# DECISION OF THE EEA JOINT COMMITTEE
# No 134/2002
# of 27 September 2002
# 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 107/2002 of 12 July 2002 [1].

(2) Regulation (EC) No 2037/2000 of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer [2] is to be incorporated into the Agreement.

(3) Regulation (EC) No 2038/2000 of the European Parliament and of the Council of 28 September 2000 amending Regulation (EC) No 2037/2000 on substances that deplete the ozone layer, as regards metered dose inhalers and medical drug pumps [3] is to be incorporated into the Agreement.

(4) Regulation (EC) No 2039/2000 of the European Parliament and of the Council of 28 September 2000 amending Regulation (EC) No 2037/2000 on substances that deplete the ozone layer, as regards the base year for the allocation of quotas of hydrochlorofluorocarbons [4] is to be incorporated into the Agreement.

(5) Council Regulation (EC) No 3093/94 of 15 December 1994 on substances that deplete the ozone layer [5], which is incorporated in the Agreement, has been repealed and should be replaced,

HAS DECIDED AS FOLLOWS:

*Article 1*

The text of point 21aa (Council Regulation (EC) No 3093/94) of Annex XX to the Agreement shall be replaced by the following:

'**32000 R 2037**: Regulation (EC) No 2037/2000 of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer (OJ L 244, 29.9.2000, p. 1), as amended by:

— **32000 R 2038**: Regulation (EC) No 2038/2000 of the European Parliament and of the Council of 28 September 2000 (OJ L 244, 29.9.2000, p. 25).

— **32000 R 2039**: Regulation (EC) No 2039/2000 of the European Parliament and of the Council of 28 September 2000 (OJ L 244, 29.9.2000, p. 26).

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

(a) in Article 3:

(i) the words "paragraphs 5 to 10" in paragraph 1 shall be replaced by the words "paragraphs 5 to 8";

(ii) the words "paragraphs 8, 9 and 10" in paragraph 3 shall be replaced by the words "paragraph 8";

(iii) paragraphs 4, 9 and 10 shall not apply;

[1] OJ L 298, 31.10.2002, p. 29.
[2] OJ L 244, 29.9.2000, p. 1.
[3] OJ L 244, 29.9.2000, p. 25.
[4] OJ L 244, 29.9.2000, p. 26.
[5] OJ L 333, 22.12.1994, p. 1.

(b) in Article 4:
  (i) the words "paragraphs 4 and 5" in paragraphs 1 to 3 shall be replaced by the words "paragraph 4";
  (ii) in paragraph 2, the fourth subparagraph shall not apply;
  (iii) in paragraph 3, the second and fourth subparagraphs shall not apply;
  (iv) paragraph 5 shall not apply;
(c) Chapter III shall not apply;
(d) Articles 19 and 20 shall not apply;

the EFTA States shall, at national level, put into effect the measures necessary to comply with the corresponding provisions of the Montreal Protocol and with the corresponding measures in Regulation (EC) No 2037/2000 of the European Parliament and of the Council.'

*Article 2*

The texts of Regulations (EC) No 2037/2000, (EC) No 2038/2000 and (EC) No 2039/2000 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Communities*, shall be authentic.

*Article 3*

This Decision shall enter into force on 28 September 2002, 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 Communities*.

Done at Brussels, 27 September 2002.

*For the EEA Joint Committee*
*The President*
Gunnar Snorri GUNNARSSON

(*) No constitutional requirements indicated.