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I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COMMISSION REGULATION (EC) No 982/2009**of 21 October 2009****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 22 October 2009.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 October 2009.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	37,2
	MK	23,8
	TR	77,9
	ZZ	46,3
0707 00 05	MK	31,4
	TR	130,8
	ZZ	81,1
0709 90 70	TR	112,6
	ZZ	112,6
0805 50 10	AR	79,6
	CL	83,5
	TR	76,1
	US	56,3
	ZA	62,2
	ZZ	71,5
0806 10 10	BR	200,6
	EG	80,3
	TR	119,9
	US	205,1
	ZZ	151,5
0808 10 80	CL	114,8
	CN	78,3
	MK	16,1
	NZ	83,3
	US	105,8
	ZA	74,0
	ZZ	78,7
0808 20 50	CN	49,7
	TR	85,0
	ZA	70,1
	ZZ	68,3

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 983/2009**of 21 October 2009****on the authorisation and refusal of authorisation of certain health claims made on food and referring to the reduction of disease risk and to children's development and health****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods ⁽¹⁾, and in particular Article 17(3) thereof,

Whereas:

- (1) Pursuant to Regulation (EC) No 1924/2006 health claims made on food are prohibited unless they are authorised by the Commission in accordance with that Regulation and included in a list of permitted claims.
- (2) Regulation (EC) No 1924/2006 also provides that applications for authorisations of health claims may be submitted by food business operators to the national competent authority of a Member State. The national competent authority is to forward applications to the European Food Safety Authority (EFSA), hereinafter referred to as the Authority.
- (3) Following receipt of an application the Authority is to inform without delay the other Member States and the Commission of the application, and to deliver an opinion on a health claim concerned.
- (4) The Commission is to decide on the authorisation of health claims taking into account the opinion delivered by the Authority.
- (5) On 19 August 2008, the Commission and the Member States received seven opinions on applications for health claim authorisation from the Authority. On 22 September 2008, the Commission and the Member States received one opinion on an application for health claim authorisation from the Authority. On 22 October 2008, the Commission and the Member States received

eight opinions on applications for health claim authorisation from the Authority. On 31 October 2008, the Commission and the Member States received five opinions on applications for health claim authorisation from the Authority. On 14 November 2008, the Commission and the Member States received two opinions on applications for health claim authorisation from the Authority.

- (6) Six opinions were related to applications for reduction of disease risk claims, as referred to in Article 14(1)(a) of Regulation (EC) No 1924/2006, and seventeen opinions were related to applications for health claims referring to children's development and health, as referred to in Article 14(1)(b) of Regulation (EC) No 1924/2006. Meanwhile one application for health claim authorisation was withdrawn by the applicant and one application for health claim authorisation will be subject to a further decision.
- (7) Following an application from Unilever PLC (United Kingdom) and Unilever NV (Netherlands), submitted pursuant to Article 14(1)(a) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of Plant sterols on blood cholesterol and the risk of coronary heart disease (Question No EFSA-Q-2008-085) ⁽²⁾. The claim proposed by the applicant was worded as follows: 'Plant sterols have been proven to lower/reduce blood cholesterol significantly. Blood cholesterol lowering has been proven to reduce the risk of (coronary) heart disease'.
- (8) On the basis of the data presented, the Authority concluded that a cause and effect relationship was established between the consumption of plant sterols and the claimed effect. Subject to a revised wording the claim should be considered as complying with the requirements of Regulation (EC) No 1924/2006 and in particular Article 14(1)(a) thereof, and it should be included in the Community list of permitted claims.
- (9) Following an application from McNeil Nutritionals, submitted pursuant to Article 14(1)(a) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of plant stanol esters on blood cholesterol and the risk of coronary heart disease (Question No EFSA-Q-2008-118) ⁽³⁾. The claim proposed by the applicant was worded as follows: 'By actively lowering/reducing LDL-cholesterol (by up to 14 % within 2 weeks, by blocking cholesterol absorption,) plant stanol esters reduce the risk of (coronary) heart disease'.

⁽¹⁾ OJ L 404, 30.12.2006, p. 9.

⁽²⁾ The EFSA Journal (2008) 781, 1-2.

⁽³⁾ The EFSA Journal (2008) 825, 1-13.

- (10) On the basis of the data presented, the Authority concluded that a cause and effect relationship was established between the intake of plant stanol esters and the claimed effect. Subject to a revised wording the claim should be considered as complying with the requirements of Regulation (EC) No 1924/2006, and in particular Article 14(1)(a) thereof, and it should be included in the Community list of permitted claims.
- (11) Following an application from Unilever PLC/NV submitted pursuant to Article 14(1)(b) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of α -linolenic acid (ALA) and linoleic acid (LA) on growth and development of children (Question No EFSA-Q-2008-079) ⁽¹⁾. The claim proposed by the applicant was worded as follows: 'Regular consumption of essential fatty acids is important for proper growth and development of children'.
- (12) On the basis of the data presented, the Authority concluded that a cause and effect relationship was established between the intake of ALA and LA and the claimed effect. A health claim reflecting this conclusion should be considered as complying with the requirements of Regulation (EC) No 1924/2006, and it should be included in the Community list of permitted claims.
- (13) Following an application from the Association de la Transformation Laitière Française (ATLA) submitted pursuant to Article 14(1)(b) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of vitamin D on bone growth (Question No EFSA-Q-2008-323) ⁽²⁾. The claim proposed by the applicant was worded as follows: 'Vitamin D is essential for the bone growth of children'.
- (14) On the basis of the data presented, the Authority concluded that a cause and effect relationship was established between the intake of vitamin D and the claimed effect. A health claim reflecting this conclusion should be considered as complying with the requirements of Regulation (EC) No 1924/2006, and it should be included in the Community list of permitted claims.
- (15) Following an application from Yoplait Dairy Crest Ltd submitted pursuant to Article 14(1)(b) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of calcium and vitamin D on bone strength (Question No EFSA-Q-2008-116) ⁽³⁾. The claim proposed by the applicant was worded as follows: 'Calcium and vitamin D, as part of a healthy diet and lifestyle, build stronger bones in children and adolescents'.
- (16) On the basis of the data presented, the Authority concluded that a cause and effect relationship was established between the intake of calcium and vitamin D and the claimed effect. A health claim reflecting this conclusion should be considered as complying with the requirements set out in Regulation (EC) No 1924/2006, and it should be included in the Community list of permitted claims.
- (17) Following an application from the Association de la Transformation Laitière Française (ATLA) submitted pursuant to Article 14(1)(b) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of calcium on bone growth (Question No EFSA-Q-2008-322) ⁽⁴⁾. The claim proposed by the applicant was worded as follows: 'Calcium is needed for the healthy bone growth of children'.
- (18) On the basis of the data presented, the Authority concluded that a cause and effect relationship was established between the intake of calcium and the claimed effect. A health claim reflecting this conclusion should be considered as complying with the requirements of Regulation (EC) No 1924/2006, and it should be included in the Community list of permitted claims.
- (19) Following an application from the Association de la Transformation Laitière Française (ATLA) submitted pursuant to Article 14(1)(b) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of proteins of animal origin on bone growth (Question No EFSA-Q-2008-326) ⁽⁵⁾. The claim proposed by the applicant was worded as follows: 'Proteins of animal origin contribute to children's bone growth'.
- (20) On the basis of the data presented, the Authority concluded that a cause and effect relationship was established between the intake of total protein and the claimed effect. A health claim reflecting this conclusion should be considered as complying with the requirements of Regulation (EC) No 1924/2006, and it should be included in the Community list of permitted claims.
- (21) Article 16(4) of Regulation (EC) No 1924/2006 provides that an opinion in favour of authorising a health claim should include certain particulars. Accordingly, those particulars should be set out in the Annex I to the present Regulation as regards the seven authorised claims and include, as the case may be, the revised wording of the claim, specific conditions of use of the claim, and, where applicable, conditions or restrictions of use of the food and/or an additional statement or warning, in accordance with the rules laid down in Regulation (EC) No 1924/2006 and in line with the opinions of the Authority.

⁽¹⁾ The EFSA Journal (2008) 783, 1-10.

⁽²⁾ The EFSA Journal (2008) 827, 1-2.

⁽³⁾ The EFSA Journal (2008) 828, 1-13.

⁽⁴⁾ The EFSA Journal (2008) 826, 1-11.

⁽⁵⁾ The EFSA Journal (2008) 858, 1-2.

- (22) One of the objectives of Regulation (EC) No 1924/2006 is to ensure that health claims are truthful, clear and reliable and useful to the consumer, and that wording and presentation have to be taken into account in that respect; therefore where the wording of claims has the same meaning for consumers as that of an authorised health claim as they demonstrate the same relationship that exists between a food category, a food or one of its constituents and health, included in Annex I they should be subject to the same conditions of use indicated therein.
- (23) Following an application from BIO SERAE submitted pursuant to Article 14(1)(a) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of NeOpuntia® on blood lipid parameters associated with cardiovascular risks, especially HDL-cholesterol (Question No EFSA-Q-2008-214) ⁽¹⁾. The claim proposed by the applicant was worded as follows: 'NeOpuntia® helps to improve blood lipid parameters associated with cardiovascular risks, especially the HDL-cholesterol'.
- (24) On the basis of the data presented, the Authority concluded that a cause and effect relationship could not be established between the consumption of NeOpuntia® and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (25) Following an application from Valio Ltd submitted pursuant to Article 14(1)(a) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of *Lactobacillus helveticus* fermented Evolus® low-fat milk products on arterial stiffness (Question No EFSA-Q-2008-218) ⁽²⁾. The claim proposed by the applicant was worded as follows: 'Evolus® reduces arterial stiffness'.
- (26) On the basis of the data presented, the Authority concluded that a cause and effect relationship had not been established between the consumption of *Lactobacillus helveticus* fermented Evolus® low-fat milk products and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (27) Following an application from Martek Biosciences Corporation submitted pursuant to Article 14(1)(b) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of docosahexaenoic acid (DHA) and arachidonic acid (ARA) on neural development of the brain and eyes (Question No EFSA-Q-2008-120) ⁽³⁾. The claim proposed by the applicant was worded as follows: 'DHA and ARA support neural development of the brain and eyes'.
- (28) On the basis of the data presented, the Authority concluded that a cause and effect relationship had not been established between the consumption of the food/constituent (DHA and ARA) starting at six months of age and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised. In addition, the Authority concluded that the consumption of baby foods/formula supplemented with DHA and ARA from six months to one year of age might have a beneficial effect on visual acuity maturation in infants breast-fed until the age of 4-6 months. The Authority concluded also that no evidence had been presented on the effects of DHA and ARA supplementation starting at six months of age on visual maturation in healthy infants that had not been breastfed but fed unenriched formula during the first months of life. A health claim reflecting this conclusion could not comply with the general principles and requirements of Regulation (EC) No 1924/2006, and especially Articles 3, 5 and 6, and should not be authorised.
- (29) Following an application from the National Dairy Council submitted pursuant to Article 14(1)(b) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of dairy foods (milk and cheese) on dental health (Question No EFSA-Q-2008-112) ⁽⁴⁾. The claim proposed by the applicant was worded as follows: 'Dairy foods (milk & cheese) promote dental health in children'.
- (30) On the basis of the data presented, the Authority concluded that the food category dairy foods (milk and cheese) subject of the health claim has not been sufficiently characterised, and a cause and effect relationship had not been established between the consumption of milk or cheese and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (31) Following an application from the National Dairy Council submitted pursuant to Article 14(1)(b) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of dairy foods on healthy body weight (Question No EFSA-Q-2008-110) ⁽⁵⁾. The claim proposed by the applicant was worded as follows: 'Three portions of dairy food everyday, as part of a balanced diet, may help promote a healthy body weight during childhood and adolescence'.

⁽¹⁾ The EFSA Journal (2008) 788, 1-2.

⁽²⁾ The EFSA Journal (2008) 824, 1-2.

⁽³⁾ The EFSA Journal (2008) 794, 1-2.

⁽⁴⁾ The EFSA Journal (2008) 787, 1-2.

⁽⁵⁾ The EFSA Journal (2008) 786, 1-10.

- (32) On the basis of the data presented, the Authority concluded that the food category dairy foods (milk and cheese) subject of the health claim has not been sufficiently characterised and that a cause and effect relationship had not been established between the daily consumption of dairy foods (milk, cheese and yogurt) and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (33) Following an application from enzyme.pro.ag, submitted pursuant to Article 14(1)(b) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of regulat[®].pro.kid IMMUN on the immune system of children during growth (Question No EFSA-Q-2008-082) ⁽¹⁾. The claim proposed by the applicant was worded as follows: 'regulat[®].pro.kid IMMUN supports, stimulates and modulates the immune system of children during growth'.
- (34) On the basis of the data presented, the Authority concluded that the food for which the claim is made, 'regulat[®].pro.kid IMMUN', has not been sufficiently characterised, and that a cause and effect relationship had not been established between the consumption of regulat[®].pro.kid IMMUN and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (35) Following an application from enzyme.pro.ag, submitted pursuant to Article 14(1)(b) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of regulat[®].pro.kid BRAIN on the mental and cognitive development of children (Question No EFSA-Q-2008-083) ⁽²⁾. The claim proposed by the applicant was worded as follows: 'regulat[®].pro.kid BRAIN contributes to mental and cognitive development of children'.
- (36) On the basis of the data presented, the Authority concluded that the food for which the claim is made 'regulat[®].pro.kid BRAIN', has not been sufficiently characterised, and that a cause and effect relationship had not been established between the consumption of regulat[®].pro.kid BRAIN and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (37) Following two applications from Pharma Consulting & Industries submitted pursuant to Article 14(1)(b) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the calming effect of I omega kids[®]/Pufan 3 kids[®] (Question No EFSA-Q-2008-091 and – Question No EFSA-Q-2008-096) ⁽³⁾. The claim proposed by the applicant was worded as follows: 'calming'.
- (38) On the basis of the data presented, the Authority concluded that a cause and effect relationship had not been established between the consumption of DHA and eicosapentaenoic acid (EPA) and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (39) Following two applications from Pharma Consulting & Industries submitted pursuant to Article 14(1)(b) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of I omega kids[®]/Pufan 3 kids[®] on serenity (Question No EFSA-Q-2008-092 and Question No EFSA-Q-2008-097) ⁽⁴⁾. The claim proposed by the applicant was worded as follows: 'provide serenity and room for a beneficial development of the child'.
- (40) On the basis of the data presented, the Authority concluded that a cause and effect relationship had not been established between the consumption of DHA and EPA and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (41) Following two applications from Pharma Consulting & Industries submitted pursuant to Article 14(1)(b) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of I omega kids[®]/Pufan 3 kids[®] on vision (Question No EFSA-Q-2008-095 and Question No EFSA-Q-2008-100) ⁽⁵⁾. The claim proposed by the applicant was worded as follows: 'help to support vision'.
- (42) On the basis of the data presented, the Authority concluded that a cause and effect relationship had not been established between the consumption of DHA and EPA and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (43) Following two applications from Pharma Consulting & Industries submitted pursuant to Article 14(1)(b) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of I omega kids[®]/Pufan 3 kids[®] on mental development (Question No EFSA-Q-2008-098 and Question No EFSA-Q-2008-104) ⁽⁶⁾. The claim proposed by the applicant was worded as follows: 'help to support mental development'.

⁽¹⁾ The EFSA Journal (2008) 782, 1-2.

⁽²⁾ The EFSA Journal (2008) 829, 1-10.

⁽³⁾ The EFSA Journal (2008) 830, 1-2.

⁽⁴⁾ The EFSA Journal (2008) 831, 1-2.

⁽⁵⁾ The EFSA Journal (2008) 832, 1-8.

⁽⁶⁾ The EFSA Journal (2008) 847, 1-10.

- (44) On the basis of the data presented, the Authority concluded that a cause and effect relationship had not been established between the consumption of DHA and EPA and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (45) Following two applications from Pharma Consulting & Industries submitted pursuant to Article 14(1)(b) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of I omega kids®/Pufan 3 kids® on concentration (Question No EFSA-Q-2008-094 and Question No EFSA-Q-2008-099) ⁽¹⁾. The claim proposed by the applicant was worded as follows: 'help to promote concentration'.
- (46) On the basis of the data presented, the Authority concluded that a cause and effect relationship had not been established between the consumption of DHA and EPA and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (47) Following two applications from Pharma Consulting & Industries submitted pursuant to Article 14(1)(b) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of I omega kids®/Pufan 3 kids® on thinking capacity (Question No EFSA-Q-2008-093 and Question No EFSA-Q-2008-101) ⁽²⁾. The claim proposed by the applicant was worded as follows: 'helps to promote the thinking capacity'.
- (48) On the basis of the data presented, the Authority concluded that a cause and effect relationship had not been established between the consumption of DHA and EPA and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (49) Following two applications from Pharma Consulting & Industries submitted pursuant to Article 14(1)(b) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of I omega kids®/Pufan 3 kids® on learning ability (Question No EFSA-Q-2008-102 and Question No EFSA-Q-2008-103) ⁽³⁾. The claim proposed by the applicant was worded as follows: 'help to support the learning ability'.
- (50) On the basis of the data presented, the Authority concluded that a cause and effect relationship had not been established between the consumption of DHA and EPA and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (51) The comments from the applicants and the members of the public received by the Commission pursuant to Article 16(6) of Regulation (EC) No 1924/2006 have been considered when setting the measures provided for in this Regulation.
- (52) In accordance with Article 28(6) of Regulation (EC) No 1924/2006 health claims as referred to in Article 14(1)(b) of that Regulation and not authorised by this Regulation may continue to be used for six months after the adoption of a decision pursuant to Article 17(3) of Regulation (EC) No 1924/2006. However, for applications which were not made before 19 January 2008, the requirement provided for in Article 28(6)(b) is not fulfilled, and the transition period laid down in that Article is not applicable. Accordingly, a transition period of six months should be provided for, to enable food business operators to adapt to the requirements laid down in this Regulation.
- (53) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

The health claims set out in Annex I to this Regulation may be made on food on the Community market in compliance with the conditions set out in that Annex.

Those health claims shall be included in a list of permitted claims referred to in Article 14(1) of Regulation (EC) No 1924/2006.

Article 2

The health claims set out in Annex II to this Regulation are rejected.

Article 3

Health claims as referred to in Article 14(1)(b) of Regulation (EC) No 1924/2006 and set out in Annex II to this Regulation may continue to be used for six months after the entry into force of this Regulation.

⁽¹⁾ The EFSA Journal (2008) 846, 1-10.

⁽²⁾ The EFSA Journal (2008) 845, 1-2.

⁽³⁾ The EFSA Journal (2008) 848, 1-10.

Article 4

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 October 2009.

For the Commission
Androulla VASSILIOU
Member of the Commission

PERMITTED HEALTH CLAIMS

Application – Relevant provisions of Regulation (EC) No 1924/2006	Applicant – Address	Nutrient, substance, food or food category	Claim	Conditions of use of the claim	Conditions and/or restrictions of use of the food and/or additional statement or warning	EFSA opinion reference
Article 14(1)(a) health claim referring to reduction of disease risk	Unilever PLC; Port Sunlight, Wirral, Merseyside, CH62 4ZD, UK and Unilever NV, Weena 455, Rotterdam, 3013 AL, Nederland	Plant sterols: Sterols extracted from plants, free or esterified with food grade fatty acids	Plant sterols have been shown to lower/reduce blood cholesterol. High cholesterol is a risk factor in the development of coronary heart disease	Information to the consumer that the beneficial effect is obtained with a daily intake of at least 2 g plant sterols		Q-2008-085
Article 14(1)(a) health claim referring to reduction of disease risk	McNeil Nutritionals, 1 Landis und Gyr Strasse, 6300 Zug; Switzerland	Plant stanol esters	Plant stanol esters have been shown to lower/reduce blood cholesterol. High cholesterol is a risk factor in the development of coronary heart disease	Information to the consumer that the beneficial effect is obtained with a daily intake of at least 2 g plant stanols		Q-2008-118
Article 14(1)(b) health claim referring to children's development and health	Unilever PLC; Port Sunlight, Wirral, Merseyside, CH62 4ZD, UK and Unilever NV, Weena 455, Rotterdam, 3013 AL, Nederland	α -linolenic acid & linoleic acid	Essential fatty acids are needed for normal growth and development of children	Information to the consumer that the beneficial effect is obtained with a daily intake of 1 % of total energy for linoleic acid and 0,2 % of total energy of α -linolenic acid		Q-2008-079
Article 14(1)(b) health claim referring to children's development and health	Association de la Transformation Laitière Française (ATLA), 42, rue du Châteaudun, 75314 Paris Cedex 09, FRANCE	Calcium	Calcium is needed for normal growth and development of bone in children	The claim can be used only for food which is at least a source of calcium as referred to in the claim SOURCE OF [NAME OF VITAMIN/S] AND/OR [NAME OF MINERAL/S] as listed in the Annex to Regulation (EC) No 1924/2006		Q-2008-322
Article 14(1)(b) health claim referring to children's development and health	Association de la Transformation Laitière Française (ATLA), 42, rue du Châteaudun, 75314 Paris Cedex 09, FRANCE	Protein	Protein is needed for normal growth and development of bone in children	The claim can be used only for food which is at least a source of protein as referred to in the claim SOURCE OF PROTEIN as listed in the Annex to Regulation (EC) No 1924/2006		Q-2008-326

Application – Relevant provisions of Regulation (EC) No 1924/2006	Applicant – Address	Nutrient, substance, food or food category	Claim	Conditions of use of the claim	Conditions and/or restrictions of use of the food and/or additional statement or warning	EFSA opinion reference
Article 14(1)(b) health claim referring to children's development and health	Yoplait Dairy Crest Ltd, Claygate House, Claygate, Surrey, KT10 9PN, UK	Calcium and vitamin D	Calcium and vitamin D are needed for normal growth and development of bone in children	The claim can be used only for food which is at least a source of calcium and vitamin D as referred to in the claim SOURCE OF [NAME OF VITAMIN/S] AND/OR [NAME OF MINERAL/S] as listed in the Annex to Regulation (EC) No 1924/2006		Q-2008-116
Article 14(1)(b) health claim referring to children's development and health	Association de la Transformation Laitière Française (ATLA), 42, rue du Châteaudun, 75314 Paris Cedex 09, FRANCE	Vitamin D	Vitamin D is needed for normal growth and development of bone in children	The claim can be used only for food which is at least a source of Vitamin D as referred to in the claim SOURCE OF [NAME OF VITAMIN/S] AND/OR [NAME OF MINERAL/S] as listed in the Annex to Regulation (EC) No 1924/2006		Q-2008-323

REJECTED HEALTH CLAIMS

Application – Relevant provisions of Regulation (EC) No 1924/2006	Nutrient, substance, food or food category	Claim	EFSA opinion reference
Article 14(1)(a) health claim referring to reduction of disease risk	NeOpuntia®	NeOpuntia® helps to improve blood lipid parameters associated with cardiovascular risks, especially the HDL-cholesterol	EFSA-Q-2008-214
Article 14(1)(a) health claim referring to reduction of disease risk	<i>Lactobacillus helveticus</i> fermented Evolus® low-fat milk products	Evolus® reduces arterial stiffness	EFSA-Q-2008-218
Article 14(1)(b) health claim referring to children's development and health	regulat®.pro.kid IMMUN	regulat®.pro.kid IMMUN supports, stimulates and modulates the immune system of children during growth	EFSA-Q-2008-082
Article 14(1)(b) health claim referring to children's development and health	Dairy products	Three portions of dairy food everyday, as part of a balanced diet, may help promote a healthy body weight during childhood and adolescence	EFSA-Q-2008-110
Article 14(1)(b) health claim referring to children's development and health	Dairy products	Dairy foods (milk & cheese) promote dental health in children	EFSA-Q-2008-112
Article 14(1)(b) health claim referring to children's development and health	Docosahexaenoic Acid (DHA) and Arachidonic Acid (ARA)	DHA and ARA support neural development of the brain and eyes	EFSA-Q-2008-120
Article 14(1)(b) health claim referring to children's development and health	regulat®.pro.kid BRAIN	regulat®.pro.kid BRAIN contributes to mental and cognitive development of children	EFSA-Q-2008-083
Article 14(1)(b) health claim referring to children's development and health	Docosahexaenoic Acid (DHA) and eicosapentaenoic acid (EPA)	Calming	EFSA-Q-2008-091 and EFSA-Q-2008-096
Article 14(1)(b) health claim referring to children's development and health	Docosahexaenoic Acid (DHA) and eicosapentaenoic acid (EPA)	Provide serenity and room for a beneficial development of the child	EFSA-Q-2008-092 and EFSA-Q-2008-097
Article 14(1)(b) health claim referring to children's development and health	Docosahexaenoic Acid (DHA) and eicosapentaenoic acid (EPA)	Help to support vision	EFSA-Q-2008-095 and EFSA-Q-2008-100
Article 14(1)(b) health claim referring to children's development and health	Docosahexaenoic Acid (DHA) and eicosapentaenoic acid (EPA)	Help to support mental development	EFSA-Q-2008-098 and EFSA-Q-2008-104

Application – Relevant provisions of Regulation (EC) No 1924/2006	Nutrient, substance, food or food category	Claim	EFSA opinion reference
Article 14(1)(b) health claim referring to children's development and health	Docosahexaenoic Acid (DHA) and eicosapentaenoic acid (EPA)	Help to promote concentration	EFSA-Q-2008-094 and EFSA-Q-2008-099
Article 14(1)(b) health claim referring to children's development and health	Docosahexaenoic Acid (DHA) and eicosapentaenoic acid (EPA)	Helps to promote the thinking capacity	EFSA-Q-2008-093 and EFSA-Q-2008-101
Article 14(1)(b) health claim referring to children's development and health	Docosahexaenoic Acid (DHA) and eicosapentaenoic acid (EPA)	Help to support the learning ability	EFSA-Q-2008-102 and EFSA-Q-2008-103

COMMISSION REGULATION (EC) No 984/2009**of 21 October 2009****refusing to authorise certain health claims made on food, other than those referring to the reduction of disease risk and to children's development and health****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods ⁽¹⁾, and in particular Article 18(5) thereof,

Whereas:

- (1) Pursuant to Regulation (EC) No 1924/2006 health claims made on food are prohibited unless they are authorised by the Commission in accordance with that Regulation and included in a list of permitted claims.
- (2) Regulation (EC) No 1924/2006 also provides that applications for authorisations of health claims may be submitted by food business operators to the national competent authority of a Member State. The national competent authority is to forward applications to the European Food Safety Authority (EFSA), hereinafter referred to as the Authority.
- (3) Following receipt of an application the Authority is to inform without delay the other Member States and the Commission and to deliver an opinion on a health claim concerned.
- (4) The Commission is to decide on the authorisation of health claims taking into account the opinion delivered by the Authority.
- (5) Following an application from Pierre Fabre Dermo Cosmétique submitted on 14 April 2008 pursuant to Article 13(5) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of Elancyl Global Silhouette® on the regulation of body composition in people with light to moderate overweight (Question No EFSA-Q-2008-285) ⁽²⁾. The claim proposed by the applicant was worded as follows: 'Clinically tested as of 14 days. Your silhouette is apparently and globally redrawn, resculpted and refined at 28 days'.

- (6) On 12 August 2008, the Commission and the Member States received the scientific opinion from the Authority which concluded that on the basis of the data presented, a cause and effect relationship was not established between the consumption of Elancyl Global Silhouette® in the quantities and duration proposed by the applicant and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (7) Following an application from Valio Ltd submitted on 8 July 2008, pursuant to Article 13(5) of Regulation (EC) No 1924/2006, the Authority was required to deliver an opinion on a health claim related to the effects of LGG® MAX on gastro-intestinal discomfort (Question No EFSA-Q-2008-444) ⁽³⁾. The claim proposed by the applicant was worded as follows: 'LGG® MAX helps to reduce gastro-intestinal discomfort'.
- (8) On 30 August 2008 the Commission and the Member States received the scientific opinion from the Authority which concluded that on the basis of the data presented, a cause and effect relationship was not established between the consumption of LGG® MAX (Mixture A or Mixture B) and the claimed effect. Accordingly, as the claim does not comply with the requirements of Regulation (EC) No 1924/2006, it should not be authorised.
- (9) The comments from the applicants and the members of the public received by the Commission, pursuant to Article 16(6) of Regulation (EC) No 1924/2006, have been considered when setting the measures provided for in this Regulation.
- (10) The health claim 'LGG® MAX helps to reduce gastro-intestinal discomfort' is a health claim as referred to Article 13(1)(a) of Regulation (EC) No 1924/2006 and therefore subject to the transition measure laid down in Article 28(5) of that Regulation. As the Authority concluded that a cause and effect relationship is not established between the consumption of LGG® MAX and the claimed effect the claim does not comply with Regulation (EC) No 1924/2006, and therefore the transition period foreseen in Article 28(5) is not applicable. A transition period of six months should be provided for, to enable food business operators to adapt to the requirements of Regulation (EC) No 1924/2006. The health claim 'Clinically tested as of 14 days. Your silhouette is apparently and globally redrawn, resculpted and refined at 28 days' is a health claim as referred to Article 13(1)(c) of Regulation (EC) No 1924/2006 and therefore subject to the transition measure laid down in

⁽¹⁾ OJ L 404, 30.12.2006, p. 9.

⁽²⁾ The EFSA Journal (2008) 789, pp. 1-2.

⁽³⁾ The EFSA Journal (2008) 853, pp. 1-2.

Article 28(6) of that Regulation. However, as the application was not made before 19 January 2008, the requirement provided for in Article 28(6)(b) is not fulfilled, and the transition period laid down in that Article is not applicable. Accordingly, a transition period of six months should be provided for, to enable food business operators to adapt to the requirements of this Commission Regulation.

- (11) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Health claims set out in the Annex to this Regulation may not be made on food on the Community market.

Article 2

Health claims set out in the Annex to this Regulation may continue to be used for six months after the entry into force of this Regulation.

Article 3

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 October 2009.

For the Commission
Androulla VASSILOU
Member of the Commission

ANNEX

REJECTED HEALTH CLAIMS

Application — Relevant provisions of Regulation (EC) No 1924/2006	Nutrient, substance, food or food category	Claim	EFSA opinion reference
Article 13(5) health claim based on newly developed scientific evidence and/or including a request for the protection of proprietary data	Elancyl Global Silhouette®	Clinically tested as of 14 days. Your silhouette is apparently and globally redrawn, resculpted and refined at 28 days	EFSA-Q-2008-285
Article 13(5) health claim based on newly developed scientific evidence and/or including a request for the protection of proprietary data	LGG® MAX multispecies probiotic	LGG® MAX helps to reduce gastro-intestinal discomfort	EFSA-Q-2008-444

COMMISSION REGULATION (EC) No 985/2009**of 21 October 2009****entering a name in the register of protected designations of origin and protected geographical indications (Hajdúsági torma (PDO))**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) and in accordance with Article 17(2) of Regulation (EC) No 510/2006, Hungary's application to register the name 'Hajdúsági torma' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, this name should be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

Article 2

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 October 2009.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 39, 18.2.2009, p. 32.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.6. Fruit, vegetables and cereals, fresh or processed

HUNGARY

Hajdúsági torma [PDO]

COMMISSION REGULATION (EC) No 986/2009**of 21 October 2009****entering a name in the register of protected designations of origin and protected geographical indications (Traditional Grimsby Smoked Fish (PGI))**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) and to Article 17(2) of Regulation (EC) No 510/2006, the United Kingdom's application to register the name 'Traditional Grimsby Smoked Fish' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

Article 2

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 October 2009.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 49, 28.2.2009, p. 9.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.7. Fresh fish, molluscs and crustaceans and products derived therefrom

UNITED KINGDOM

Traditional Grimsby Smoked Fish (PGI)

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COUNCIL

COUNCIL DECISION

of 14 October 2009

appointing the Secretary-General, High Representative for the Common Foreign and Security Policy, of the Council of the European Union for the period from 18 October 2009 until 31 October 2009

(2009/772/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Community, and in particular Article 207(2) thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 121(2) thereof,

Whereas:

(1) The term of office of the current Secretary-General, High Representative for the Common Foreign and Security Policy, of the Council of the European Union will end on 17 October 2009 ⁽¹⁾.

(2) The Secretary-General, High Representative for the Common Foreign and Security Policy, of the Council of the European Union should be appointed until 31 October 2009,

Article 1

Mr Javier SOLANA MADARIAGA is hereby appointed Secretary-General, High Representative for the Common Foreign and Security Policy, of the Council of the European Union for the period from 18 October 2009 until 31 October 2009.

Article 2

This Decision shall be notified to Mr Javier SOLANA MADARIAGA by the President of the Council.

It shall be published in the *Official Journal of the European Union*.

Done at Brussels, 14 October 2009.

For the Council

The President

E. ERLANDSSON

⁽¹⁾ OJ L 236, 7.7.2004, p. 16.

COUNCIL DECISION**of 14 October 2009****appointing the Deputy Secretary-General of the Council of the European Union for the period from
18 October 2009 until 31 October 2009**

(2009/773/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Article 1

Having regard to the Treaty establishing the European Community, and in particular Article 207(2) thereof,

Mr Pierre DE BOISSIEU is hereby appointed Deputy Secretary-General of the Council of the European Union for the period from 18 October 2009 until 31 October 2009.

Article 2

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 121(2) thereof,

This Decision shall be notified to Mr Pierre DE BOISSIEU by the President of the Council.

Whereas:

It shall be published in the *Official Journal of the European Union*.

- (1) The term of office of the current Deputy Secretary-General of the Council of the European Union will end on 17 October 2009 ⁽¹⁾.

Done at Brussels, 14 October 2009.

- (2) The Deputy Secretary-General of the Council should be appointed until 31 October 2009,

*For the Council**The President*

E. ERLANDSSON

⁽¹⁾ OJ L 236, 7.7.2004, p. 17.

COMMISSION

COMMISSION DECISION

of 21 October 2009

amending Decision 2007/716/EC as regards certain establishments in the meat and milk sectors in Bulgaria

(notified under document C(2009) 7929)

(Text with EEA relevance)

(2009/774/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Bulgaria and Romania, and in particular Article 42 thereof,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽¹⁾, and in particular Article 9(4) thereof,

Whereas:

(1) Commission Decision 2007/716/EC ⁽²⁾ lays down transitional measures for structural requirements of certain establishments in the meat and milk sectors in Bulgaria provided for in Regulations (EC) No 852/2004 and (EC) No 853/2004 of the European Parliament and of the Council. As long as those establishments are in transition, products originating from them are only to be placed on the domestic market or used for further processing in Bulgarian establishments in transition.

(2) According to an official declaration from the Bulgarian competent authority, certain establishments in the meat and milk sectors have ceased their activities or have completed their upgrading process and are now in full

compliance with Community legislation. Those establishments should therefore be deleted from the list of establishments in transition.

(3) The Annex to Decision 2007/716/EC should therefore be amended accordingly.

(4) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2007/716/EC is amended in accordance with the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 21 October 2009.

For the Commission
Androulla VASSILIOU
Member of the Commission

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.

⁽²⁾ OJ L 289, 7.11.2007, p. 14.

ANNEX

The Annex to Decision 2007/716/EC is amended as follows:

1. The following entries for meat processing establishments are deleted:

No	Veterinary No	Name of establishment	Town/Street or village/Region
'3.	BG 0101009	ET „Livela-Dimitar Andonov“	s. Pokrovnik obl. Blagoevgrad
7.	BG 0201011	SD „K § K-Atanasov i Enchev“	gr. Burgas zh.k. Miladinovi bl.57 v.h.B
8.	BG 0201014	ET „Kristof“	s. Banevo obl. Burgas
11.	BG 0201030	ET „GIDA“	gr. Burgas kv. „Lozovo“ ul. „Treti mart“ 15
17.	BG 0301018	ET „Rekardi-Svetoslav Dobrev“	gr. Dolni Chiflik Promishlena zona
25.	BG 0801001	„BMV“ OOD	gr. Dobrich kv. Riltsi
63.	BG 1901009	ET „LYUBMAKS“	s. Nova Cherna — DZS
90.	BG 0202005	ET „Dit-D. Kaltakchieva“	s. Banevo obl. Burgas
95.	BG 0302011	„Hepi Leydi“ EOOD	s. Yarebichna obl. Varna
102.	BG 0602001	ET „Toshko Todorov“	s. Kravoder, obsht. Krivodol, obl. Vratsa
107.	BG 0602008	ET „Toshko Todorov“	s. Kravoder, obsht. Krivodol, obl. Vratsa
110.	BG 0802003	„Komis“ OOD	s. Plachi dol, obl. Dobrich
124.	BG 2202015	„Tina-2000“ OOD	gr. Suhodol ul. „Trayan Tanev“ 53
133.	BG 2402004 ²	„Taneva“ EOOD	s. Kran obsht. Kazanlak
139.	BG 0305032	ET „Trifon Trifonov-69“	gr. Varna ul. „Ak. Kurchatov“
140.	BG 0305033	„DET-2000“ OOD	gr. Varna ul. „Pod igoto“ 42
142.	BG 0305037	„ZHENIA — VE“ EOOD	gr. Varna ul. „Layosh Koshut“ 19
143.	BG 0305038	ET „Vini-Kiril Bakalov“	s. Benkovski obsht. Varna
159.	BG 0905005	ET „Imam“	gr. Dzhebel zh.k. „Progres“
167.	BG 1405003	„Sami M“ OOD	gr. Pernik kv. „Kalkas“ ul. „Zahari Zograf“ 143
171.	BG 1505017	ET „Nina-94-Nina Dimitrova“	gr. Trastenik obsht. D. Mitropolia
178.	BG 1605044	„Flaysh produkte“ OOD	gr. Hisar ul. „Ivan Vazov“ 17
181.	BG 1605053	ET „Daki-Velko Gadzhev“	gr. Rakovski ul. „Vasil Levski“ 40
198.	BG 2505015	„Erko-2002“	gr. Popovo ul. „Gagarin“ 62

No	Veterinary No	Name of establishment	Town/Street or village/Region
221.	BG 0304030	„TRANZH“ AD	gr. Varna ul. „8-mi Septemvri“ 12
222.	BG 0304033	„Alians-MK“ OOD	gr. Varna ul. „G. Popov“ 1
282.	BG 1604013	„Komaks-3“ OOD	gr. Plovdiv ul. „Klokotnitsa“ 31
309.	BG 2004001	ET „Nikov-Iv.Kostadinov“	gr. Sliven „Selishteto“
311.	BG 2004015	„Ramira“ OOD	gr. Sliven Industrialna zona
321.	BG 2204028	ET „TONIMEKS-Stoyan Spasov“	gr. Sofia ul. „Oporska reka“ 3
331.	BG 2204082	„Em Vi Em 3“ OOD	gr. Sofia kv. Benkovski ul. „Vele Mitrov“ 17
349.	BG 2404028	„Rekord — 90“ EOOD	s. Rakitnitsa obsht. St. Zagora
352.	BG 2404033	„Zhoreti“ EOOD	gr. Stara Zagora ul. „Industrialna“ 1
359.	BG 2604010	EOOD „Nolev“	gr. Haskovo kv. „Bolyarovo“ ul. „Shipka“ 2
362.	BG 2604014	ET „Roni“	gr. Harmanli ul. „Hr. Smirnenki“ 102
363.	BG 2604017	ET „Angel Sarandiev“	gr. Svilengrad ul. „Tekstil“
364.	BG 2604018	„Monita“ OOD	gr. Dimitrovgrad kv. „Chernokonevo“

2. The following entries for milk processing establishments are deleted:

No	Veterinary No	Name of establishment	Town/Street or village/Region
10.	BG 1012020	ET „Petar Mitov-Universal“	s. Gorna Grashtitsa obsht. Kyustendil
11.	BG 1112016	Mandra „IPZHZ“	gr. Troyan ul. „V.Levski“ 281
12.	BG 1112024	ET „Paskal-A. Atanasov“	s. Umarevtsi
26.	BG 1712034	„Makler komers“ EOOD	s. Brestovene
27.	BG 1712042	ET „Madar“	s. Terter
35.	BG 2012041	„Eko milk“ EOOD	s. Zhelyo voyvoda obl. Sliven
44.	BG 2612042	„Bulmilk“ OOD	s. Konush obl. Haskovska
48.	BG 0912011	ET „Alada-Mohamed Banashak“	s. Byal izvor obsht. Ardin
74.	0412005	„Varosha“ EOOD	s. Kamen obsht. Strazhitsa
96.	1112026	„ABLAMILK“ EOOD	gr. Lukovit, ul. „Yordan Yovkov“ 13
100.	1312005	„Ravnogor“ OOD	s. Ravnogor
115.	1712002	ET „Rosver-Krastyo Krastev“	gr. Tsar Kaloyan ul. „Sofia“ 41

No	Veterinary No	Name of establishment	Town/Street or village/Region
118.	1712010	„Bulagrotreyd-chastna kompaniya“ EOOD	s. Yuper Industrialen kvartal
119.	1712012	ET „Veras 90“	s. Yasenovets
120.	1712013	ET „Deniz“	s. Ezerche
140.	2012011	ET „Ivan Gardev 52“	gr. Kermen ul. „Hadzhi Dimitar“ 2
142.	2012024	ET „Denyo Kalchev 53“	gr. Sliven ul. „Samuilovsko shose“ 17
150.	2112015	OOD „Rozhen Milk“	s. Davidkovo, obsht. Banite
153.	2112026	ET „Vladimir Karamitev“	s. Varbina obsht. Madan
158.	2312007	ET „Agropromilk“	gr. Ihtiman, ul. „P.Slaveikov“ 19
176.	2412041	„Mlechen svyat 2003“ OOD	s. Bratya Daskalovi obsht. Bratya Daskalovi
186.	2612038	„Bul Milk“ EOOD	gr. Haskovo Sev. industr. zona
187.	2612049	ET „Todorovi-53“	gr. Topolovgrad ul. „Bulgaria“ 65
196.	BG 0618001	ET „Folk-3“	s. Vranshak obsht. Byala Slatina obl. Vratsa
206.	BG 2318005	ET „Mantas-Hristo Manchev“	gr. Botevgrad ul. „St. Panchev“ 25

IV

(Other acts)

EUROPEAN ECONOMIC AREA

THE EEA JOINT COMMITTEE

DECISION OF THE EEA JOINT COMMITTEE

No 77/2009

of 3 July 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 25/2009 of 17 March 2009 ⁽¹⁾.
- (2) Commission Directive 2008/124/EC of 18 December 2008 limiting the marketing of seed of certain species of fodder plants and oil and fibre plants to seed which has been officially certified as 'basic seed' or 'certified seed' (Codified version) ⁽²⁾ is to be incorporated into the Agreement.
- (3) Directive 2008/124/EC repeals Commission Directives 75/502/EEC ⁽³⁾ and 86/109/EEC ⁽⁴⁾ which are incorporated into the Agreement and are therefore to be repealed under the Agreement.
- (4) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

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

1. the text of points 1 (Commission Directive 75/502/EEC) and 4 (Commission Directive 86/109/EEC) shall be deleted;
2. the following point shall be inserted after point 52 (Commission Directive 2008/62/EC):

'53. **32008 L 0124:** Commission Directive 2008/124/EC of 18 December 2008 limiting the marketing of seed of certain species of fodder plants and oil and fibre plants to seed which has been officially certified as "basic seed" or "certified seed" (Codified version) (OJ L 340, 19.12.2008, p. 73).'

⁽¹⁾ OJ L 130, 28.5.2009, p. 15.

⁽²⁾ OJ L 340, 19.12.2008, p. 73.

⁽³⁾ OJ L 228, 29.8.1975, p. 26.

⁽⁴⁾ OJ L 93, 8.4.1986, p. 21.

Article 2

The text of Directive 2008/124/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 4 July 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, 3 July 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 78/2009

of 3 July 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 60/2009 of 29 May 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 1243/2008 of 12 December 2008 amending Annexes III and VI to Directive 2006/141/EC as regards compositional requirements for certain infant formulae ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 41/2009 of 20 January 2009 concerning the composition and labelling of foodstuffs suitable for people intolerant to gluten ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Directive 2008/100/EC of 28 October 2008 amending Council Directive 90/496/EEC on nutrition labelling for foodstuffs as regards recommended daily allowances, energy conversion factors and definitions ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

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

1. the following indent shall be added in point 53 (Council Directive 90/496/EEC):

— **32008 L 0100:** Commission Directive 2008/100/EC of 28 October 2008 (OJ L 285, 29.10.2008, p. 9).;

2. the following shall be added in point 54zzzv (Commission Directive 2006/141/EC):

'as amended by:

— **32008 R 1243:** Commission Regulation (EC) No 1243/2008 of 12 December 2008 (OJ L 335, 13.12.2008, p. 25).;

3. the following point shall be inserted after point 54zzzz (Commission Regulation (EC) No 1881/2006):

'54zzzza. **32009 R 0041:** Commission Regulation (EC) No 41/2009 of 20 January 2009 concerning the composition and labelling of foodstuffs suitable for people intolerant to gluten (OJ L 16, 21.1.2009, p. 3).'

⁽¹⁾ OJ L 232, 3.9.2009, p. 11.

⁽²⁾ OJ L 335, 13.12.2008, p. 25.

⁽³⁾ OJ L 16, 21.1.2009, p. 3.

⁽⁴⁾ OJ L 285, 29.10.2008, p. 9.

Article 2

The texts of Regulations (EC) No 1243/2008 and (EC) No 41/2009, and Directive 2008/100/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 4 July 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, 3 July 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 79/2009

of 3 July 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 44/2009 of 24 April 2009 ⁽¹⁾.
- (2) Commission Directive 2008/88/EC of 23 September 2008 amending Council Directive 76/768/EEC, concerning cosmetic products, for the purpose of adapting Annexes II and III thereto to technical progress ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Directive 2008/123/EC of 18 December 2008 amending Council Directive 76/768/EEC, concerning cosmetic products, for the purpose of adapting Annexes II and VII thereto to technical progress ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Directive 2009/6/EC of 4 February 2009 amending Council Directive 76/768/EEC, concerning cosmetic products, for the purpose of adapting Annexes II and III thereto to technical progress ⁽⁴⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

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

- **32008 L 0088**: Commission Directive 2008/88/EC of 23 September 2008 (OJ L 256, 24.9.2008, p. 12),
- **32008 L 0123**: Commission Directive 2008/123/EC of 18 December 2008 (OJ L 340, 19.12.2008, p. 71),
- **32009 L 0006**: Commission Directive 2009/6/EC of 4 February 2009 (OJ L 36, 5.2.2009, p. 15).'

Article 2

The texts of Directives 2008/88/EC, 2008/123/EC and 2009/6/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

⁽¹⁾ OJ L 162, 25.6.2009, p. 22.

⁽²⁾ OJ L 256, 24.9.2008, p. 12.

⁽³⁾ OJ L 340, 19.12.2008, p. 71.

⁽⁴⁾ OJ L 36, 5.2.2009, p. 15.

Article 3

This Decision shall enter into force on 4 July 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, 3 July 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 80/2009

of 3 July 2009

amending Annex II (Technical regulations, standards, testing and certification) and 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 II to the Agreement was amended by Decision of the EEA Joint Committee No 45/2003 of 16 May 2003 ⁽¹⁾.
- (2) Annex XIII to the Agreement was amended by Decision of the EEA Joint Committee No 71/2009 of 29 May 2009 ⁽²⁾.
- (3) Commission Directive 2008/67/EC of 30 June 2008 amending Council Directive 96/98/EC on marine equipment ⁽³⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 1 (Council Directive 96/98/EC) of Chapter XXXII of Annex II to the Agreement:

‘— **32008 L 0067**: Commission Directive 2008/67/EC of 30 June 2008 (OJ L 171, 1.7.2008, p. 16).’

Article 2

The following indent shall be added in point 56d (Council Directive 96/98/EC) of Annex XIII to the Agreement:

‘— **32008 L 0067**: Commission Directive 2008/67/EC of 30 June 2008 (OJ L 171, 1.7.2008, p. 16).’

Article 3

The text of Directive 2008/67/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 4 July 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, 3 July 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

⁽¹⁾ OJ L 193, 31.7.2003, p. 14.

⁽²⁾ OJ L 232, 3.9.2009, p. 28.

⁽³⁾ OJ L 171, 1.7.2008, p. 16.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 81/2009

of 3 July 2009

amending Annex IV (Energy) and 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 IV to the Agreement was amended by Decision of the EEA Joint Committee No 101/2008 of 26 September 2008 ⁽¹⁾.
- (2) Annex XXI to the Agreement was amended by Decision of the EEA Joint Committee No 73/2009 of 29 May 2009 ⁽²⁾.
- (3) Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics ⁽³⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 27 (Regulation (EC) No 1775/2005 of the European Parliament and of the Council) of Annex IV to the Agreement:

- '28. **32008 R 1099**: Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics (OJ L 304, 14.11.2008, p. 1) (*).

(*) Listed here for information purposes only: for application see Annex XXI on statistics.'

Article 2

The following point shall be inserted after point 26 (Council Directive 90/377/EEC) of Annex XXI to the Agreement:

- '26a. **32008 R 1099**: Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics (OJ L 304, 14.11.2008, p. 1).

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

Liechtenstein is exempted from collecting the data required by this Regulation, except for data of imports and exports of the various energy products and the production of electricity for the Annual Energy Statistics (Annex B).'

Article 3

The text of Regulation (EC) No 1099/2008 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

⁽¹⁾ OJ L 309, 20.11.2008, p. 24.

⁽²⁾ OJ L 232, 3.9.2009, p. 30.

⁽³⁾ OJ L 304, 14.11.2008, p. 1.

Article 4

This Decision shall enter into force on 4 July 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, 3 July 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 82/2009

of 3 July 2009

amending Annex VI (Social security) 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 VI to the Agreement was amended by Decision of the EEA Joint Committee No 10/2009 of 5 February 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 120/2009 of 9 February 2009 amending Council Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 2 (Council Regulation (EEC) No 574/72) of Annex VI to the Agreement:

‘— **32009 R 0120:** Commission Regulation (EC) No 120/2009 of 9 February 2009 (OJ L 39, 10.2.2009, p. 29).’

Article 2

The text of Regulation (EC) No 120/2009 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 4 July 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, 3 July 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

⁽¹⁾ OJ L 73, 19.3.2009, p. 45.

⁽²⁾ OJ L 39, 10.2.2009, p. 29.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 83/2009

of 3 July 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 45/2009 of 9 June 2009 ⁽¹⁾.
- (2) Commission Decision 2008/432/EC of 23 May 2008 amending Decision 2006/771/EC on harmonisation of the radio spectrum for use by short-range devices ⁽²⁾, as corrected by OJ L 212, 7.8.2008, p. 15, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in point 5cz (Commission Decision 2006/771/EC) of Annex XI to the Agreement:

'as amended by:

- **32008 D 0432**: Commission Decision 2008/432/EC of 23 May 2008 (OJ L 151, 11.6.2008, p. 49), as corrected by OJ L 212, 7.8.2008, p. 15.'

Article 2

The text of Decision 2008/432/EC, as corrected by OJ L 212, 7.8.2008, p. 15, 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 4 July 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, 3 July 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

⁽¹⁾ OJ L 162, 25.6.2009, p. 23.

⁽²⁾ OJ L 151, 11.6.2008, p. 49.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 84/2009
of 3 July 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 71/2009 of 29 May 2009 ⁽¹⁾.
- (2) Commission Decision 2009/83/EC of 23 January 2009 amending Regulation (EC) No 725/2004 of the European Parliament and of the Council as far as the IMO Unique Company and Registered Owner Identification Number Scheme is concerned ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in point 56bb (Regulation (EC) No 725/2004 of the European Parliament and of the Council) of Annex XIII to the Agreement:

‘as amended by:

— **32009 D 0083**: Commission Decision 2009/83/EC of 23 January 2009 (OJ L 29, 31.1.2009, p. 53).’

Article 2

The text of Decision 2009/83/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 4 July 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, 3 July 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

⁽¹⁾ OJ L 232, 3.9.2009, p. 28.

⁽²⁾ OJ L 29, 31.1.2009, p. 53.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 85/2009

of 3 July 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 71/2009 of 29 May 2009 ⁽¹⁾.
- (2) Regulation (EC) No 549/2004 of the European Parliament and of the Council of 10 March 2004 laying down the framework for the creation of the single European sky, Regulation (EC) No 550/2004 of the European Parliament and of the Council of 10 March 2004 on the provision of air navigation services in the single European sky, Regulation (EC) No 551/2004 of the European Parliament and of the Council of 10 March 2004 on the organisation and use of the airspace in the single European sky, and Regulation (EC) No 552/2004 of the European Parliament and of the Council of 10 March 2004 on the interoperability of the European Air Traffic Management network were incorporated into the Agreement by Decision of the EEA Joint Committee No 67/2006 ⁽²⁾ of 2 June 2006, with country specific adaptations.
- (3) Commission Regulation (EC) No 29/2009 of 16 January 2009 laying down requirements on data link services for the single European sky ⁽³⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 66wf (Commission Regulation (EC) No 482/2008) of Annex XIII to the Agreement:

'66wg. **32009 R 0029**: Commission Regulation (EC) No 29/2009 of 16 January 2009 laying down requirements on data link services for the single European sky (OJ L 13, 17.1.2009, p. 3).'

Article 2

The text of Regulation (EC) No 29/2009 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 4 July 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, 3 July 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

⁽¹⁾ OJ L 232, 3.9.2009, p. 28.

⁽²⁾ OJ L 245, 7.9.2006, p. 18.

⁽³⁾ OJ L 13, 17.1.2009, p. 3.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 86/2009

of 3 July 2009

amending Annex XIX (Consumer protection) 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 XIX to the Agreement was amended by Decision of the EEA Joint Committee No 16/2009 of 5 February 2009 ⁽¹⁾.
- (2) Directive 2008/122/EC of the European Parliament and of the Council of 14 January 2009 on the protection of consumers in respect of certain aspects of timeshare, long-term holiday product, resale and exchange contracts ⁽²⁾ is to be incorporated into the Agreement.
- (3) Directive 2008/122/EC repeals Directive 94/47/EC of the European Parliament and the Council ⁽³⁾, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The text of point 7b (Directive 94/47/EC of the European Parliament and the Council) of Annex XIX to the Agreement shall be replaced by the following:

'32008 L 0122: Directive 2008/122/EC of the European Parliament and of the Council of 14 January 2009 on the protection of consumers in respect of certain aspects of timeshare, long-term holiday product, resale and exchange contracts (OJ L 33, 3.2.2009, p. 10).'

Article 2

The text of Directive 2008/122/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 4 July 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, 3 July 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

⁽¹⁾ OJ L 73, 19.3.2009, p. 53.

⁽²⁾ OJ L 33, 3.2.2009, p. 10.

⁽³⁾ OJ L 280, 29.10.1994, p. 83.

(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 87/2009

of 3 July 2009

amending Annex XX (Environment) to the EEA Agreement

THE EEA JOINT COMMITTEE,

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

Whereas:

- (1) Annex XX to the Agreement was amended by Decision of the EEA Joint Committee No 72/2009 of 29 May 2009 ⁽¹⁾.
- (2) Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 13ca (Directive 2000/60/EC of the European Parliament and of the Council) of Annex XX to the Agreement:

'13caa. **32006 L 0118:** Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration (OJ L 372, 27.12.2006, p. 19).'

Article 2

The text of Directive 2006/118/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 4 July 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, 3 July 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

⁽¹⁾ OJ L 232, 3.9.2009, p. 29.

⁽²⁾ OJ L 372, 27.12.2006, p. 19.

(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 88/2009

of 3 July 2009

amending Annex XX (Environment) to the EEA Agreement

THE EEA JOINT COMMITTEE,

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

Whereas:

- (1) Annex XX to the Agreement was amended by Decision of the EEA Joint Committee No 72/2009 of 29 May 2009 ⁽¹⁾.
- (2) Commission Regulation (EC) No 1784/2006 of 4 December 2006 amending Regulation (EC) No 2037/2000 of the European Parliament and of the Council with regard to the use of processing agents ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

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

‘— **32006 R 1784:** Commission Regulation (EC) No 1784/2006 of 4 December 2006 (OJ L 337, 5.12.2006, p. 3).’

Article 2

The text of Regulation (EC) No 1784/2006 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 4 July 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, 3 July 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

⁽¹⁾ OJ L 232, 3.9.2009, p. 29.

⁽²⁾ OJ L 337, 5.12.2006, p. 3.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 89/2009

of 3 July 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 73/2009 of 29 May 2009 ⁽¹⁾.
- (2) Regulation (EC) No 1338/2008 of the European Parliament and of the Council of 16 December 2008 on Community statistics on public health and health and safety at work ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 19/2009 of 13 January 2009 implementing Regulation (EC) No 453/2008 of the European Parliament and of the Council on quarterly statistics on Community job vacancies, as regards the definition of a job vacancy, the reference date for data collection, data transmission specifications and feasibility studies ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Regulation (EC) No 20/2009 of 13 January 2009 adopting the specifications of the 2010 *ad hoc* module on reconciliation between work and family life provided for by Council Regulation (EC) No 577/98 ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Regulation (EC) No 36/2009 of 11 July 2008 establishing for 2008 the 'Prodcom list' of industrial products provided for by Council Regulation (EEC) No 3924/91 ⁽⁵⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XXI to the Agreement shall be amended as follows:

1. the following point shall be inserted after point 18y (Regulation (EC) No 763/2008 of the European Parliament and of the Council):

'18z. **32008 R 1338**: Regulation (EC) No 1338/2008 of the European Parliament and of the Council of 16 December 2008 on Community statistics on public health and health and safety at work (OJ L 354, 31.12.2008, p. 70).

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

Liechtenstein is exempted from collecting the data required by this Regulation, except for the data according to Annex II (health care) and Annex III (causes of death).';

⁽¹⁾ OJ L 232, 3.9.2009, p. 30.

⁽²⁾ OJ L 354, 31.12.2008, p. 70.

⁽³⁾ OJ L 9, 14.1.2009, p. 3.

⁽⁴⁾ OJ L 9, 14.1.2009, p. 7.

⁽⁵⁾ OJ L 18, 22.1.2009, p. 1.

2. the following point shall be inserted after point 18va (Commission Regulation (EC) No 1062/2008):

‘18vb. **32009 R 0019**: Commission Regulation (EC) No 19/2009 of 13 January 2009 implementing Regulation (EC) No 453/2008 of the European Parliament and of the Council on quarterly statistics on Community job vacancies, as regards the definition of a job vacancy, the reference date for data collection, data transmission specifications and feasibility studies (OJ L 9, 14.1.2009, p. 3).’;

3. the following point shall be inserted after point 18an (Commission Regulation (EC) No 377/2008):

‘18ao. **32009 R 0020**: Commission Regulation (EC) No 20/2009 of 13 January 2009 adopting the specifications of the 2010 *ad hoc* module on reconciliation between work and family life provided for by Council Regulation (EC) No 577/98 (OJ L 9, 14.1.2009, p. 7).’;

4. the following point shall be inserted after point 4af (Commission Regulation (EC) No 1165/2007):

‘4ag. **32009 R 0036**: Commission Regulation (EC) No 36/2009 of 11 July 2008 establishing for 2008 the “Prodcod list” of industrial products provided for by Council Regulation (EEC) No 3924/91 (OJ L 18, 22.1.2009, p. 1).’

Article 2

The texts of Regulations (EC) No 1338/2008, (EC) No 19/2009, (EC) No 20/2009 and (EC) No 36/2009 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 4 July 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, 3 July 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 90/2009****of 3 July 2009****amending Protocol 30 to the EEA Agreement, on specific provisions on the organization of cooperation in the field of statistics**

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 30 to the Agreement was amended by Decision of the EEA Joint Committee No 75/2008 of 6 June 2008 ⁽¹⁾.
- (2) The modernisation of European Enterprises and Trade Statistics is to be based on Decision No 1297/2008/EC of the European Parliament and of the Council of 16 December 2008 on a Programme for the Modernisation of European Enterprise and Trade Statistics (MEETS) ⁽²⁾.
- (3) Protocol 30 to the Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2009,

HAS DECIDED AS FOLLOWS:

Article 1

The following text shall be inserted after the text of Article 3 (Statistical Programme 2008 to 2012) of Protocol 30 to the Agreement:

*'Article 4***Modernisation of European Enterprises and Trade Statistics (MEETS)**

1. The EFTA States shall, from 1 January 2009, participate in the Community programmes and actions referred to in paragraph 4.
2. Objectives 1, 2 and 3 and related actions of the annual work programmes adopted by the Commission in accordance with the Decision of the European Parliament and of the Council referred to in paragraph 4 shall be considered to be relevant for the EEA statistical cooperation and shall be open for full participation by the EFTA States.
3. From 1 January 2009, the EFTA States shall contribute financially in accordance with Article 82(1)(a) of the Agreement and the Financial Regulations thereto to an amount representing 75 per cent of the amount shown in budget lines 29 02 04 and 29 01 04 04 (Modernisation of European Enterprise and Trade Statistics) entered in the Community budget.
4. The following Community Act is the object of this Article:

— **32008 D 1297**: Decision No 1297/2008/EC of the European Parliament and of the Council of 16 December 2008 on a Programme for the Modernisation of European Enterprise and Trade Statistics (MEETS) (OJ L 340, 19.12.2008, p. 76).'

⁽¹⁾ OJ L 257, 25.9.2008, p. 41.

⁽²⁾ OJ L 340, 19.12.2008, p. 76.

Article 2

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

It shall apply from 1 January 2009.

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, 3 July 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 91/2009****of 3 July 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 40/2009 of 17 March 2009 ⁽¹⁾.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Decision No 1298/2008/EC of the European Parliament and of the Council of 16 December 2008 establishing the Erasmus Mundus 2009-2013 action programme for the enhancement of quality in higher education and the promotion of intercultural understanding through cooperation with third countries ⁽²⁾.
- (3) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2009,

HAS DECIDED AS FOLLOWS:

Article 1

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

1. the following paragraph shall be inserted after paragraph 2l:

'2m. The EFTA States shall, with effect from 1 January 2009, participate in actions 1 and 3 of the following programme:

- **32008 D 1298**: Decision No 1298/2008/EC of the European Parliament and of the Council of 16 December 2008 establishing the Erasmus Mundus 2009-2013 action programme for the enhancement of quality in higher education and the promotion of intercultural understanding through cooperation with third countries (OJ L 340, 19.12.2008, p. 83).';

2. the text of paragraph 3 shall be replaced by the following:

'The EFTA States shall contribute financially in accordance with Article 82(1)(a) of the Agreement to the programmes and actions referred to in paragraphs 1, 2, 2a, 2b, 2c, 2d, 2e, 2f, 2g, 2h, 2i, 2j, 2k, 2l and 2m.'

Article 2

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

It shall apply from 1 January 2009.

⁽¹⁾ OJ L 130, 28.5.2009, p. 36.

⁽²⁾ OJ L 340, 19.12.2008, p. 83.

(*) 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, 3 July 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

DECISION OF THE EEA JOINT COMMITTEE

No 92/2009

of 3 July 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 131/2007 of 28 September 2007 ⁽¹⁾.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Decision No 1098/2008/EC of the European Parliament and of the Council of 22 October 2008 on the European Year for Combating Poverty and Social Exclusion (2010) ⁽²⁾.
- (3) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2009,

HAS DECIDED AS FOLLOWS:

Article 1

Article 5 of Protocol 31 to the Agreement shall be amended as follows:

1. paragraph 5 shall be replaced by the following:

'5. The EFTA States shall participate in the Community programmes and actions referred to in the first two indents of paragraph 8 as from 1 January 1996, in the programme referred to in the third indent as from 1 January 2000, in the programme referred to in the fourth indent as from 1 January 2001, in the programmes referred to in the fifth and sixth indents as from 1 January 2002, in the programmes referred to in the seventh and eighth indents as from 1 January 2004, in the programmes referred to in the ninth, 10th and 11th indents as from 1 January 2007 and in the programme referred to in the 12th indent as from 1 January 2009.'

2. the following indent shall be added in paragraph 8:

'— **32008 D 1098**: Decision No 1098/2008/EC of the European Parliament and of the Council of 22 October 2008 on the European Year for Combating Poverty and Social Exclusion (2010) (OJ L 298, 7.11.2008, p. 20).'

Article 2

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

It shall apply from 1 January 2009.

⁽¹⁾ OJ L 47, 21.2.2008, p. 67.

⁽²⁾ OJ L 298, 7.11.2008, p. 20.

(*) 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, 3 July 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

DECISION OF THE EEA JOINT COMMITTEE**No 93/2009****of 3 July 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 94/2008 of 4 July 2008 ⁽¹⁾.
- (2) It is appropriate to continue the cooperation of the Contracting Parties to the Agreement in the implementation and development of the Internal Market.
- (3) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to continue beyond 31 December 2008,

HAS DECIDED AS FOLLOWS:

Article 1

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

1. the words 'years 2004, 2005, 2006, 2007 and 2008' in paragraph 6 shall be replaced by the words 'years 2004, 2005, 2006, 2007, 2008 and 2009';
2. the words 'years 2006, 2007 and 2008' in paragraph 7 shall be replaced by the words 'years 2006, 2007, 2008 and 2009';
3. the words 'year 2008' in paragraph 8 shall be replaced by the words 'years 2008 and 2009'.

Article 2

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

It shall apply from 1 January 2009.

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, 3 July 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

⁽¹⁾ OJ L 280, 23.10.2008, p. 36.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 94/2009****of 8 July 2009****amending Protocol 31, on cooperation in specific fields outside the four freedoms, and Protocol 37 to the EEA Agreement**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Articles 86, 98 and 101 thereof,

Whereas:

- (1) Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No 93/2008 of 4 July 2008 ⁽¹⁾.
- (2) Protocol 37 to the Agreement was amended by Decision of the EEA Joint Committee No 76/2009 of 30 June 2009 ⁽²⁾.
- (3) The participation of Iceland and Norway in the European GNSS Programmes (EGNOS and Galileo) on the basis of the Agreement is of mutual interest to the Contracting Parties.
- (4) The European GNSS Programmes (EGNOS and Galileo) are of great importance for Iceland and Norway, with their respective territories and ocean areas at high latitudes.
- (5) Iceland and Norway have an interest in all Galileo services, including the Public Regulated Services.
- (6) The agreements between the European Community and Iceland and Norway, respectively, on security procedures for the exchange of classified information should be taken into account.
- (7) The Contracting Parties recognise the intention of the European Commission to propose policies and operational arrangements to govern access to Public Regulated Services and to further develop measures to protect, control and manage sensitive assets, information and technologies of the European GNSS Programmes against interference, misuse, hostile attempts or undesired proliferation.
- (8) Iceland and Norway reiterate their intention to adopt and enforce in a timely manner within their jurisdiction measures providing an equivalent degree of security and safety as those applicable in the European Union.
- (9) Norway has participated in the definition and development phases of Galileo through the European Space Agency and the Community's Framework Programme for Research and Development.
- (10) Norway has participated as observer in the GNSS Programme Committee since 2008 and in the Galileo Security Board since 2002.
- (11) Since July 2008, changes in the governance, financing and ownership of European GNSS programmes are applicable.
- (12) Additional cooperation principles may, if needed, be agreed between the Contracting Parties to regulate specific areas not covered by this Decision.
- (13) Due account should be paid to the Contracting Parties' obligations under international law.

⁽¹⁾ OJ L 280, 23.10.2008, p. 34.

⁽²⁾ OJ L 232, 3.9.2009, p. 40.

- (14) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Council Regulation (EC) No 1321/2004 of 12 July 2004 on the establishment of structures for the management of the European satellite radio-navigation programmes ⁽¹⁾, as corrected by OJ L 6, 11.1.2007, p. 10.
- (15) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Council Regulation (EC) No 1942/2006 of 12 December 2006 amending Regulation (EC) No 1321/2004 on the establishment of structures for the management of the European satellite radio-navigation programmes ⁽²⁾.
- (16) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Regulation (EC) No 683/2008 of the European Parliament and of the Council of 9 July 2008 on the further implementation of the European satellite navigation programmes (EGNOS and Galileo) ⁽³⁾.
- (17) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2009. However, due to economic constraints, the participation of Iceland in the GNSS programmes should be suspended temporarily.
- (18) On the basis of Norway's continuous participation in the definition and development phases of Galileo, and with a view to its full participation also in the deployment phase, Norway will contribute financially to the EU commitment budgeted for the GNSS programmes for the year 2008.
- (19) For the Agreement to function well, Protocol 37 to the Agreement is to be extended to include the Scientific and Technical Committee and the System Safety and Security Committee set up by the Administrative Board in accordance with Regulation (EC) No 1321/2004, and Protocol 31 is to be amended in order to specify the procedures for association with these committees,

HAS DECIDED AS FOLLOWS:

Article 1

Article 1 of Protocol 31 to the Agreement shall be amended as follows:

1. the text of paragraph 8 shall be replaced by the following:

‘(a) The EFTA States shall fully participate in the Supervisory Authority for the European Global Navigation Satellite System, hereinafter referred to as the “Authority”, as set up by the following Community act:

— **32004 R 1321**: Council Regulation (EC) No 1321/2004 of 12 July 2004 on the establishment of structures for the management of the European satellite radio-navigation programmes (OJ L 246, 20.7.2004, p. 1), as corrected by OJ L 6, 11.1.2007, p. 10, as amended by:

— **32006 R 1942**: Council Regulation (EC) No 1942/2006 of 12 December 2006 (OJ L 367, 22.12.2006, p. 18).

(b) The EFTA States shall contribute financially to the activities referred to under (a) in accordance with Article 82(1)(a) of and Protocol 32 to the Agreement.

(c) The EFTA States shall participate fully, without the right to vote, in the Administrative Board of the Authority and in the Scientific and Technical Committee and the System Safety and Security Committee of the Authority.

⁽¹⁾ OJ L 246, 20.7.2004, p. 1.

⁽²⁾ OJ L 367, 22.12.2006, p. 18.

⁽³⁾ OJ L 196, 24.7.2008, p. 1.

- (d) The Authority shall have legal personality. It shall enjoy in all the States of the Contracting Parties the most extensive legal capacity accorded to legal persons under their law.
- (e) EFTA States shall apply to the Authority the Protocol of Privileges and Immunities of the European Communities.
- (f) 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.
- (g) By virtue of Article 79(3) of the Agreement Part VII (Institutional Provisions) of the Agreement, with the exception of Sections 1 and 2 of Chapter 3, shall apply to this paragraph.
- (h) Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents shall, for the application of this Regulation, apply to any documents of the Authority regarding the EFTA States as well.
- (i) This paragraph shall not apply to Liechtenstein.
- (j) With regard to Iceland, this paragraph shall be suspended until otherwise decided by the EEA Joint Committee.;

2. the following paragraph shall be inserted after paragraph 8:

- ‘8a. (a) The EFTA States shall, as from 1 January 2009, participate in the activities which may result from the following Community act:

— **32008 R 0683**: Regulation (EC) No 683/2008 of the European Parliament and of the Council of 9 July 2008 on the further implementation of the European satellite navigation programmes (EGNOS and Galileo) (OJ L 196, 24.7.2008, p. 1).

- (b) The EFTA States shall contribute financially to the activities referred to under (a) in accordance with Article 82(1)(a) of and Protocol 32 to the Agreement.

In addition, and based on Article 82(1)(c) of the Agreement, Norway shall contribute the amount of EUR 20 114 000 for the year 2008, of which half shall be due for payment by 31 August 2012 and the other half by 31 August 2013, to be included in the call for funds foreseen in Article 2(2), first subparagraph of Protocol 32.

- (c) The EFTA States shall participate fully, without the right to vote, in all the Community committees which assist the European Commission in the management, development and implementation of the activities referred to under (a).

Without prejudice to this, the participation of EFTA States in the Community committees which assist the European Commission specifically in security aspects of the activities referred to under (a) may be subject to separate arrangements to be agreed upon between the EFTA States and the European Commission. Such arrangements should contribute to a coherent protection in the European Community and the EFTA States of data, information and technologies of European GNSS programmes and to compliance with the international commitments of the Contracting Parties in this sector.

- (d) This paragraph shall not apply to Liechtenstein.

- (e) With regard to Iceland, this paragraph shall be suspended until otherwise decided by the EEA Joint Committee.;

3. the text of paragraph 6 shall be replaced by the following:

'Evaluation and major direction of activities in the framework programmes of Community activities in the field of research and technological development referred to in paragraphs 5, 8a, 9 and 10 shall be governed by the procedure referred to in Article 79(3) of the Agreement.'

Article 2

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

'30. The Scientific and Technical Committee (Council Regulation (EC) No 1321/2004).

31. The System Safety and Security Committee (Council Regulation (EC) No 1321/2004).'

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 (*).

It shall apply from 1 January 2009.

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, 8 July 2009.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

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