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IV

(Other acts)

EUROPEAN ECONOMIC AREA

THE EEA JOINT COMMITTEE

DECISION OF THE EEA JOINT COMMITTEE

No 21/2009

of 17 March 2009

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex I to the Agreement was amended by Decision of the EEA Joint Committee No 111/2008 of 7 November 2008 ⁽¹⁾.
- (2) Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97 ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 1082/2003 of 23 June 2003 laying down detailed rules for the implementation of Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards the minimum level of controls to be carried out in the framework of the system for the identification and registration of bovine animals ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Regulation (EC) No 499/2004 of 17 March 2004 amending Regulation (EC) No 1082/2003 as regards the time limit and the model for reporting in the bovine sector ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Regulation (EC) No 911/2004 of 29 April 2004 implementing Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards eartags, passports and holding registers ⁽⁵⁾ is to be incorporated into the Agreement.

⁽¹⁾ OJ L 339, 18.12.2008, p. 98.

⁽²⁾ OJ L 204, 11.8.2000, p. 1.

⁽³⁾ OJ L 156, 25.6.2003, p. 9.

⁽⁴⁾ OJ L 80, 18.3.2004, p. 24.

⁽⁵⁾ OJ L 163, 30.4.2004, p. 65.

- (6) Commission Regulation (EC) No 644/2005 of 27 April 2005 authorising a special identification system for bovine animals kept for cultural and historical purposes on approved premises as provided for in Regulation (EC) No 1760/2000 of the European Parliament and of the Council ⁽¹⁾ is to be incorporated into the Agreement.
- (7) Commission Decision 2004/764/EC of 22 October 2004 concerning an extension of the maximum period laid down for the application of eartags to certain bovine animals kept in nature reserves in the Netherlands ⁽²⁾ is to be incorporated into the Agreement.
- (8) Commission Decision 2006/28/EC of 18 January 2006 on extension of the maximum period for applying eartags to certain bovine animals ⁽³⁾ is to be incorporated into the Agreement.
- (9) Commission Decision 2006/132/EC of 13 February 2006 recognising the fully operational character of the Italian database for bovine animals ⁽⁴⁾ is to be incorporated into the Agreement.
- (10) Council Regulation (EC) No 1791/2006 ⁽⁵⁾ and Council Regulation (EC) No 1792/2006 ⁽⁶⁾ are already incorporated into the Agreement, but should be added as amending acts to Regulation (EC) No 1760/2000 and Regulation (EC) No 911/2004 respectively.
- (11) Regulation (EC) No 1760/2000 repeals Council Regulation (EC) No 820/97 ⁽⁷⁾, which is incorporated into the Agreement and is therefore to be repealed under the Agreement.
- (12) Regulation (EC) No 1082/2003 repeals Commission Regulation (EC) No 2630/97 ⁽⁸⁾, which is incorporated into the Agreement and is therefore to be repealed under the Agreement.
- (13) Regulation (EC) No 911/2004 repeals Commission Regulation (EC) No 2629/97 ⁽⁹⁾, which is incorporated into the Agreement and is therefore to be repealed under the Agreement.
- (14) Decision 2006/28/EC repeals Commission Decision 98/589/EC ⁽¹⁰⁾ which is incorporated into the Agreement and is therefore to be repealed under the Agreement.
- (15) Commission Regulation (EC) No 2628/97 ⁽¹¹⁾ which is incorporated into the Agreement has expired and is therefore to be repealed under the Agreement.
- (16) This Decision shall apply to Iceland with the transitional period specified in paragraph 2 of the Introductory Part of Chapter I of Annex I.
- (17) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

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

⁽¹⁾ OJ L 107, 28.4.2005, p. 18.

⁽²⁾ OJ L 339, 16.11.2004, p. 9.

⁽³⁾ OJ L 19, 24.1.2006, p. 32.

⁽⁴⁾ OJ L 52, 23.2.2006, p. 33.

⁽⁵⁾ OJ L 363, 20.12.2006, p. 1.

⁽⁶⁾ OJ L 362, 20.12.2006, p. 1.

⁽⁷⁾ OJ L 117, 7.5.1997, p. 1.

⁽⁸⁾ OJ L 354, 30.12.1997, p. 23.

⁽⁹⁾ OJ L 354, 30.12.1997, p. 19.

⁽¹⁰⁾ OJ L 283, 21.10.1998, p. 19.

⁽¹¹⁾ OJ L 354, 30.12.1997, p. 17.

Article 2

The texts of Regulations (EC) No 1760/2000, (EC) No 1082/2003, (EC) No 499/2004, (EC) No 911/2004 and (EC) No 644/2005 and Decisions 2004/764/EC, 2006/28/EC and 2006/132/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 18 March 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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

Done at Brussels, 17 March 2009.

For the EEA Joint Committee

The President

Alan SEATTER

(*) Constitutional requirements indicated.

ANNEX

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

1. the text of point 7a (Council Regulation (EC) No 820/97) in Part 1.1 shall be deleted;
2. the following point shall be inserted after point 7b (Commission Regulation (EC) No 21/2004) in Part 1.1:

‘7c. **32000 R 1760**: Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97 (OJ L 204, 11.8.2000, p. 1), as amended by:

— **32006 R 1791**: Council Regulation (EC) No 1791/2006 of 20 November 2006 (OJ L 363, 20.12.2006, p. 1).’;
3. the texts of points 70 (Commission Regulation (EC) No 2628/97), 71 (Commission Regulation (EC) No 2629/97) and 72 (Commission Regulation (EC) No 2630/97) in Part 1.2 shall be deleted;
4. the following shall be inserted after point 139 (Commission Decision 2007/363/EC) in Part 1.2:

‘140. **32003 R 1082**: Commission Regulation (EC) No 1082/2003 of 23 June 2003 laying down detailed rules for the implementation of Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards the minimum level of controls to be carried out in the framework of the system for the identification and registration of bovine animals (OJ L 156, 25.6.2003, p. 9), as amended by:

— **32004 R 0499**: Commission Regulation (EC) No 499/2004 of 17 March 2004 (OJ L 80, 18.3.2004, p. 24),

141. **32004 R 0911**: Commission Regulation (EC) No 911/2004 of 29 April 2004 implementing Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards eartags, passports and holding registers (OJ L 163, 30.4.2004, p. 65), as amended by:

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

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

In Annex I to this Regulation, the following shall be added:

“Iceland
Norway

IS
NO”

142. **32005 R 0644**: Commission Regulation (EC) No 644/2005 of 27 April 2005 authorising a special identification system for bovine animals kept for cultural and historical purposes on approved premises as provided for in Regulation (EC) No 1760/2000 of the European Parliament and of the Council (OJ L 107, 28.4.2005, p. 18).
143. **32006 D 0028**: Commission Decision 2006/28/EC of 18 January 2006 on extension of the maximum period for applying eartags to certain bovine animals (OJ L 19, 24.1.2006, p. 32).’.
5. Under the heading ‘ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT’ in Part 1.2, the text of point 2 (Commission Decision 98/589/EC) shall be deleted;
6. Under the heading ‘ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT’ in Part 1.2, the following points shall be inserted after point 23 (Commission Decision 2006/615/EC):

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- ‘24. **32004 D 0764**: Commission Decision 2004/764/EC of 22 October 2004 concerning an extension of the maximum period laid down for the application of eartags to certain bovine animals kept in nature reserves in the Netherlands (OJ L 339, 16.11.2004, p. 9).
25. **32006 D 0132**: Commission Decision 2006/132/EC of 13 February 2006 recognising the fully operational character of the Italian database for bovine animals (OJ L 52, 23.2.2006, p. 33).’
-

DECISION OF THE EEA JOINT COMMITTEE**No 22/2009****of 17 March 2009****amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex I to the Agreement was amended by Decision of the EEA Joint Committee No 111/2008 of 7 November 2008 ⁽¹⁾.
- (2) Commission Decision 2007/594/EC of 29 August 2007 amending Annex IV to Council Directive 90/539/EEC as regards model veterinary certificates for intra-Community trade in poultry and hatching eggs to take account of certain public health requirements ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Decision 2007/683/EC of 18 October 2007 approving the plan for the eradication of classical swine fever in feral pigs in certain areas of Hungary ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Decision 2007/729/EC of 7 November 2007 amending Council Directives 64/432/EEC, 90/539/EEC, 92/35/EEC, 92/119/EEC, 93/53/EEC, 95/70/EC, 2000/75/EC, 2001/89/EC, 2002/60/EC, and Decisions 2001/618/EC and 2004/233/EC as regards lists of national reference laboratories and State institutes ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Decision 2007/846/EC of 6 December 2007 establishing a model for the lists of entities approved by Member States in accordance with various provisions of Community veterinary legislation, and the rules applying to the transmission of these lists to the Commission ⁽⁵⁾ is to be incorporated into the Agreement.
- (6) Commission Decision 2007/870/EC of 21 December 2007 approving the plans for 2008 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 ⁽⁶⁾ is to be incorporated into the Agreement.
- (7) Decision 2007/846/EC repeals Commission Decision 2001/106/EC ⁽⁷⁾ which is incorporated into the Agreement and is therefore to be repealed under the Agreement.
- (8) This Decision is not to apply to Iceland and Liechtenstein,

⁽¹⁾ OJ L 339, 18.12.2008, p. 98.

⁽²⁾ OJ L 227, 31.8.2007, p. 33.

⁽³⁾ OJ L 281, 25.10.2007, p. 27.

⁽⁴⁾ OJ L 294, 13.11.2007, p. 26.

⁽⁵⁾ OJ L 333, 19.12.2007, p. 72.

⁽⁶⁾ OJ L 340, 22.12.2007, p. 105.

⁽⁷⁾ OJ L 39, 9.2.2001, p. 39.

HAS DECIDED AS FOLLOWS:

Article 1

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

Article 2

The texts of Decisions 2007/594/EC, 2007/683/EC, 2007/729/EC, 2007/846/EC and 2007/870/EC, in the Norwegian language, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 18 March 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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

Done at Brussels, 17 March 2009.

For the EEA Joint Committee

The President

Alan SEATTER

(*) No constitutional requirements indicated.

ANNEX

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

1. The following indent shall be added in points 3 (Council Directive 2001/89/EC), 4 (Council Directive 92/35/EEC), 9 (Council Directive 92/119/EEC), 9a (Council Directive 2000/75/EC) and 9b (Council Directive 2002/60/EC) in Part 3.1, points 1 (Council Directive 64/432/EC) and 4 (Council Directive 90/539/EEC) in Part 4.1, points 64 (Commission Decision 2001/618/EC) and 76 (Commission Decision 2004/233/EC) in Part 4.2 and point 3 (Council Directive 90/539/EC) in Part 8.1:

‘— **32007 D 0729**: Commission Decision 2007/729/EC of 7 November 2007 (OJ L 294, 13.11.2007, p. 26).’

2. In adaptation (a) in point 4 (Council Directive 92/35/EEC) in Part 3.1 and in the adaptation text in point 9 (Council Directive 92/119/EEC) in Part 3.1 the words ‘Norway: Statens Veterinære Institut for Virusforskning, Lindholm, 4771 Kalvehave, Denmark’ shall be replaced by the following:

‘NO	National Veterinary Institute PO Box 750 Sentrum 0106 Oslo NORWAY Tel. +47 23216000 Fax +47 23216001’;
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3. The following shall be added in point 9a (Council Directive 2000/75/EC) in Part 3.1:

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

In point A of Annex I the following shall be added:

NO	National Veterinary Institute PO Box 750 Sentrum 0106 Oslo NORWAY Tel. +47 23216000 Fax +47 23216001’;
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4. In the adaptation text in point 9b (Council Directive 2002/60/EC) in part 3.1 the words ‘Norway Danmarks Veterinære Institut — Avdeling for Virologi, Lindholm, 4771 Kalvehave’ shall be replaced by the following:

‘NO	National Veterinary Institute PO Box 750 Sentrum 0106 Oslo NORWAY Tel. +47 23216000 Fax +47 23216001’;
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5. The text of adaptation (f) in point 1 (Council Directive 64/432/EEC) in Part 4.1 shall be replaced by the following:

‘(f) In Annex D, Chapter II (A) (2) the following shall be added concerning official institutes:

NO	National Veterinary Institute PO Box 750 Sentrum 0106 Oslo NORWAY Tel. +47 23216000 Fax +47 23216001’;
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6. The following shall be added in point 64 (Commission Decision 2001/618/EC) in Part 4.2:

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

in paragraph 2(d) of Annex III the following shall be added:

NO	National Veterinary Institute PO Box 750 Sentrum 0106 Oslo NORWAY Tel. +47 23216000 Fax +47 23216001’;
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7. The following shall be added in point 76 (Commission Decision 2004/233/EC) in Part 4.2:

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

in Annex I the following shall be added:

Norway

National Veterinary Institute
PO Box 750 Sentrum
0106 Oslo
NORWAY
Tel. +47 23216000
Fax +47 23216001’;

8. Under the heading ‘ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT’ the following points shall be inserted after point 41 (Commission Decision 2007/590/EC) in Part 3.2:

‘42. **32007 D 0683**: Commission Decision 2007/683/EC of 18 October 2007 approving the plan for the eradication of classical swine fever in feral pigs in certain areas of Hungary (OJ L 281, 25.10.2007, p. 27).

This act shall not apply to Iceland.

43. **32007 D 0870**: Commission Decision 2007/870/EC of 21 December 2007 approving the plans for 2008 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 340, 22.12.2007, p. 105).

This act shall not apply to Iceland.’;

9. The following indent shall be added in point 4 (Council Directive 90/539/EEC) in Part 4.1 and point 3 (Council Directive 90/539/EEC) in Part 8.1:

‘— **32007 D 0594**: Commission Decision 2007/594/EC of 29 August 2007 (OJ L 227, 31.8.2007, p. 33).’;

10. The following shall be added in the adaptation text of point 4 (Council Directive 90/539/EE) in Part 4.1:

‘(h) In Annex IV, the word “Norway” shall be inserted after the word “Finland” in footnote 3 of Model 1, footnote 4 of Model 2, footnote 1 of Model 3, footnote 3 of Model 4, footnote 3 of Model 5 and footnote 1 of Model 6.’;

11. The following shall be added in point 3 (Council Directive 90/539/EE) in Part 8.1:

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

In Annex IV, the word "Norway" shall be inserted after the word "Finland" in footnote 3 of Model 1, footnote 4 of Model 2, footnote 1 of Model 3, footnote 3 of Model 4, footnote 3 of Model 5 and footnote 1 of Model 6.;

12. The text of point 61 (Commission Decision 2001/106/EC) in Part 4.2 shall be deleted;

13. The following point shall be inserted after Point 82 (Commission Regulation (EC) No 1739/2005) in Part 4.2:

'83. **32007 D 0846**: Commission Decision 2007/846/EC of 6 December 2007 establishing a model for the lists of entities approved by Member States in accordance with various provisions of Community veterinary legislation, and the rules applying to the transmission of these lists to the Commission (OJ L 333, 19.12.2007, p. 72).

This act shall not apply to Iceland.'

DECISION OF THE EEA JOINT COMMITTEE

No 23/2009

of 17 March 2009

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex I to the Agreement was amended by Decision of the EEA Joint Committee No 2/2009 of 5 February 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 393/2008 of 30 April 2008 concerning the authorisation of astaxanthin dimethyldisuccinate as a feed additive ⁽²⁾ is to be incorporated into the Agreement.
- (3) This Decision shall not apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be added after point 1zzzzn (Commission Regulation (EC) No 209/2008) in Chapter II of Annex I to the Agreement:

'1zzzzz. **32008 R 0393**: Commission Regulation (EC) No 393/2008 of 30 April 2008 concerning the authorisation of astaxanthin dimethyldisuccinate as a feed additive (OJ L 117, 1.5.2008, p. 20).'

Article 2

The text of Regulation (EC) No 393/2008 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 18 March 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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

Done at Brussels, 17 March 2009.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 73, 19.3.2009, p. 32.

⁽²⁾ OJ L 117, 1.5.2008, p. 20.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 24/2009****of 17 March 2009****amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex I to the Agreement was amended by Decision of the EEA Joint Committee No 2/2009 of 5 February 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 429/2008 of 25 April 2008 on detailed rules for the implementation of Regulation (EC) No 1831/2003 of the European Parliament and of the Council as regards the preparation and the presentation of applications and the assessment and the authorisation of feed additives ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 505/2008 of 6 June 2008 concerning the authorisation of a new use of 3-phytase (Natuphos) as a feed additive ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Regulation (EC) No 516/2008 of 10 June 2008 amending Regulations (EC) No 1200/2005, (EC) No 184/2007, (EC) No 243/2007, (EC) No 1142/2007, (EC) No 1380/2007 and (EC) No 165/2008 as regards the terms of the authorisation of certain additives for use in animal nutrition ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Regulation (EC) No 552/2008 of 17 June 2008 amending Regulations (EC) No 2430/1999, (EC) No 2380/2001 and (EC) No 1289/2004 as regards the terms of the authorisations of certain additives for use in animal nutrition ⁽⁵⁾ is to be incorporated into the Agreement.
- (6) Commission Regulation (EC) No 554/2008 of 17 June 2008 concerning the authorisation of 6-phytase (Quantum Phytase) as a feed additive ⁽⁶⁾, as corrected by OJ L 173, 3.7.2008, p. 31, is to be incorporated into the Agreement.
- (7) This Decision is not to apply to Liechtenstein,

⁽¹⁾ OJ L 73, 19.3.2009, p. 32.

⁽²⁾ OJ L 133, 22.5.2008, p. 1.

⁽³⁾ OJ L 149, 7.6.2008, p. 33.

⁽⁴⁾ OJ L 151, 11.6.2008, p. 3.

⁽⁵⁾ OJ L 158, 18.6.2008, p. 3.

⁽⁶⁾ OJ L 158, 18.6.2008, p. 14.

HAS DECIDED AS FOLLOWS:

Article 1

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

1. The following indent shall be added in point 1k (Commission Regulation (EC) No 2430/1999):

‘— **32008 R 0552**: Commission Regulation (EC) No 552/2008 of 17 June 2008 (OJ L 158, 18.6.2008, p. 3).’;

2. The following shall be added in points 1y (Commission Regulation (EC) No 2380/2001) and 1zy (Commission Regulation (EC) No 1289/2004):

‘, as amended by:

— **32008 R 0552**: Commission Regulation (EC) No 552/2008 of 17 June 2008 (OJ L 158, 18.6.2008, p. 3).’;

3. The following indent shall be added in point 1zzm (Commission Regulation (EC) No 1200/2005):

‘— **32008 R 0516**: Commission Regulation (EC) No 516/2008 of 10 June 2008 (OJ L 151, 11.6.2008, p. 3).’;

4. The following shall be added in points 1zzzj (Commission Regulation (EC) No 184/2007), 1zzzn (Commission Regulation (EC) No 243/2007), 1zzzd (Commission Regulation (EC) No 1142/2007), 1zzze (Commission Regulation (EC) No 1380/2007) and 1zzzk (Commission Regulation (EC) No 165/2008):

‘, as amended by:

— **32008 R 0516**: Commission Regulation (EC) No 516/2008 of 10 June 2008 (OJ L 151, 11.6.2008, p. 3).’;

5. The following points shall be inserted after point 1zzzo (Commission Regulation (EC) No 393/2008):

‘1zzzp. **32008 R 0505**: Commission Regulation (EC) No 505/2008 of 6 June 2008 concerning the authorisation of a new use of 3-phytase (Natuphos) as a feed additive (OJ L 149, 7.6.2008, p. 33).

1zzzq. **32008 R 0554**: Commission Regulation (EC) No 554/2008 of 17 June 2008 concerning the authorisation of 6-phytase (Quantum Phytase) as a feed additive (OJ L 158, 18.6.2008, p. 14), as corrected by OJ L 173, 3.7.2008, p. 31.’;

6. The following point shall be inserted after point 3a (Commission Regulation (EC) No 1436/98):

‘3b. **32008 R 0429**: Commission Regulation (EC) No 429/2008 of 25 April 2008 on detailed rules for the implementation of Regulation (EC) No 1831/2003 of the European Parliament and of the Council as regards the preparation and the presentation of applications and the assessment and the authorisation of feed additives (OJ L 133, 22.5.2008, p. 1).’.

Article 2

The texts of Regulations (EC) No 429/2008, (EC) No 505/2008, (EC) No 516/2008, (EC) No 552/2008 and (EC) No 554/2008, as corrected by OJ L 173, 3.7.2008, p. 31, 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 18 March 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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

Done at Brussels, 17 March 2009.

For the EEA Joint Committee

The President

Alan SEATTER

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 25/2009

of 17 March 2009

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex I to the Agreement was amended by Decision of the EEA Joint Committee No 60/2008 of 6 June 2008 ⁽¹⁾.
- (2) Commission Directive 2008/62/EC of 20 June 2008 providing for certain derogations for acceptance of agricultural landraces and varieties which are naturally adapted to the local and regional conditions and threatened by genetic erosion and for marketing of seed and seed potatoes of those landraces and varieties ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Directive 2008/83/EC of 13 August 2008 amending Directive 2003/91/EC setting out implementing measures for the purposes of Article 7 of Council Directive 2002/55/EC as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining certain varieties of vegetable species ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Decision 2008/462/EC of 16 June 2008 releasing Bulgaria, Slovakia and the United Kingdom from certain obligations to apply Council Directive 66/401/EEC in respect of *Galega orientalis* Lam. ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

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

1. the following indent shall be added in point 15 (Commission Directive 2003/91/EC) in Part 1:

‘— **32008 L 0083**: Commission Directive 2008/83/EC of 13 August 2008 (OJ L 219, 14.8.2008, p. 55).’;

2. the following point shall be inserted after point 51 (Commission Decision 2007/853/EC) in Part 2:

‘52. **32008 L 0062**: Commission Directive 2008/62/EC of 20 June 2008 providing for certain derogations for acceptance of agricultural landraces and varieties which are naturally adapted to the local and regional conditions and threatened by genetic erosion and for marketing of seed and seed potatoes of those landraces and varieties (OJ L 162, 21.6.2008, p. 13).’;

⁽¹⁾ OJ L 257, 25.9.2008, p. 19.

⁽²⁾ OJ L 162, 21.6.2008, p. 13.

⁽³⁾ OJ L 219, 14.8.2008, p. 55.

⁽⁴⁾ OJ L 160, 19.6.2008, p. 33.

3. under the heading 'ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT' the following point shall be inserted after point 77 (Commission Decision 2007/321/EC):

'78. **32008 D 0462:** Commission Decision 2008/462/EC of 16 June 2008 releasing Bulgaria, Slovakia and the United Kingdom from certain obligations to apply Council Directive 66/401/EEC in respect of *Galega orientalis* Lam. (OJ L 160, 19.6.2008, p. 33).'

Article 2

The texts of Directives 2008/62/EC and 2008/83/EC and Decision 2008/462/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 18 March 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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

Done at Brussels, 17 March 2009.

For the EEA Joint Committee

The President

Alan SEATTER

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 26/2009****of 17 March 2009****amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 5/2009 of 5 February 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 123/2008 of 12 February 2008 amending and correcting Annex VI to Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 345/2008 of 17 April 2008 laying down detailed rules for implementing the arrangements for imports from third countries provided for in Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs (Recast) ⁽³⁾ is to be incorporated into the Agreement.
- (4) Regulation (EC) No 345/2008 repeals Commission Regulation (EEC) No 94/92 ⁽⁴⁾ which is incorporated into the Agreement and is therefore to be repealed under the Agreement.
- (5) This Decision shall not apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

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

1. the text of the first indent (Commission Regulation (EEC) No 94/92), 17th indent (Commission Regulation (EC) No 314/97), 20th indent (Commission Regulation (EC) No 1367/98), 26th indent (Commission Regulation (EC) No 1566/2000), 29th indent (Commission Regulation (EC) No 2589/2001), 30th indent (Commission Regulation (EC) No 548/2000), 31st indent (Commission Regulation (EC) No 1616/2000), 32nd indent (Commission Regulation (EC) No 2426/2000), 33rd indent (Commission Regulation (EC) No 349/2001), 36th indent (Commission Regulation (EC) No 1162/2002), 37th indent (Commission Regulation (EC) No 2382/2002), 39th indent (Commission Regulation (EC) No 545/2003), 41st indent (Commission Regulation (EC) No 2144/2003), and 57th indent (Commission Regulation (EC) No 956/2006) of point 54b (Council Regulation (EEC) No 2092/91) shall be deleted.

⁽¹⁾ OJ L 73, 19.3.2009, p. 38.⁽²⁾ OJ L 38, 13.2.2008, p. 3.⁽³⁾ OJ L 108, 18.4.2008, p. 8.⁽⁴⁾ OJ L 11, 17.1.1992, p. 14.

2. the following indent shall be added in point 54b (Council Regulation (EEC) No 2092/91):

‘— **32008 R 0123**: Commission Regulation (EC) No 123/2008 of 12 February 2008 (OJ L 38, 13.2.2008, p. 3).’

3. the following point shall be inserted after point 54zzzw (Commission Directive 2008/5/EC):

‘54zzzx. **32008 R 0345**: Commission Regulation (EC) No 345/2008 of 17 April 2008 laying down detailed rules for implementing the arrangements for imports from third countries provided for in Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs (Recast) (OJ L 108, 18.4.2008, p. 8).’

Article 2

The texts of Regulations (EC) No 123/2008 and (EC) No 345/2008 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 18 March 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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

Done at Brussels, 17 March 2009.

For the EEA Joint Committee

The President

Alan SEATTER

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 27/2009

of 17 March 2009

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

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 5/2009 of 5 February 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 597/2008 of 24 June 2008 amending Regulation (EC) No 372/2007 laying down transitional migration limits for plasticisers in gaskets in lids intended to come into contact with foods ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Directive 2008/60/EC of 17 June 2008 laying down specific purity criteria concerning sweeteners for use in foodstuffs (Codified version) ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Decision 2008/478/EC of 17 June 2008 amending Decision 1999/217/EC as regards the register of flavouring substances used in or on foodstuffs ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Recommendation 2008/103/EC of 4 February 2008 concerning a coordinated Community monitoring programme for 2008 to ensure compliance with maximum levels of pesticide residues in and on cereals and certain other products of plant origin and national monitoring programmes for 2009 ⁽⁵⁾ is to be incorporated into the Agreement.
- (6) Directive 2008/60/EC repeals Commission Directive 95/31/EC ⁽⁶⁾ which is incorporated into the Agreement and is therefore to be repealed under the Agreement.
- (7) 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 fourth indent (Commission Directive 95/31/EC) of point 16 (Council Directive 78/663/EEC) and the text of point 46a (Commission Directive 95/31/EC) shall be deleted;
2. the following indent shall be added in point 54v (Commission Decision 1999/217/EC):

‘— **32008 D 0478**: Commission Decision 2008/478/EC of 17 June 2008 (OJ L 163, 24.6.2008, p. 42).’;

⁽¹⁾ OJ L 73, 19.3.2009, p. 38.

⁽²⁾ OJ L 164, 25.6.2008, p. 12.

⁽³⁾ OJ L 158, 18.6.2008, p. 17.

⁽⁴⁾ OJ L 163, 24.6.2008, p. 42.

⁽⁵⁾ OJ L 36, 9.2.2008, p. 7.

⁽⁶⁾ OJ L 178, 28.7.1995, p. 1.

3. the following shall be added in point 54zzzr (Commission Regulation (EC) No 372/2007):

‘, as amended by:

— **32008 R 0597**: Commission Regulation (EC) No 597/2008 of 24 June 2008 (OJ L 164, 25.6.2008, p. 12).’;

4. the following point shall be inserted after point 54zzzx (Commission Regulation (EC) No 345/2008):

‘54zzzy. **32008 L 0060**: Commission Directive 2008/60/EC of 17 June 2008 laying down specific purity criteria concerning sweeteners for use in foodstuffs (Codified version) (OJ L 158, 18.6.2008, p. 17).’;

5. under the heading ‘ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE’, the following point shall be inserted after point 64 (Commission Recommendation 2007/196/EC):

‘65. **32008 H 0103**: Commission Recommendation 2008/103/EC of 4 February 2008 concerning a coordinated Community monitoring programme for 2008 to ensure compliance with maximum levels of pesticide residues in and on cereals and certain other products of plant origin and national monitoring programmes for 2009 (OJ L 36, 9.2.2008, p. 7).’.

Article 2

The texts of Regulation (EC) No 597/2008, Directive 2008/60/EC, Decision 2008/478/EC and Recommendation 2008/103/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 18 March 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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

Done at Brussels, 17 March 2009.

For the EEA Joint Committee

The President

Alan SEATTER

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 28/2009

of 17 March 2009

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

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 100/2008 of 26 September 2008 ⁽¹⁾.
- (2) Commission Directive 2008/15/EC of 15 February 2008 amending Directive 98/8/EC of the European Parliament and of the Council to include clothianidin as an active substance in Annex I thereto ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Directive 2008/16/EC of 15 February 2008 amending Directive 98/8/EC of the European Parliament and of the Council to include etofenprox as an active substance in Annex I thereto ⁽³⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

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

- **32008 L 0015**: Commission Directive 2008/15/EC of 15 February 2008 (OJ L 42, 16.2.2008, p. 45),
- **32008 L 0016**: Commission Directive 2008/16/EC of 15 February 2008 (OJ L 42, 16.2.2008, p. 48).'

Article 2

The texts of Directives 2008/15/EC and 2008/16/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 18 March 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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

Done at Brussels, 17 March 2009.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 309, 20.11.2008, p. 22.

⁽²⁾ OJ L 42, 16.2.2008, p. 45.

⁽³⁾ OJ L 42, 16.2.2008, p. 48.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 29/2009

of 17 March 2009

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

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 49/2008 of 25 April 2008 ⁽¹⁾.
- (2) Commission Directive 2008/14/EC of 15 February 2008 amending Council Directive 76/768/EEC, concerning cosmetic products, for the purpose of adapting Annex III thereto to technical progress ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

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

— **32008 L 0014:** Commission Directive 2008/14/EC of 15 February 2008 (OJ L 42, 16.2.2008, p. 43).'

Article 2

The text of Directive 2008/14/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 18 March 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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

Done at Brussels, 17 March 2009.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 223, 21.8.2008, p. 45.

⁽²⁾ OJ L 42, 16.2.2008, p. 43.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 30/2009

of 17 March 2009

amending Annex II (Technical regulations, standards, testing and certification) and 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 II to the Agreement was amended by Decision of the EEA Joint Committee No 8/2009 of 5 February 2009 ⁽¹⁾.
- (2) Annex XX to the Agreement was amended by Decision of the EEA Joint Committee No 18/2009 of 5 February 2009 ⁽²⁾.
- (3) Commission Regulation (EC) No 1494/2007 of 17 December 2007 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, the form of labels and additional labelling requirements as regards products and equipment containing certain fluorinated greenhouse gases ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Regulation (EC) No 1497/2007 of 18 December 2007 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, standard leakage checking requirements for stationary fire protection systems containing certain fluorinated greenhouse gases ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Regulation (EC) No 1516/2007 of 19 December 2007 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, standard leakage checking requirements for stationary refrigeration, air conditioning and heat pump equipment containing certain fluorinated greenhouse gases ⁽⁵⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following points shall be inserted after point 9b (Regulation (EC) No 842/2006 of the European Parliament and of the Council) of Chapter XVII of Annex II to the Agreement:

'9ba. **32007 R 1494:** Commission Regulation (EC) No 1494/2007 of 17 December 2007 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, the form of labels and additional labelling requirements as regards products and equipment containing certain fluorinated greenhouse gases (OJ L 332, 18.12.2007, p. 25).

9bb. **32007 R 1497:** Commission Regulation (EC) No 1497/2007 of 18 December 2007 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, standard leakage checking requirements for stationary fire protection systems containing certain fluorinated greenhouse gases (OJ L 333, 19.12.2007, p. 4).

⁽¹⁾ OJ L 73, 19.3.2009, p. 42.

⁽²⁾ OJ L 73, 19.3.2009, p. 57.

⁽³⁾ OJ L 332, 18.12.2007, p. 25.

⁽⁴⁾ OJ L 333, 19.12.2007, p. 4.

⁽⁵⁾ OJ L 335, 20.12.2007, p. 10.

- 9bc. **32007 R 1516:** Commission Regulation (EC) No 1516/2007 of 19 December 2007 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, standard leakage checking requirements for stationary refrigeration, air conditioning and heat pump equipment containing certain fluorinated greenhouse gases (OJ L 335, 20.12.2007, p. 10).’.

Article 2

The following points shall be inserted after point 21aq (Regulation (EC) No 842/2006 of the European Parliament and of the Council) of Annex XX to the Agreement:

- ‘21aqa. **32007 R 1494:** Commission Regulation (EC) No 1494/2007 of 17 December 2007 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, the form of labels and additional labelling requirements as regards products and equipment containing certain fluorinated greenhouse gases (OJ L 332, 18.12.2007, p. 25).
- 21aqb. **32007 R 1497:** Commission Regulation (EC) No 1497/2007 of 18 December 2007 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, standard leakage checking requirements for stationary fire protection systems containing certain fluorinated greenhouse gases (OJ L 333, 19.12.2007, p. 4).
- 21aqc. **32007 R 1516:** Commission Regulation (EC) No 1516/2007 of 19 December 2007 establishing, pursuant to Regulation (EC) No 842/2006 of the European Parliament and of the Council, standard leakage checking requirements for stationary refrigeration, air conditioning and heat pump equipment containing certain fluorinated greenhouse gases (OJ L 335, 20.12.2007, p. 10).’.

Article 3

The texts of Regulations (EC) No 1494/2007, (EC) No 1497/2007 and (EC) No 1516/2007 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 4

This Decision shall enter into force on 18 March 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 5

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

Done at Brussels, 17 March 2009.

For the EEA Joint Committee

The President

Alan SEATTER

(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 31/2009

of 17 March 2009

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 115/2008 of 7 November 2008 ⁽¹⁾.
- (2) Commission Decision 2008/294/EC of 7 April 2008 on harmonised conditions of spectrum use for the operation of mobile communication services on aircraft (MCA services) in the Community ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 5czb (Commission Decision 2007/344/EC) of Annex XI to the Agreement:

'5czc. **32008 D 0294**: Commission Decision 2008/294/EC of 7 April 2008 on harmonised conditions of spectrum use for the operation of mobile communication services on aircraft (MCA services) in the Community (OJ L 98, 10.4.2008, p. 19).'

Article 2

The text of Decision 2008/294/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 18 March 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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

Done at Brussels, 17 March 2009.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 339, 18.12.2008, p. 105.

⁽²⁾ OJ L 98, 10.4.2008, p. 19.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 32/2009
of 17 March 2009
amending Annex XIII (Transport) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XIII to the Agreement was amended by Decision of the EEA Joint Committee No 15/2009 of 5 February 2009 ⁽¹⁾.
- (2) Regulation (EC) No 1100/2008 of the European Parliament and of the Council of 22 October 2008 on the elimination of controls performed at the frontiers of Member States in the field of road and inland waterway transport (Codified version) ⁽²⁾ is to be incorporated into the Agreement.
- (3) Regulation (EC) No 1100/2008 repeals Council Regulation (EEC) No 4060/89 ⁽³⁾, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The text of point 12 (Council Regulation (EEC) No 4060/89) of Annex XIII to the Agreement shall be replaced by the following:

'32008 R 1100: Regulation (EC) No 1100/2008 of the European Parliament and of the Council of 22 October 2008 on the elimination of controls performed at the frontiers of Member States in the field of road and inland waterway transport (Codified version) (OJ L 304, 14.11.2008, p. 63).'

Article 2

The text of Regulation (EC) No 1100/2008 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 18 March 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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

Done at Brussels, 17 March 2009.

For the EEA Joint Committee
The President
Alan SEATTER

⁽¹⁾ OJ L 73, 19.3.2009, p. 52.

⁽²⁾ OJ L 304, 14.11.2008, p. 63.

⁽³⁾ OJ L 390, 30.12.1989, p. 18.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 33/2009

of 17 March 2009

amending Annex XIII (Transport) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XIII to the Agreement was amended by Decision of the EEA Joint Committee No 15/2009 of 5 February 2009 ⁽¹⁾.
- (2) Directive 2007/58/EC of the European Parliament and of the Council of 23 October 2007 amending Council Directive 91/440/EEC on the development of the Community's railways and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in points 37 (Council Directive 91/440/EEC) and 41b (Directive 2001/14/EC of the European Parliament and of the Council) of Annex XIII to the Agreement:

‘— **32007 L 0058**: Directive 2007/58/EC of the European Parliament and of the Council of 23 October 2007 (OJ L 315, 3.12.2007, p. 44).’

Article 2

The text of Directive 2007/58/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 18 March 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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

Done at Brussels, 17 March 2009.

*For the EEA Joint Committee**The President*

Alan SEATTER

⁽¹⁾ OJ L 73, 19.3.2009, p. 52.

⁽²⁾ OJ L 315, 3.12.2007, p. 44.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 34/2009
of 17 March 2009
amending Annex XIII (Transport) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XIII to the Agreement was amended by Decision of the EEA Joint Committee No 15/2009 of 5 February 2009 ⁽¹⁾.
- (2) Commission Decision 2008/284/EC of 6 March 2008 concerning a technical specification for interoperability relating to the 'energy' sub-system of the trans-European high-speed rail system ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 37af (Commission Decision 2002/735/EC) of Annex XIII to the Agreement:

'37ag. **32008 D 0284**: Commission Decision 2008/284/EC of 6 March 2008 concerning a technical specification for interoperability relating to the "energy" sub-system of the trans-European high-speed rail system (OJ L 104, 14.4.2008, p. 1).'

Article 2

The text of Decision 2008/284/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 18 March 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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

Done at Brussels, 17 March 2009.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 73, 19.3.2009, p. 52.

⁽²⁾ OJ L 104, 14.4.2008, p. 1.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 35/2009

of 17 March 2009

amending Annex XIII (Transport) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XIII to the Agreement was amended by Decision of the EEA Joint Committee No 15/2009 of 5 February 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 875/2008 of 8 September 2008 repealing Regulation (EC) No 1962/2006 ⁽²⁾ is to be incorporated into the Agreement.
- (3) Regulation (EC) No 875/2008 repeals Commission Regulation (EC) No 1962/2006 ⁽³⁾, which is incorporated into the Agreement and which is consequently to be deleted under the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XIII to the Agreement shall be amended as follows:

1. the paragraphs on the transitional arrangements for Bulgaria in points 64a (Council Regulation (EEC) No 2408/92) and 66n (Regulation (EC) No 1592/2002 of the European Parliament and of the Council) shall be deleted;
2. the following point shall be inserted after point 64a (Council Regulation (EEC) No 2408/92):

'64aa. **32008 R 0875**: Commission Regulation (EC) No 875/2008 of 8 September 2008 repealing Regulation (EC) No 1962/2006 (OJ L 240, 9.9.2008, p. 3).'

Article 2

The text of Regulation (EC) No 875/2008 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 18 March 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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

Done at Brussels, 17 March 2009.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 73, 19.3.2009, p. 52.

⁽²⁾ OJ L 240, 9.9.2008, p. 3.

⁽³⁾ OJ L 408, 30.12.2006, p. 8.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 36/2009

of 17 March 2009

amending Annex XVIII (Health and safety at work, labour law, and equal treatment for men and women) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XVIII to the Agreement was amended by Decision of the EEA Joint Committee No 105/2008 of 26 September 2008 ⁽¹⁾.
- (2) Directive 2008/46/EC of the European Parliament and of the Council of 23 April 2008 amending Directive 2004/40/EC on minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields) (18th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 16jc (Directive 2004/40/EC of the European Parliament and of the Council) of Annex XVIII to the Agreement:

‘— **32008 L 0046**: Directive 2008/46/EC of the European Parliament and of the Council of 23 April 2008 (OJ L 114, 26.4.2008, p. 88).’.

Article 2

The text of Directive 2008/46/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 18 March 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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

Done at Brussels, 17 March 2009.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 309, 20.11.2008, p. 31.

⁽²⁾ OJ L 114, 26.4.2008, p. 88.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 37/2009

of 17 March 2009

amending Annex XXI (Statistics) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XXI to the Agreement was amended by Decision of the EEA Joint Committee No 131/2008 of 5 December 2008 ⁽¹⁾.
- (2) Commission Regulation (EC) No 1062/2008 of 28 October 2008 implementing Regulation (EC) No 453/2008 of the European Parliament and of the Council on quarterly statistics on Community job vacancies, as regards seasonal adjustment procedures and quality reports ⁽²⁾ is to be incorporated into the Agreement.
- (3) Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council of 22 October 2008 on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities (Codified version) ⁽³⁾ is to be incorporated into the Agreement.
- (4) Regulation (EC, Euratom) No 1101/2008 repeals Regulation (Euratom, EEC) No 1588/90 ⁽⁴⁾, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.
- (5) Regulation (EC, Euratom) No 1101/2008 is a codified version of Regulation (Euratom, EEC) No 1588/90 and therefore the current EEA adaptations to the latter should be maintained,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XXI to the Agreement shall be amended as follows:

1. the following point shall be inserted after point 18v (Regulation (EC) No 453/2008 of the European Parliament and of the Council):

'18va. **32008 R 1062:** Commission Regulation (EC) No 1062/2008 of 28 October 2008 implementing Regulation (EC) No 453/2008 of the European Parliament and of the Council on quarterly statistics on Community job vacancies, as regards seasonal adjustment procedures and quality reports (OJ L 285, 29.10.2008, p. 3).';

⁽¹⁾ OJ L 25, 29.1.2009, p. 40.

⁽²⁾ OJ L 285, 29.10.2008, p. 3.

⁽³⁾ OJ L 304, 14.11.2008, p. 70.

⁽⁴⁾ OJ L 151, 15.6.1990, p. 1.

2. the text of point 17 (Council Regulation (EEC) No 1588/90) shall be replaced by the following:

‘32008 R 1101: Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council of 22 October 2008 on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities (Codified version) (OJ L 304, 14.11.2008, p. 70).

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

(a) the following paragraph shall be added to Article 2:

“(k) staff of the EFTA Statistical Office: staff of the EFTA Secretariat working on the premises of Eurostat.”;

(b) in the second sentence of Article 5(1), the term “Eurostat” shall be replaced by “Eurostat and of the EFTA Statistical Office”;

(c) the following subparagraph shall be added to Article 5(2):

“Confidential statistical data transmitted to Eurostat through the EFTA Statistical Office shall be accessible also to the staff of this Office.”;

(d) in Article 6, the term “Eurostat” shall, for these purposes, be read as to include the EFTA Statistical Office.’.

Article 2

The texts of Regulations (EC) No 1062/2008 and (EC, Euratom) No 1101/2008 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 18 March 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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

Done at Brussels, 17 March 2009.

For the EEA Joint Committee

The President

Alan SEATTER

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 38/2009

of 17 March 2009

amending Annex XXI (Statistics) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XXI to the Agreement was amended by Decision of the EEA Joint Committee No 131/2008 of 5 December 2008 ⁽¹⁾.
- (2) Commission Regulation (EC) No 1055/2008 of 27 October 2008 implementing Regulation (EC) No 184/2005 of the European Parliament and of the Council, as regards quality criteria and quality reporting for balance of payments statistics ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 19sa (Commission Regulation (EC) No 601/2006) of Annex XXI to the Agreement:

'19sb. **32008 R 1055:** Commission Regulation (EC) No 1055/2008 of 27 October 2008 implementing Regulation (EC) No 184/2005 of the European Parliament and of the Council, as regards quality criteria and quality reporting for balance of payments statistics (OJ L 283, 28.10.2008, p. 3).'

Article 2

The text of Regulation (EC) No 1055/2008 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 18 March 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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

Done at Brussels, 17 March 2009.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 25, 29.1.2009, p. 40.

⁽²⁾ OJ L 283, 28.10.2008, p. 3.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 39/2009

of 17 March 2009

amending Annex XXII (Company law) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XXII to the Agreement was amended by Decision of the EEA Joint Committee No 20/2009 of 5 February 2009 ⁽¹⁾.
- (2) Commission Recommendation 2008/473/EC of 5 June 2008 concerning the limitation of the civil liability of statutory auditors and audit firms ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 15 (Commission Recommendation 2005/162/EC) of Annex XXII to the Agreement:

- '16. **32008 H 0473**: Commission Recommendation 2008/473/EC of 5 June 2008 concerning the limitation of the civil liability of statutory auditors and audit firms (OJ L 162, 21.6.2008, p. 39).'

Article 2

The text of Recommendation 2008/473/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 18 March 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

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

Done at Brussels, 17 March 2009.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 73, 19.3.2009, p. 59.

⁽²⁾ OJ L 162, 21.6.2008, p. 39.

(*) No constitutional requirements indicated.

Joint Declaration by the Contracting Parties to Decision No 39/2009 incorporating Recommendation 2008/473/EC into the Agreement

'Commission Recommendation 2008/473/EC of 5 June 2008 concerning the limitation of the civil liability of statutory auditors and audit firms deals with the civil liability of auditors and audit firms. The incorporation of this Recommendation is without prejudice to the scope of the EEA Agreement.'

DECISION OF THE EEA JOINT COMMITTEE

No 40/2009

of 17 March 2009

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

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Articles 86 and 98 thereof,

Whereas:

- (1) Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No 19/2008 of 1 February 2008 ⁽¹⁾.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Recommendation 2008/C 111/01 of the European Parliament and of the Council of 23 April 2008 on the establishment of the European Qualifications Framework for lifelong learning ⁽²⁾,

HAS DECIDED AS FOLLOWS:

Article 1

The following paragraph shall be inserted after paragraph 7 of Article 4 of Protocol 31 to the Agreement:

'8. The Contracting Parties shall seek to strengthen cooperation in the framework of the following Community acts:

- **32008 H 0506(01)**: Recommendation 2008/C 111/01 of the European Parliament and of the Council of 23 April 2008 on the establishment of the European Qualifications Framework for lifelong learning (OJ C 111, 6.5.2008, p. 1).'

Article 2

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

Article 3

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

Done at Brussels, 17 March 2009.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 154, 12.6.2008, p. 38.

⁽²⁾ OJ C 111, 6.5.2008, p. 1.

(*) No constitutional requirements indicated.

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