DECISION OF THE EEA JOINT COMMITTEE

No 108/2006

of 22 September 2006

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 142/2005 of 2 December 2005 ([1]).

(2) Commission Directive 2003/90/EC of 6 October 2003 setting out implementing measures for the purposes of Article 7 of Council Directive 2002/53/EC as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining certain varieties of agricultural plant species ([2]) is to be incorporated into the Agreement.

(3) Commission Directive 2003/91/EC of 6 October 2003 setting out implementing measures for the purposes of Article 7 of Council Directive 2002/55/EC as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining certain varieties of vegetable species ([3]) is to be incorporated into the Agreement.

(4) Commission Decision 2005/841/EC of 28 November 2005 providing for the temporary marketing of certain seed of the species *Triticum durum*, not satisfying the requirements of Council Directive 66/402/EEC ([4]) is to be incorporated into the Agreement.

(5) Commission Decision 2005/886/EC of 9 December 2005 releasing Cyprus and Malta from the obligation to apply Council Directive 2002/54/EC on the marketing of beet seed ([5]) is to be incorporated into the Agreement.

(6) Commission Directive 2005/91/EC of 16 December 2005 amending Directive 2003/90/EC setting out implementing measures for the purposes of Article 7 of Council Directive 2002/53/EC as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining certain varieties of agricultural plant species ([6]) is to be incorporated into the Agreement.

(7) Commission Decision 2005/947/EC of 23 December 2005 on the continuation in the year 2006 of Community comparative trials and tests on seeds and propagating material of *Agrostis* spp., *D. glomerata* L., *Festuca* spp., *Lolium* spp., *Phleum* spp., *Poa* spp. including mixtures and *Asparagus officinalis* under Council Directives 66/401/EEC and 2002/55/EC started in 2005 ([7]) is to be incorporated into the Agreement.

(8) Directive 2003/91/EC repeals Commission Directive 72/168/EEC ([8]) and Directive 2003/90/EC repeals Commission Directive 72/180/EEC ([9]), which are incorporated into the Agreement and which are consequently to be repealed under the Agreement,

([1]) OJ L 53, 23.2.2006, p. 38.
([2]) OJ L 254, 8.10.2003, p. 7.
([3]) OJ L 254, 8.10.2003, p. 11.
([4]) OJ L 312, 29.11.2005, p. 65.
([5]) OJ L 326, 13.12.2005, p. 39.
([6]) OJ L 331, 17.12.2005, p. 24.
([7]) OJ L 342, 24.12.2005, p. 103.
([8]) OJ L 103, 2.5.1972, p. 6.
([9]) OJ L 108, 8.5.1972, p. 8.

HAS DECIDED AS FOLLOWS:

Article 1

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

Article 2

The texts of Directives 2003/90/EC, 2003/91/EC and 2005/91/EC and Decisions 2005/841/EC, 2005/886/EC and 2005/947/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 23 September 2006, 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, 22 September 2006.

For the EEA Joint Committee

The President

Oda Helen SLETNES

(*) No constitutional requirements indicated.

ANNEX

to Decision of the EEA Joint Committee No 108/2006

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

1. The following points shall be inserted after point 13 (Council Directive 2002/57/EC) in Part 1:

'14. **32003 L 0090**: Commission Directive 2003/90/EC of 6 October 2003 setting out implementing measures for the purposes of Article 7 of Council Directive 2002/53/EC as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining certain varieties of agricultural plant species (OJ L 254, 8.10.2003, p. 7), as amended by:

— **32005 L 0091**: Commission Directive 2005/91/EC of 16 December 2005 (OJ L 331, 17.12.2005, p. 24).

15. **32003 L 0091**: Commission Directive 2003/91/EC of 6 October 2003 setting out implementing measures for the purposes of Article 7 of Council Directive 2002/55/EC as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining certain varieties of vegetable species (OJ L 254, 8.10.2003, p. 11).'

2. The text of points 7 (Commission Directive 72/168/EEC) and 8 (Commission Directive 72/180/EEC) in Part 1 shall be deleted.

3. The following points shall be inserted after point 42 (Commission Decision 2005/435/EC) in Part 2:

'43. **32005 D 0841**: Commission Decision 2005/841/EC of 28 November 2005 providing for the temporary marketing of certain seed of the species *Triticum durum*, not satisfying the requirements of Council Directive 66/402/EEC (OJ L 312, 29.11.2005, p. 65).

44. **32005 D 0947**: Commission Decision 2005/947/EC of 23 December 2005 on the continuation in the year 2006 of Community comparative trials and tests on seeds and propagating material of *Agrostis* spp., *D. glomerata* L., *Festuca* spp., *Lolium* spp., *Phleum* spp., *Poa* spp. including mixtures and *Asparagus officinalis* under Council Directives 66/401/EEC and 2002/55/EC started in 2005 (OJ L 342, 24.12.2005, p. 103).'

4. Under the heading '*ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT*' the following point shall be inserted after point 75 (Commission Decision 2005/325/EC) in Part 2:

'76. **32005 D 0886**: Commission Decision 2005/886/EC of 9 December 2005 releasing Cyprus and Malta from the obligation to apply Council Directive 2002/54/EC on the marketing of beet seed (OJ L 326, 13.12.2005, p. 39).'