1.3. Titles of training courses in specialised medicine”:

“Country	Anaesthetics Minimum period of training: 3 years	General surgery Minimum period of training: 5 years
	Title	Title
Ísland	Svæfinga- og gjörgæslulæknisfræði	Skurðlækningar
Liechtenstein	Anästhesiologie	Chirurgie
Norge	Anesthesiologi	Generell kirurgi

Country	Neurological surgery Minimum period of training: 5 years	Obstetrics and Gynaecology Minimum period of training: 4 years
	Title	Title
Ísland	Taugaskurðlækningar	Fæðingar- og kvenlækningar
Liechtenstein	Neurochirurgie	Gynäkologie und Geburtshilfe
Norge	Nevrokirurgi	Fødselshjelp og kvinnesykdommer

Country	General (internal) medicine Minimum period of training: 5 years	Ophthalmology Minimum period of training: 3 years
	Title	Title
Ísland	Lyflækningar	Augnlækningar
Liechtenstein	Innere Medizin	Augenheilkunde
Norge	Indremedisin	Øyesykdommer

Country	Otorhinolaryngology Minimum period of training: 3 years	Paediatrics Minimum period of training: 4 years
	Title	Title
Ísland	Háls-, nef- og eyrnalækningar	Barnalækningar
Liechtenstein	Hals-, Nasen- und Ohrenkrankheiten	Kinderheilkunde
Norge	Øre-nese-halssykdommer	Barnesykdommer

Country	Respiratory medicine Minimum period of training: 4 years	Urology Minimum period of training: 5 years
	Title	Title
Ísland	Lungnalækningar	Þvágfæraskurðlækningar
Liechtenstein	Pneumologie	Urologie
Norge	Lungesykdommer	Urologi

Country	Orthopaedics Minimum period of training: 5 years	Pathological anatomy Minimum period of training: 4 years
	Title	Title
Ísland	Bæklunarskurðlækningar	Vefjameinafræði
Liechtenstein	Orthopädische Chirurgie	Pathologie
Norge	Ortopedisk kirurgi	Patologi

Country	Neurology Minimum period of training: 4 years	Psychiatry Minimum period of training: 4 years
	Title	Title
Ísland	Taugalækningar	Geðlækningar
Liechtenstein	Neurologie	Psychiatrie und Psychotherapie
Norge	Nevrologi	Psykiatri

Country	Diagnostic radiology Minimum period of training: 4 years	Radiotherapy Minimum period of training: 4 years
	Title	Title
Ísland	Geislagreining	
Liechtenstein	Medizinische Radiologie/Radiodiagnostik	Medizinische Radiologie/Radio-Onkologie
Norge	Radiologi	

Country	Plastic surgery Minimum period of training: 5 years	Clinical biology Minimum period of training: 4 years
	Title	Title
Ísland	Lýtalækningar	
Liechtenstein	Plastische- und Wiederherstellungschirurgie	
Norge	Plastikkirurgi	

Country	Microbiology-bacteriology Minimum period of training: 4 years	Biological chemistry Minimum period of training: 4 years
	Title	Title
Ísland	Sýklafræði	Klínísk lífefnafræði
Liechtenstein		
Norge	Medisinsk mikrobiologi	Klinisk kjemi

Country	Immunology Minimum period of training: 4 years	Thoracic surgery Minimum period of training: 5 years
	Title	Title
Ísland	Ónæmisfræði	Brjóstholsskurðlækningar
Liechtenstein	Allergologie und klinische Immunologie	Herz- und thorakale Gefäßchirurgie
Norge	Immunologi og transfusjonsmedisin	Thoraxkirurgi

Country	Paediatric surgery Minimum period of training: 5 years	Vascular surgery Minimum period of training: 5 years
	Title	Title
Ísland	Barnaskurðlækningar	Æðaskurðlækningar
Liechtenstein	Kinderchirurgie	
Norge	Barnekirurgi	Karkirurgi

Country	Cardiology Minimum period of training: 4 years	Gastroenterology Minimum period of training: 4 years
	Title	Title
Ísland	Hjartalækningar	Meltingarlækningar
Liechtenstein	Kardiologie	Gastroenterologie
Norge	Hjertesykdommer	Fordøysessykdommer

Country	Rheumatology Minimum period of training: 4 years	General Haematology Minimum period of training: 3 years
	Title	Title
Ísland	Gigtarlækningar	Blóðmeinafræði
Liechtenstein	Rheumatologie	Hämatologie
Norge	Revmatologi	Blodsykdommer

Country	Endocrinology Minimum period of training: 3 years	Physiotherapy Minimum period of training: 3 years
	Title	Title
Ísland	Efnaskipta- og innkirtlalækningar	Orku- og endurhæfingarlækningar
Liechtenstein	Endokrinologie-Diabetologie	Physikalische Medizin und Rehabilitation
Norge	Endokrinologi	Fysikalsk medisin og rehabilitering

Country	Neuropsychiatry Minimum period of training: 5 years	Dermato-venereology Minimum period of training: 3 years
	Title	Title
Ísland		Húð- og kynsjúkdómalækningar
Liechtenstein		Dermatologie und Venereologie
Norge		Hud- og veneriske sykdommer

Country	Radiology Minimum period of training: 4 years	Child psychiatry Minimum period of training: 4 years
	Title	Title
Ísland	Geislalækningar	Barna- og unglingageðlækningar
Liechtenstein		Kinder- und Jugendpsychiatrie und psychotherapie
Norge		Barne- og ungdomspsykiatri

Country	Geriatrics Minimum period of training: 4 years	Renal diseases Minimum period of training: 4 years
	Title	Title
Ísland	Öldrunarlækningar	Nýrnalækningar
Liechtenstein	Geriatric	Nephrologie
Norge	Geriatric	Nyresykdommer

Country	Communicable diseases Minimum period of training: 4 years	Community medicine Minimum period of training: 4 years
	Title	Title
Ísland	Smitsjúkdómar	Félagslækningar
Liechtenstein	Infektiologie	Prävention und Gesundheitswesen
Norge	Infeksjonssykdommer	Samfunnsmedisin

Country	Pharmacology Minimum period of training: 4 years	Occupational medicine Minimum period of training: 4 years
	Title	Title
Ísland	Lyfjafræði	Atvinnulækningar
Liechtenstein	Klinische Pharmakologie und Toxikologie	Arbeitsmedizin
Norge	Klinisk farmakologi	Arbeidsmedisin

Country	Allergology Minimum period of training: 3 years	Nuclear medicine Minimum period of training: 4 years
	Title	Title
Ísland	Ofnæmislækningar	Ísótópagreining
Liechtenstein	Allergologie und klinische Immunologie	Nuklearmedizin
Norge		Nukleærmedisin

Country	Venerology Minimum period of training: 4 years	Tropical medicine Minimum period of training: 4 years
	Title	Title
Ísland		
Liechtenstein		Tropenmedizin
Norge		

Country	Gastroenterological surgery Minimum period of training: 5 years	Accident and emergency medicine Minimum period of training: 5 years
	Title	Title
Ísland		
Liechtenstein		
Norge	Gastroenterologisk kirurgi	

Country	Clinical neurophysiology Minimum period of training: 4 years	Dental, oral and maxillo-facial surgery (basic medical and dental training) Minimum period of training: 4 years
	Title	Title
Ísland	Klínísk taugalífedlisfræði	
Liechtenstein		Kiefer- und Gesichtschirurgie
Norge	Klinisk nevrofysiologi	Kjevekirurgi og munnhulesykdommer

- (iv) Under the subheading "5.1.4. Evidence of formal qualifications of general practitioners":

"Country"	Evidence of formal qualifications	Professional title	Reference date
Ísland	Almennt heimilislækningaleyfi (Evrópulækningaleyfi)	Almennur heimilislæknir (Evrópulæknir)	31 December 1994
Liechtenstein			
Norge	Bevis for kompetanse som allmenpraktiserende lege	Allmennpraktiserende lege	31 December 1994"

- (b) Under the heading "V.2. NURSE RESPONSIBLE FOR GENERAL CARE":

- (i) Under the subheading "5.2.2. Evidence of formal qualifications of nurses responsible for general care":

"Country"	Evidence of formal qualifications	Body awarding the evidence of qualifications	Professional title	Reference date
Ísland	1. B.Sc. í hjúkrunarfræði 2. B.Sc. í hjúkrunarfræði 3. Hjúkrunarpróf	1. Háskóli Íslands 2. Háskólinn á Akureyri 3. Hjúkrunarskóli Íslands	Hjúkrunarfræðingur	1 January 1994
Liechtenstein	The diplomas, certificates and other titles awarded in another State to which this Directive applies and listed in the present Annex	Competent authorities	Krankenschwester — Krankenpfleger	1 May 1995
Norge	Vitnemål for bestått sykepleierutdanning	Høgskole	Sykepleier	1 January 1994"

- (c) Under the heading "V.3. DENTAL PRACTITIONER":

- (i) Under the subheading "5.3.2. Evidence of basic formal qualifications of dental practitioners":

"Country"	Evidence of formal qualifications	Body awarding the evidence of qualifications	Certificate accompanying the evidence of qualifications	Professional title	Reference date
Ísland	Próf frá tannlæknadeild Háskóla Íslands	Tannlæknadeild Háskóla Íslands		Tannlæknir	1 January 1994
Liechtenstein	The diplomas, certificates and other titles awarded in another State to which this Directive applies and listed in the present Annex	Competent authorities	Certificate on the completed practical training issued by the competent authorities	Zahnarzt	1 May 1995
Norge	Vitnemål for fullført grad candidata/candidatus odontologiae, short form: cand.odont.	Odontologisk universitets-fakultet		Tannlege	1 January 1994"

- (ii) Under the subheading "5.3.3. Evidence of formal qualifications of specialised dentists":

Orthodontics			
"Country"	Evidence of formal qualifications	Body awarding the evidence of qualifications	Reference date
Ísland			
Liechtenstein			
Norge	Bevis for gjennomgått spesialistutdanning i kjeveortopedi	Odontologisk universitetsfakultet	1 January 1994

Oral surgery			
Country	Evidence of formal qualifications	Body awarding the evidence of qualifications	Reference date
Ísland			
Liechtenstein			
Norge	Bevis for gjennomgått spesialistutdanning i oralkirurgi	Odontologisk universitetsfakultet	1 January 1994

- (d) Under the heading "V.4. VETERINARY SURGEON":

- (i) Under the subheading "5.4.2. Evidence of formal qualifications of veterinary surgeons":

"Country"	Evidence of formal qualifications	Body awarding the evidence of qualifications	Certificate accompanying the evidence of qualifications	Reference date
Ísland	The diplomas, certificates and other titles awarded in another State to which this Directive applies and listed in the present Annex	Competent authorities	Certificate on the completed practical training issued by the competent authorities	1 January 1994
Liechtenstein	The diplomas, certificates and other titles awarded in another State to which this Directive applies and listed in the present Annex	Competent authorities	Certificate on the completed practical training issued by the competent authorities	1 May 1995
Norge	Vitnemål for fullført grad candida/ candidatus medicinae veterinariae, short form: cand. med.vet.	Norges veterinærhøgskole		1 January 1994

- (e) Under the heading "V.5. MIDWIFE":

- (i) Under the subheading "5.5.2. Evidence of formal qualifications of midwives":

"Country"	Evidence of formal qualifications	Body awarding the evidence of qualifications	Professional title	Reference date
Ísland	1. Embættispróf í ljósmóðurfræði 2. Próf í ljósmæðrafræðum	1. Háskóli Íslands 2. Ljósmæðraskóli Íslands	Ljósmóðir	1 January 1994

Country	Evidence of formal qualifications	Body awarding the evidence of qualifications	Professional title	Reference date
Liechtenstein	The diplomas, certificates and other titles awarded in another State to which this Directive applies and listed in the present Annex	Competent authorities	Hebamme	1 May 1995
Norge	Vitnemål for bestått jordmorutdanning	Høgskole	Jordmor	1 January 1994

(f) Under the heading "V.6. PHARMACIST":

(i) Under the subheading "5.6.2. Evidence of formal qualifications of pharmacists":

"Country	Evidence of formal qualifications	Body awarding the evidence of qualifications	Certificate accompanying the diploma	Reference date
Ísland	Próf í lyfjafræði	Háskóli Íslands		1 January 1994
Liechtenstein	The diplomas, certificates and other titles awarded in another State to which this Directive applies and listed in the present Annex	Competent authorities	Certificate on the completed practical training issued by the competent authorities	1 May 1995
Norge	Vitnemål for fullført grad candida/ candidatus pharmaciae, short form: cand.pharm.	Universitetsfakultet		1 January 1994

(g) Under the heading "V.7. ARCHITECT":

(i) Under the subheading "5.7.1. Evidence of formal qualifications of architects recognised pursuant to Article 46":

"Country	Evidence of formal qualifications	Body awarding the evidence of qualifications	Certificate accompanying the evidence of qualifications	Reference academic year
Ísland	The diplomas, certificates and other titles awarded in another State to which this Directive applies and listed in the present Annex	Competent authorities	Certificate on the completed practical training issued by the competent authorities	

Country	Evidence of formal qualifications	Body awarding the evidence of qualifications	Certificate accompanying the evidence of qualifications	Reference academic year
Liechtenstein	Dipl.-Arch. FH Für Architekturstudien-kurse, die im akademischen Jahr 1999/2000 aufgenommen wurden, einschliesslich für Studenten, die das Studienprogramm Model B bis zum akademischen Jahr 2000/2001 belegten, vorausgesetzt dass sie sich im akademischen Jahr 2001/2002 einer zusätzlichen und kompensatorischen Ausbildung unterzogen.	Fachhochschule Liechtenstein		1999/2000
Norge	— Sivilarkitekt	1. Norges teknisk-naturvitenskaplige universitet (NTNU); 2. Arkitektur- og designhøgskolen i Oslo (AHO) (before 29 October 2004 Arkitekt-høgskolen i Oslo); 3. Bergen Arkitekt Skole (BAS)		1997/1998
	— Master i arkitektur	1. Norges teknisk-naturvitenskaplige universitet (NTNU); 2. Arkitektur- og designhøgskolen i Oslo (AHO) (before 29 October 2004 Arkitekt-høgskolen i Oslo); 3. Bergen Arkitekt Skole (BAS)		1999/2000
				1998/1999
				2001/2002"

(E) The following shall be added to Annex VI "Acquired rights applicable to the professions subject to recognition on the basis of coordination of the minimum training conditions":

"Country"	Evidence of formal qualifications	Reference academic year
Ísland	The diplomas, certificates and other titles awarded in another State to which this Directive applies and listed in the present Annex, accompanied by a certificate on the completed practical training issued by the competent authorities	
Liechtenstein	The diplomas awarded by the "Fachhochschule" (Dipl.-Arch. (FH))	1997/1998
Norge	— The diplomas (sivilarkitekt) awarded by the "Norges tekniske høgskole (NTH)", as from 1 January 1996 the "Norges teknisk-naturvitenskaplige universitet (NTNU)", the "Arkitekt-høgskolen i Oslo" and the "Bergen Arkitekt Skole (BAS)"; — the certificates of membership of the "Norske Arkitekters Landsforbund" (NAL) if the persons concerned have received their training in a State to which this Directive applies	1996/1997"

5. The following point shall be inserted after new point 1c (Directive 1999/42/EC of the European Parliament and of the Council):

'1d. **32007 D 0172**: Commission Decision 2007/172/EC of 19 March 2007 setting up the group of coordinators for the recognition of professional qualifications (OJ L 79, 20.3.2007, p. 38).

Procedures for the association of Liechtenstein, Iceland and Norway in accordance with Article 101 of the Agreement:

Each EFTA State may, in accordance with Article 4(1) of Commission Decision 2007/172/EC, appoint persons to participate as observers in the meetings of the group of coordinators for the recognition of professional qualifications.

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

6. The texts of points 1a (Council Directive 89/48/EEC), 1b (Council Directive 92/51/EEC), 1c (Directive 1999/42/EC of the European Parliament and of the Council), 3 (Council Directive 81/1057/EEC), 18 (Council Directive 85/384/EEC), 58 (Council Decision 85/368/EEC), 62 (Council Recommendation 75/366/EEC), 63 (Council Recommendation 75/367/EEC), 64 (375 Y 0701(01): Council Statements) and 65 (Council Recommendation 86/458/EEC) shall be deleted.
7. The texts of, and headings related to, points 4 (Council Directive 93/16/EEC), 8 (Council Directive 77/452/EEC), 9 (Council Directive 77/453/EEC), 10 (Council Directive 78/686/EEC), 11 (Council Directive 78/687/EEC), 12 (Council Directive 78/1026/EEC), 13 (Council Directive 78/1027/EEC), 14 (Council Directive 80/154/EEC), 15 (Council Directive 80/155/EEC), 16 (Council Directive 85/432/EEC), 17 (Council Directive 85/433/EEC), 59 (C/81/74/p. 1: Communication from the Commission), 60 (374 Y 0820(01): Council Resolution), 61 (389 L 0048: Statement by the Council and the Commission), 67 (378 Y 0824(01): Council Statement), 68 (Council Recommendation 78/1029/EEC), 69 (378 Y 1223(01): Council Statements), 70 (Council Recommendation 85/435/EEC) and 71 (Council Recommendation 85/386/EEC) shall be deleted.
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DECISION OF THE EEA JOINT COMMITTEE

No 143/2007

of 26 October 2007

amending Annex XI (Telecommunication 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 XI to the Agreement was amended by Decision of the EEA Joint Committee No 115/2007 of 28 September 2007 ⁽¹⁾.
- (2) Regulation (EC) No 717/2007 of the European Parliament and of the Council of 27 June 2007 on roaming on public mobile networks within the Community and amending Directive 2002/21/EC ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XI to the Agreement shall be amended as follows:

1. The following point shall be inserted after point 5ct (Commission Decision 2005/928/EC):

'5cu. **32007 R 0717**: Regulation (EC) No 717/2007 of the European Parliament and of the Council of 27 June 2007 on roaming on public mobile networks within the Community and amending Directive 2002/21/EC (OJ L 171, 29.6.2007, p. 32).'

2. The following shall be added in point 5cl (Directive 2002/21/EC of the European Parliament and of the Council):

‘, as amended by:

— **32007 R 0717**: Regulation (EC) No 717/2007 of the European Parliament and of the Council of 27 June 2007 (OJ L 171, 29.6.2007, p. 32).'

Article 2

The texts of Regulation (EC) No 717/2007 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

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 (*).

⁽¹⁾ OJ L 47, 21.2.2008, p. 36.

⁽²⁾ OJ L 171, 29.6.2007, p. 32.

(*) 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, 26 October 2007.

For the EEA Joint Committee

The President

Stefán Haukur JÓHANNESSON

DECISION OF THE EEA JOINT COMMITTEE

No 144/2007

of 26 October 2007

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 122/2007 of 28 September 2007 ⁽¹⁾.
- (2) Commission Regulation (EC) No 62/2006 of 23 December 2005 concerning the technical specification for interoperability relating to the telematic applications for freight subsystem of the trans-European conventional rail system ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Decision 2006/679/EC of 28 March 2006 concerning 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.
- (4) Commission Decision 2006/860/EC of 7 November 2006 concerning a technical specification for interoperability relating to the control-command and signalling subsystem of the trans-European high speed rail system and modifying Annex A to Decision 2006/679/EC concerning the technical specification for interoperability relating to the control-command and signalling subsystem of the trans-European conventional rail system ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Decision 2007/153/EC of 6 March 2007 modifying Annex A to Decision 2006/679/EC concerning the technical specification for interoperability relating to the control-command and signalling subsystem of the trans-European conventional rail system and Annex A to Decision 2006/860/EC concerning the technical specification for interoperability relating to the control-command and signalling subsystem of the trans-European high speed rail system ⁽⁵⁾ 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 points shall be inserted after point 37g (Commission Decision 2006/66/EC):

'37h. **32006 R 0062:** Commission Regulation (EC) No 62/2006 of 23 December 2005 concerning the technical specification for interoperability relating to the telematic applications for freight subsystem of the trans-European conventional rail system (OJ L 13, 18.1.2006, p. 1).

⁽¹⁾ OJ L 47, 21.2.2008, p. 47.

⁽²⁾ OJ L 13, 18.1.2006, p. 1.

⁽³⁾ OJ L 284, 16.10.2006, p. 1.

⁽⁴⁾ OJ L 342, 7.12.2006, p. 1.

⁽⁵⁾ OJ L 67, 7.3.2007, p. 13.

37i. **32006 D 0679**: Commission Decision 2006/679/EC of 28 March 2006 concerning the technical specification for interoperability relating to the control-command and signalling subsystem of the trans-European conventional rail system (OJ L 284, 16.10.2006, p. 1), as amended by:

— **32006 D 0860**: Commission Decision 2006/860/EC of 7 November 2006 (OJ L 342, 7.12.2006, p. 1),

— **32007 D 0153**: Commission Decision 2007/153/EC of 6 March 2007 (OJ L 67, 7.3.2007, p. 13).

37j. **32006 D 0860**: Commission Decision 2006/860/EC of 7 November 2006 concerning a technical specification for interoperability relating to the control-command and signalling subsystem of the trans-European high speed rail system and modifying Annex A to Decision 2006/679/EC concerning the technical specification for interoperability relating to the control-command and signalling subsystem of the trans-European conventional rail system (OJ L 342, 7.12.2006, p. 1), as amended by:

— **32007 D 0153**: Commission Decision 2007/153/EC of 6 March 2007 (OJ L 67, 7.3.2007, p. 13).'

2. The following shall be added in point 37e (Commission Decision 2004/446/EC):

‘, as amended by:

— **32006 R 0062**: Commission Regulation (EC) No 62/2006 of 23 December 2005 (OJ L 13, 18.1.2006, p. 1).'

3. The following shall be added in point 37f (Commission Decision 2004/447/EC):

‘, as amended by:

— **32006 D 0679**: Commission Decision 2006/679/EC of 28 March 2006 (OJ L 284, 16.10.2006, p. 1).'

4. The following indent shall be added in point 37ab (Commission Decision 2002/731/EC):

‘— **32006 D 0860**: Commission Decision 2006/860/EC of 7 November 2006 (OJ L 342, 7.12.2006, p. 1).'

Article 2

The texts of Regulation (EC) No 62/2006 and Decisions 2006/679/EC, 2006/860/EC and 2007/153/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 27 October 2007, 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, 26 October 2007.

For the EEA Joint Committee

The President

Stefán Haukur JÓHANNESSON

DECISION OF THE EEA JOINT COMMITTEE**No 145/2007****of 26 October 2007****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 122/2007 of 28 September 2007 ⁽¹⁾.
- (2) Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive 2004/36/EC ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 473/2006 of 22 March 2006 laying down implementing rules for the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Regulation (EC) No 474/2006 of 22 March 2006 establishing the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Regulation (EC) No 910/2006 of 20 June 2006 amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council ⁽⁵⁾ is to be incorporated into the Agreement.
- (6) Commission Regulation (EC) No 1543/2006 of 12 October 2006 amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council and as amended by Regulation (EC) No 910/2006 ⁽⁶⁾ is to be incorporated into the Agreement.
- (7) Commission Regulation (EC) No 235/2007 of 5 March 2007 amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community ⁽⁷⁾ is to be incorporated into the Agreement.
- (8) Commission Regulation (EC) No 787/2007 of 4 July 2007 amending Commission Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community ⁽⁸⁾ is to be incorporated into the Agreement,

⁽¹⁾ OJ L 47, 21.2.2008, p. 47.

⁽²⁾ OJ L 344, 27.12.2005, p. 15.

⁽³⁾ OJ L 84, 23.3.2006, p. 8.

⁽⁴⁾ OJ L 84, 23.3.2006, p. 14.

⁽⁵⁾ OJ L 168, 21.6.2006, p. 16.

⁽⁶⁾ OJ L 283, 14.10.2006, p. 27.

⁽⁷⁾ OJ L 66, 6.3.2007, p. 3.

⁽⁸⁾ OJ L 175, 5.7.2007, p. 10.

HAS DECIDED AS FOLLOWS:

Article 1

Annex XIII to the Agreement shall be amended as follows:

1. The following points shall be inserted after point 66z (Directive 2006/23/EC of the European Parliament and of the Council):

‘66za. **32005 R 2111**: Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating air carrier, and repealing Article 9 of Directive 2004/36/EC (OJ L 344, 27.12.2005, p. 15).

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

- (a) Pending the adoption of a formal decision on the incorporation of updates of the Community list by the EEA Joint Committee in accordance with the procedures laid down in the Agreement, the EFTA States shall simultaneously with the EC Member States take measures corresponding to those taken by the latter on the basis of the Community list as regards air carriers which are subject to an operating ban.
- (b) In case such measures raise serious concerns for one or more EFTA States, the EFTA State(s) concerned shall immediately refer the matter to the EEA Joint Committee.
- (c) The following paragraph shall be added in Article 15:

“6. The EFTA States shall participate fully in the Committee referred to in paragraph 1, except for the right to vote.”

66zaa. **32006 R 0473**: Commission Regulation (EC) No 473/2006 of 22 March 2006 laying down implementing rules for the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council (OJ L 84, 23.3.2006, p. 8).

66zab. **32006 R 0474**: Commission Regulation (EC) No 474/2006 of 22 March 2006 establishing the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council (OJ L 84, 23.3.2006, p. 14), as amended by:

- **32006 R 0910**: Commission Regulation (EC) No 910/2006 of 20 June 2006 (OJ L 168, 21.6.2006, p. 16),
- **32006 R 1543**: Commission Regulation (EC) No 1543/2006 of 12 October 2006 (OJ L 283, 14.10.2006, p. 27),
- **32007 R 0235**: Commission Regulation (EC) No 235/2007 of 5 March 2007 (OJ L 66, 6.3.2007, p. 3),
- **32007 R 0787**: Commission Regulation (EC) No 787/2007 of 4 July 2007 (OJ L 175, 5.7.2007, p. 10).’

2. The following shall be added in point 66r (Directive 2004/36/EC of the European Parliament and of the Council):

‘, as amended by:

- **32005 R 2111**: Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 (OJ L 344, 27.12.2005, p. 15).’

Article 2

The texts of Regulations (EC) No 2111/2005, (EC) No 473/2006, (EC) No 474/2006, (EC) No 910/2006, (EC) No 1543/2006, (EC) No 235/2007 and (EC) No 787/2007 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 27 October 2007, 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, 26 October 2007.

For the EEA Joint Committee

The President

Stefán Haukur JÓHANNESSON

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 146/2007****of 26 October 2007****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 127/2007 of 28 September 2007 ⁽¹⁾.
- (2) Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC ⁽²⁾ is to be incorporated into the Agreement.
- (3) Directive 2004/101/EC of the European Parliament and of the Council of 27 October 2004 amending Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading within the Community, in respect of the Kyoto Protocol's project mechanisms ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Regulation (EC) No 2216/2004 of 21 December 2004 for a standardised and secured system of registries pursuant to Directive 2003/87/EC of the European Parliament and of the Council and Decision No 280/2004/EC of the European Parliament and of the Council ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Decision 2004/156/EC of 29 January 2004 establishing guidelines for the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council ⁽⁵⁾ is to be incorporated into the Agreement.
- (6) Commission Decision 2006/780/EC of 13 November 2006 on avoiding double counting of greenhouse gas emission reductions under the Community emissions trading scheme for project activities under the Kyoto Protocol pursuant to Directive 2003/87/EC of the European Parliament and of the Council ⁽⁶⁾ is to be incorporated into the Agreement.
- (7) Council Decision 2002/358/EC of 25 April 2002 concerning the approval, on behalf of the European Community, of the Kyoto Protocol to the United Nations Framework Convention on Climate Change and the joint fulfilment of commitments thereunder ⁽⁷⁾, has not been incorporated into the Agreement.
- (8) Decision No 280/2004/EC of the European Parliament and of the Council of 11 February 2004 concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol ⁽⁸⁾ has not been incorporated into the Agreement and therefore the specific reporting requirements under Article 3 of the Decision, as re-iterated under Article 30(3) of Directive 2003/87/EC, do not apply to the EFTA States.

⁽¹⁾ OJ L 47, 21.2.2008, p. 58.

⁽²⁾ OJ L 275, 25.10.2003, p. 32.

⁽³⁾ OJ L 338, 13.11.2004, p. 18.

⁽⁴⁾ OJ L 386, 29.12.2004, p. 1.

⁽⁵⁾ OJ L 59, 26.2.2004, p. 1.

⁽⁶⁾ OJ L 316, 16.11.2006, p. 12.

⁽⁷⁾ OJ L 130, 15.5.2002, p. 1.

⁽⁸⁾ OJ L 49, 19.2.2004, p. 1.

- (9) Norway established a scheme for greenhouse gas emission allowance trading as of 1 January 2005 through Act No 99 of 17 December 2004, with related regulations of 23 December 2004, as amended on 15 March 2005. Amendments to this law pertaining to the period 2008-2012 entered into force on 1 July 2007, and subsequent amendments of the domestic regulations were made on 14 September 2007. Under the Norwegian scheme, allowances will not be issued for the period beginning in 2008 in respect of allowances that are surplus in the initial three-year period beginning in 2005. Norway has announced that in the five-year period beginning in 2008, subject to applicable approval procedures, Norway would issue no more than 15 million tonnes of allowances, and the maximum amount of CERs and ERUs which may be used by operators would be no more than 20 % of the total quantity of allowances. No such scheme currently operates in Iceland or Liechtenstein. Measures are being taken to reduce the greenhouse gas emissions of installations in Iceland, which would fall within the scope of application of Directive 2003/87/EC, including the installations as listed in an Annex to this Decision, which justify their exemption from the scope of the Directive during the period that such measures apply.
- (10) The different situation applicable in the different EFTA States has to be considered. Particular account needs to be taken of the commitments of Iceland under the Kyoto Protocol as Iceland has notified that it avails itself of the provisions of Decision 14/CP.7 of the Conference of the Parties to the Kyoto Protocol on the impact of single projects on emissions in the commitment period.
- (11) The EFTA States may have installations with facilities for carbon capture and storage in the period 2008-2012 which will be unilaterally included into the EU emissions trading scheme in such a way that emissions which are captured and permanently stored will be discounted from the monitored level of emissions of an installation. This decision is without prejudice to any distribution of allowances to such installations.
- (12) This Decision does not affect the autonomy of the Contracting Parties with respect to international negotiations on climate change, in particular in the context of the United Nations Framework Convention on Climate Change and the Kyoto Protocol, other than in respect of the instruments incorporated by this Decision into the EEA Agreement. However, the EFTA States shall take due account of the obligations they have undertaken in the EEA Agreement.
- (13) Each EFTA State is responsible for implementing policies and measures to comply with its international commitments under the United Nations Framework Convention on Climate Change and the Kyoto Protocol.
- (14) The EFTA States shall continue to be given the opportunity to contribute to the work of the Climate Change Committee, which assists the Commission pursuant to Article 23 of Directive 2003/87/EC, and to present their national allocation plans for discussion in this Committee.
- (15) The EFTA States may participate in international emissions trading as Parties to the Kyoto Protocol with any other Party included in Annex B thereto.
- (16) The EFTA States shall be included into the Community independent transaction log. The Community independent transaction log's Central Administrator shall perform his tasks with regard to the EFTA States, and the EFTA Surveillance Authority shall be the competent body to give the necessary instructions to the Central Administrator in relation to provisions relating to the application of Regulation (EC) No 2216/2004 for the EFTA States.
- (17) When an agreement pursuant to Article 25 of Directive 2003/87/EC is concluded, the EFTA States and their operators shall not be discriminated as compared to EC Member States and their operators.
- (18) The EFTA Surveillance Authority shall coordinate closely with the Commission whenever it is called to undertake tasks relating to the EFTA States for which the Commission is responsible with respect to the EC Member States pursuant to Directive 2003/87/EC, Regulation (EC) No 2216/2004, Decision 2004/156/EC and Decision 2006/780/EC. These tasks include *inter alia* the assessment of a national allocation plan under Article 9(3) for each period referred to in Article 11(2) and any application for the unilateral inclusion of additional activities and gases under Article 24 of Directive 2003/87/EC.

- (19) The Standing Committee of the EFTA States aims at adopting a decision establishing an EFTA Advisory Committee to assist the EFTA Surveillance Authority in the fulfilment of these tasks. The Commission representative shall participate as an observer in the Committee. The assessment of the EFTA States' compliance with the provisions stemming from the Directive, in particular with regard to the total quantity of allowances, shall address the aspects of climate change policies and measures which are relevant to this Agreement. However, the EFTA Surveillance Authority shall not elaborate on the individual EFTA States' achievement of their international commitments on the reduction of greenhouse gas emissions themselves. The decision on a national allocation plan should be consistent with the criteria of Annex III to Directive 2003/87/EC, in particular with the relevant provisions of the methodology pursuant to the Commission's guidance documents COM(2003) 830 final, COM(2005) 703 final and COM(2006) 725 final for the assessment of a national allocation plan under Article 9(3) of the Directive 2003/87/EC and the Commission's Decisions on national allocation plans,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XX to the Agreement shall be amended as follows:

1. The following indent shall be added in point 1f (Council Directive 96/61/EC):

‘— **32003 L 0087**: Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 (OJ L 275, 25.10.2003, p. 32).’

2. The following points shall be inserted after point 21ak (Directive 2004/107/EC of the European Parliament and of the Council):

‘21al. **32003 L 0087**: Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32), as amended by:

— **32004 L 0101**: Directive 2004/101/EC of the European Parliament and of the Council of 27 October 2004 (OJ L 338, 13.11.2004, p. 18).

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

- (a) Without prejudice to future development by the EEA Joint Committee, it should be noted that the following Community acts are not incorporated into the EEA Agreement:
 - (i) Council Decision 2002/358/EC of 25 April 2002 concerning the approval, on behalf of the European Community, of the Kyoto Protocol to the United Nations Framework Convention on Climate Change and the joint fulfilment of commitments thereunder,
 - (ii) Decision No 280/2004/EC of the European Parliament and of the Council of 11 February 2004 concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol.
- (b) The EFTA States shall be exempted from the provisions of the Directive relating to the three-year period beginning 1 January 2005, referred to in Article 11(1).
- (c) The following shall be added in Article 9(1), second subparagraph:

“With regard to the five-year period beginning 1 January 2008, the plan of an EFTA State shall be published and notified at the latest immediately after the entry into force of the Decision of the EEA Joint Committee incorporating this Directive into the Agreement.”

- (d) In Article 9(3), the words “within three months” shall read “within two months or as soon as practicable thereafter” in so far as the five-year period starting on 1 January 2008 is concerned.

- (e) For the periods referred to in Article 11(2) and for the total quantity of allowances to be allocated for each period under Article 11(2), each EFTA State may allocate a greater percentage of its allowances against payment than any limitation established under Article 10.
- (f) The following shall be added in Article 11(2):

“With regard to the five-year period beginning 1 January 2008 and as far as an EFTA State is concerned, this decision shall be taken at least two months before the beginning of that period or as soon as practicable thereafter.”
- (g) In Article 11(3), the words “Treaty, in particular Articles 87 and 88 thereof” shall read “the Agreement, in particular Articles 61 and 62 thereof”.
- (h) The first sentence in Article 11a(1) shall be replaced by the following:

“Subject to paragraph 3, during each period referred to in Article 11(2), EFTA States may allow operators to use CERs and ERUs from project activities in the Community scheme as a percentage of the total quantity of allowances.”
- (i) The second sentence in Article 16(3) shall be replaced by the following:

“The EFTA States shall provide for excess emissions penalties that are equivalent to those in the EC Member States.”
- (j) The following shall be added in Article 19(1):

“The Liechtenstein registry may be hosted by Switzerland.”
- (k) The following paragraph shall be added to Article 20:

“4. The issue, transfer and cancellation of allowances concerning the EFTA States and their operators shall be registered in the independent transaction log referred to in paragraph 1. The Central Administrator shall be competent to perform the tasks referred to in paragraphs 1 to 3 when the EFTA States or their operators are concerned.”
- (l) The following paragraph shall be added to Article 25:

“3. Allowances of the Community system include allowances issued or traded by the EFTA States or their operators under the Community system. Upon conclusion by the Community of an agreement referred to in paragraph 1, no distinction shall be made between such allowances.

The Commission shall keep the EFTA States informed regarding the negotiation and conclusion of agreements according to this Article at an early stage.”
- (m) The EFTA States participating in the EU Emission Trading Scheme will provide information according to the relevant requirements in the first subparagraph of Article 30(3), while the reporting requirements under the second subparagraph shall not apply to them.
- (n) The following shall be added at the beginning of Annex III(1):

“International obligations of the EFTA States outside the scope of this Agreement shall not be subject to review by the EFTA Surveillance Authority.”
- (o) In Annex III(2), the words “assessments of actual and projected progress” shall be replaced by “verified emissions data reported by installations under the Directive, National Inventories and National Communications submitted to the UNFCCC Secretariat” with regard to the EFTA States.

- (p) In Annex III(4), the words “Community legislative and policy instruments” shall be replaced by “legislative instruments incorporated into the Agreement”.
- (q) In Annex III(5), the words “the Treaty, in particular Articles 87 and 88 thereof” shall read “the Agreement, in particular Articles 61 and 62 thereof”.
- (r) Annex III(12) shall be replaced by the following:

“The plan shall specify the maximum amount of CERs and ERUs which may be used by the operators in the Emissions Trading Scheme as a percentage of the total quantity of allowances.”
- (s) The EFTA States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 2007.
- (t) Combustion installations in Iceland with a rated thermal input exceeding 20 MW (except hazardous or municipal waste installations), but which have reported emissions to the competent authority of less than 25 000 tonnes of carbon dioxide equivalent (excluding emissions from biomass) in each of the three years preceding the date for submission of a national allocation plan for a period, shall be exempted from the scope of this Directive for the period for which that plan would apply, provided that the respective competent authority shows to the satisfaction of the EFTA Surveillance Authority that it is undertaking other policies and measures achieving the same results as Directive 2003/87/EC. As a consequence as long as no installations or activity pursuant to Annex I of Directive 2003/87/EC would be covered by the national allocation plan, the requirement under Article 9(1) to submit a plan shall not apply.
- (u) The EFTA Surveillance Authority shall apply the relevant provisions of the methodology as set out in the Commission’s guidance documents COM(2003) 830 final, COM(2005) 703 final and COM(2006) 725 final for the assessment of a national allocation plan under Article 9(3) of Directive 2003/87/EC as applied in the Commission’s Decisions on national allocation plans.

21am. **32004 D 0156:** Commission Decision 2004/156/EC of 29 January 2004 establishing guidelines for the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council (OJ L 59, 26.2.2004, p. 1).

21an. **32004 R 2216:** Commission Regulation (EC) No 2216/2004 of 21 December 2004 for a standardised and secured system of registries pursuant to Directive 2003/87/EC of the European Parliament and of the Council and Decision No 280/2004/EC of the European Parliament and of the Council (OJ L 386, 29.12.2004, p. 1).

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

- (a) Adaptation (k) to Directive 2003/87/EC shall apply *mutatis mutandis* to the Regulation.
- (b) The following sub-paragraph shall be added to Article 6(3):

“If registries in the EFTA States are concerned, the Central Administrator shall be instructed by the EFTA Surveillance Authority.”
- (c) In Article 8(4), the words “and the EFTA Surveillance Authority” shall be inserted after the word “Commission”.
- (d) In Article 44(1), the words “1 January 2007” shall read “15 December 2007”.
- (e) The following paragraph shall be added to Article 44:

“4. If national allocation plan tables of the EFTA States are concerned, the Central Administrator shall be instructed by the EFTA Surveillance Authority.”

21ao. **32006 D 0780**: Commission Decision 2006/780/EC of 13 November 2006 on avoiding double counting of greenhouse gas emission reductions under the Community emissions trading scheme for project activities under the Kyoto Protocol pursuant to Directive 2003/87/EC of the European Parliament and of the Council (OJ L 316, 16.11.2006, p. 12).'

Article 2

The texts of Directives 2003/87/EC and 2004/101/EC, Regulation (EC) No 2216/2004 and Decisions 2004/156/EC and 2006/780/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 27 October 2007 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, 26 October 2007.

For the EEA Joint Committee

The President

Stefán Haukur JÓHANNESSEN

(*) Constitutional requirements indicated.

ANNEX

Combustion installations in Iceland with a rated thermal input exceeding 20 MW:

Fishmeal and oil factory, Síldarvinnslan á Siglufirði;

Fishmeal and oil factory, Síldarvinnslan á Seyðisfirði;

Fishmeal and oil factory, Eskja á Eskifirði;

Fishmeal and oil factory, Síldarvinnslan á Neskaupstað;

Fishmeal and oil factory, HB Granda á Akranesi;

Fishmeal and oil factory, Ísfélag Vestmannaeyja;

Fishmeal and oil factory, Skeggy Höfn;

Fishmeal and oil factory, Síldarvinnslan í Helguvík;

Fishmeal and oil factory, Loðnuvinnslan á Fáskrúðsfirði;

Fishmeal and oil factory, Vinnslustöðin í Vestmannaeyjum;

Emergency back-up power plant for Alcan aluminium plant;

Emergency back-up power plant Reykjavík Energy.

DECISION OF THE EEA JOINT COMMITTEE**No 147/2007****of 26 October 2007****amending Protocol 23 to the EEA Agreement concerning the cooperation between the surveillance authorities (Article 58)**

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) Protocol 23 to the Agreement was amended by Decision of the EEA Joint Committee No 178/2004 of 3 December 2004 ⁽¹⁾.
- (2) In order to allow the EFTA Surveillance Authority and the EFTA States to participate in policy discussions within the European Competition Network involving the exchange of confidential information pursuant to Articles 81 and 82 of the EC Treaty, a legal framework is required to allow the exchange of confidential information not already covered by the Agreement. Therefore a new Article 1A should be incorporated into Protocol 23 to the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following Article shall be added after Article 1 of Protocol 23 to the Agreement:

'Article 1A

In the interests of homogeneous interpretation by the EFTA Surveillance Authority and the EC Commission of Articles 53 and 54 of the Agreement and of Articles 81 and 82 of the Treaty, the EFTA Surveillance Authority and the competent authorities of the EFTA States may also be allowed to participate in meetings of the network of public authorities referred to in recital 15 of Council Regulation (EC) No 1/2003 for the purposes of discussion of general policy issues only. The EFTA Surveillance Authority, the EC Commission and the competent authorities of the EFTA states and of the EC Member States shall have the power to make available all information necessary for the purpose of such general policy discussion in that network. Information made available in this context shall not be used for enforcement purposes. This participation shall be without prejudice to rights of participation of the EFTA States and the EFTA Surveillance Authority granted under the EEA Agreement.'

Article 2

This Decision shall enter into force on 27 October 2007, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

⁽¹⁾ OJ L 133, 26.5.2005, p. 35.

(*) No constitutional requirements indicated.

Article 3

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

Done at Brussels, 26 October 2007.

For the EEA Joint Committee

The President

Stefán Haukur JÓHANNESSON
