DECISION OF THE EEA JOINT COMMITTEE

No 115/2010

of 10 November 2010

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

THE EEA JOINT COMMITTEE,

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

Whereas:

(1) Annex I to the Agreement was amended by Decision of the EEA Joint Committee No 60/2010 of 11 June 2010 [1].

(2) Commission Regulation (EC) No 180/2008 of 28 February 2008 concerning the Community reference laboratory for equine diseases other than African horse sickness and amending Annex VII to Regulation (EC) No 882/2004 of the European Parliament and of the Council [2] is to be incorporated into the Agreement.

(3) Commission Regulation (EC) No 616/2009 of 13 July 2009 implementing Council Directive 2005/94/EC as regards the approval of poultry compartments and other captive birds compartments with respect to avian influenza and additional preventive biosecurity measures in such compartments [3] is to be incorporated into the Agreement.

(4) Commission Regulation (EC) No 789/2009 of 28 August 2009 amending Regulation (EC) No 1266/2007 as regards protection against attacks by vectors and minimum requirements for bluetongue monitoring and surveillance programmes [4] is to be incorporated into the Agreement.

(5) Commission Regulation (EC) No 1156/2009 of 27 November 2009 amending Regulation (EC) No 1266/2007 as regards the conditions for exempting certain animals of susceptible species from the exit ban provided for in Council Directive 2000/75/EC [5] is to be incorporated into the Agreement.

(6) Council Directive 2008/119/EC of 18 December 2008 laying down minimum standards for the protection of calves [6] is to be incorporated into the Agreement.

(7) Council Directive 2009/157/EC of 30 November 2009 on pure-bred breeding animals of the bovine species [7] is to be incorporated into the Agreement.

(8) Commission Decision 2009/437/EC of 8 June 2009 amending Decision 2007/268/EC on the implementation of surveillance programmes for avian influenza in poultry and wild birds to be carried out in the Member States [8] is to be incorporated into the Agreement.

(9) Commission Decision 2009/600/EC of 5 August 2009 amending Decision 2003/467/EC as regards the declaration that certain Member States and regions thereof are officially free of bovine brucellosis [9] is to be incorporated into the Agreement.

(10) Commission Decision 2009/601/EC of 5 August 2009 amending Annex I to Decision 2004/233/EC as regards the entries for Germany in the list of laboratories authorised to check the effectiveness of vaccination against rabies in certain domestic carnivores [10] is to be incorporated into the Agreement.

(11) Commission Decision 2009/621/EC of 20 August 2009 amending Decision 2008/185/EC as regards the inclusion of Northern Ireland in the list of regions where an approved national control programme for Aujeszky's disease is in place [11] is to be incorporated into the Agreement.

(12) Commission Decision 2009/761/EC of 15 October 2009 amending Decision 2003/467/EC as regards the declaration that Scotland is officially free of bovine tuberculosis [12] is to be incorporated into the Agreement.

(13) Commission Decision 2009/779/EC of 22 October 2009 amending Annex I to Decision 2004/233/EC as regards the entry for Denmark in the list of laboratories authorised to check the effectiveness of vaccination against rabies in certain domestic carnivores [13] is to be incorporated into the Agreement.

[1] OJ L 244, 16.9.2010, p. 3.
[2] OJ L 56, 29.2.2008, p. 4.
[3] OJ L 181, 14.7.2009, p. 16.
[4] OJ L 227, 29.8.2009, p. 3.
[5] OJ L 313, 28.11.2009, p. 59.
[6] OJ L 10, 15.1.2009, p. 7.
[7] OJ L 323, 10.12.2009, p. 1.
[8] OJ L 145, 10.6.2009, p. 45.
[9] OJ L 204, 6.8.2009, p. 39.
[10] OJ L 204, 6.8.2009, p. 43.
[11] OJ L 217, 21.8.2009, p. 5.
[12] OJ L 271, 16.10.2009, p. 34.
[13] OJ L 278, 23.10.2009, p. 58.

(14) Commission Decision 2009/869/EC of 27 November 2009 amending Annexes XI, XII, XV and XVI to Council Directive 2003/85/EC as regards the list of and minimum security standards applicable to laboratories authorised to handle live foot-and-mouth disease virus [1] is to be incorporated into the Agreement.

(15) Commission Decision 2009/976/EU of 15 December 2009 amending Annex D to Council Directive 64/432/EEC as regards diagnostic tests for enzootic bovine leukosis [2] is to be incorporated into the Agreement.

(16) Directive 2008/119/EC repeals Council Directive 91/629/EC [3] which is incorporated into the Agreement and is therefore to be repealed under the Agreement.

(17) Directive 2009/157/EC repeals Council Directive 77/504/EC [4] which is incorporated into the Agreement and is therefore to be repealed under the Agreement.

(18) This Decision concerns legislation regarding live animals other than fish and aquaculture animals. Legislation concerning these matters does not apply to Iceland, as specified in paragraph 2 of the Introductory Part of Chapter I of Annex I to the Agreement.

(19) This Decision is not to apply to Iceland and Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

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

Article 2

The texts of Regulations (EC) No 180/2008, (EC) No 616/2009, (EC) No 789/2009 and (EC) No 1156/2009, Directives 2008/119/EC and 2009/157/EC and Decisions 2009/437/EC, 2009/600/EC, 2009/601/EC, 2009/621/EC, 2009/761/EC, 2009/779/EC, 2009/869/EC and 2009/976/EU in the Norwegian language, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 11 November 2010, provided that all the notifications pursuant to 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, 10 November 2010.

For the EEA Joint Committee

The President

Stefán Haukur JÓHANNESSON

[1] OJ L 315, 2.12.2009, p. 8.
[2] OJ L 336, 18.12.2009, p. 36.
[3] OJ L 340, 11.12.1991, p. 28.
[4] OJ L 206, 12.8.1977, p. 8.

(*) No constitutional requirements indicated.

ANNEX

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

1. the following indent shall be added in point 11 (Regulation (EC) No 882/2004 of the European Parliament and of the Council) in Part 1.1:

'— **32008 R 0180**: Commission Regulation (EC) No 180/2008 of 28 February 2008 (OJ L 56, 29.2.2008, p. 4).';

2. the text of point 1 (Council Directive 77/504/EEC) in Part 2.1 shall be deleted;

3. the following point shall be inserted after point 1 (Council Directive 77/504/EEC, deleted) in Part 2.1:

'1a. **32009 L 0157**: Council Directive 2009/157/EC of 30 November 2009 on pure-bred breeding animals of the bovine species (OJ L 323, 10.12.2009, p. 1).

This act shall not apply to Iceland.';

4. the following indent shall be added in point 1a (Council Directive 2003/85/EC) in Part 3.1:

'— **32009 D 0869**: Commission Decision 2009/869/EC of 27 November 2009 (OJ L 315, 2.12.2009, p. 8).';

5. the following shall be added in point 38 (Commission Decision 2007/268/EC) in Part 3.2:

', as amended by:

— **32009 D 0437**: Commission Decision 2009/437/EC of 8 June 2009 (OJ L 145, 10.6.2009, p. 45).';

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

'— **32009 R 0789**: Commission Regulation (EC) No 789/2009 of 28 August 2009 (OJ L 227, 29.8.2009, p. 3),

— **32009 R 1156**: Commission Regulation (EC) No 1156/2009 of 27 November 2009 (OJ L 313, 28.11.2009, p. 59).';

7. the following point shall be inserted after point 42 (Commission Decision 2008/896/EC) in Part 3.2:

'43. **32009 R 0616**: Commission Regulation (EC) No 616/2009 of 13 July 2009 implementing Council Directive 2005/94/EC as regards the approval of poultry compartments and other captive birds compartments with respect to avian influenza and additional preventive biosecurity measures in such compartments (OJ L 181, 14.7.2009, p. 16).

This act shall not apply to Iceland.';

8. the following indent shall be added in point 1 (Council Directive 64/432/EEC) in Part 4.1:

'— **32009 D 0976**: Commission Decision 2009/976/EU of 15 December 2009 (OJ L 336, 18.12.2009, p. 36).';

9. the following indents shall be added in point 70 (Commission Decision 2003/467/EC) in Part 4.2:

'— **32009 D 0600**: Commission Decision 2009/600/EC of 5 August 2009 (OJ L 204, 6.8.2009, p. 39),

— **32009 D 0761**: Commission Decision 2009/761/EC of 15 October 2009 (OJ L 271, 16.10.2009, p. 34).';

10. the following indents shall be added in point 76 (Commission Decision 2004/233/EC) in Part 4.2:

'— **32009 D 0601**: Commission Decision 2009/601/EC of 5 August 2009 (OJ L 204, 6.8.2009, p. 43),

— **32009 D 0779**: Commission Decision 2009/779/EC of 22 October 2009 (OJ L 278, 23.10.2009, p. 58).';

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

'— **32009 D 0621**: Commission Decision 2009/621/EC of 20 August 2009 (OJ L 217, 21.8.2009, p. 5).';

12. the following point shall be inserted after point 89 (Commission Decision 2009/177/EC) in Part 4.2:

'90. **32008 R 0180**: Commission Regulation (EC) No 180/2008 of 28 February 2008 concerning the Community reference laboratory for equine diseases other than African horse sickness and amending Annex VII to Regulation (EC) No 882/2004 of the European Parliament and of the Council (OJ L 56, 29.2.2008, p. 4).

This act shall not apply to Iceland.';

13. the text of point 4 (Council Directive 91/629/EEC) in Part 9.1 shall be deleted;

14. the following point shall be inserted after point 11 (Council Directive 2008/120/EC) in Part 9.1:

'12. **32008 L 0119**: Council Directive 2008/119/EC of 18 December 2008 laying down minimum standards for the protection of calves (OJ L 10, 15.1.2009, p. 7).

This act shall not apply to Iceland.'.