DECISION OF THE EEA JOINT COMMITTEE

No 60/2011

of 1 July 2011

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 115/2010 of 10 November 2010 ([1]).

(2) Commission Regulation (EU) No 176/2010 of 2 March 2010 amending Annex D to Council Directive 92/65/EEC as regards semen collection and storage centres, embryo collection and production teams, and conditions for donor animals of the equine, ovine and caprine species and for handling semen, ova and embryos of those species ([2]) is to be incorporated into the Agreement.

(3) Commission Regulation (EU) No 388/2010 of 6 May 2010 implementing Regulation (EC) No 998/2003 of the European Parliament and of the Council as regards the maximum number of pet animals of certain species that may be the subject of non-commercial movement ([3]) is to be incorporated into the Agreement.

(4) Regulation (EU) No 438/2010 of the European Parliament and of the Council of 19 May 2010 amending Regulation (EC) No 998/2003 on the animal health requirements applicable to the non-commercial movement of pet animals ([4]) is to be incorporated into the Agreement.

(5) Council Directive 2009/156/EC of 30 November 2009 on animal health conditions governing the movement and importation from third countries of equidae ([5]) is to be incorporated into the Agreement.

(6) Commission Decision 2007/371/EC of 29 May 2007 amending Decisions 84/247/EEC and 84/419/EEC as regards herd-books for animals of the bovine species ([6]) is to be incorporated into the Agreement.

(7) Commission Decision 2010/188/EU of 29 March 2010 amending Annex III to Decision 2003/467/EC as regards the declaration that certain administrative regions of Poland and Portugal are officially free of enzootic bovine leukosis ([7]) is to be incorporated into the Agreement.

(8) Commission Decision 2010/193/EU of 29 March 2010 amending Decision 2003/135/EC as regards the eradication and emergency vaccination plans for classical swine fever in feral pigs in certain areas of North Rhine-Westphalia and Rhineland-Palatinate (Germany) ([8]) is to be incorporated into the Agreement.

(9) Commission Decision 2010/270/EU of 6 May 2010 amending Parts 1 and 2 of Annex E to Council Directive 92/65/EEC as regards the model health certificates for animals from holdings and for bees and bumble bees ([9]) is to be incorporated into the Agreement.

(10) Commission Decision 2010/271/EU of 11 May 2010 amending Annex II to Decision 2008/185/EC as regards the inclusion of Ireland in the list of regions where an approved national control programme for Aujeszky's disease is in place ([10]) is to be incorporated into the Agreement.

(11) Commission Decision 2010/367/EU of 25 June 2010 on the implementation by Member States of surveillance programmes for avian influenza in poultry and wild birds ([11]) is to be incorporated into the Agreement.

(12) Commission Decision 2010/391/EU of 8 July 2010 amending the Annexes to Decision 93/52/EEC as regards the recognition of Lithuania and the region of Molise in Italy as officially free of brucellosis (*B. melitensis)* and amending the Annexes to Decision 2003/467/EC as regards the declaration of certain administrative regions of Italy as officially free of bovine tuberculosis, bovine brucellosis and enzootic-bovine-leukosis ([12]) is to be incorporated into the Agreement.

(13) Commission Decision 2010/434/EU of 6 August 2010 amending Annexes I and II to Decision 2008/185/EC as regards the inclusion of Slovenia in the list of Member States free of Aujeszky's disease and of Poland and regions of Spain in the list of Member States where an approved national control programme for that disease is in place ([13]) is to be incorporated into the Agreement.

([1]) OJ L 58, 3.3.2011, p. 69.
([2]) OJ L 52, 3.3.2010, p. 14.
([3]) OJ L 114, 7.5.2010, p. 3.
([4]) OJ L 132, 29.5.2010, p. 3.
([5]) OJ L 192, 23.7.2010, p. 1.
([6]) OJ L 140, 1.6.2007, p. 49.
([7]) OJ L 83, 30.3.2010, p. 59.
([8]) OJ L 84, 31.3.2010, p. 56.
([9]) OJ L 118, 12.5.2010, p. 56.
([10]) OJ L 118, 12.5.2010, p. 63.
([11]) OJ L 166, 1.7.2010, p. 22.
([12]) OJ L 180, 15.7.2010, p. 21.
([13]) OJ L 208, 7.8.2010, p. 5.

(14) Commission Decision 2010/435/EU of 9 August 2010 amending Annex XI to Council Directive 2003/85/EC as regards the list of laboratories authorised to handle live foot-and-mouth disease virus [1] is to be incorporated into the Agreement.

(15) Commission Decision 2010/436/EU of 9 August 2010 implementing Council Decision 2000/258/EC as regards proficiency tests for the purposes of maintaining authorisations of laboratories to carry out serological tests to monitor the effectiveness of rabies vaccines [2] is to be incorporated into the Agreement.

(16) Commission Decision 2010/470/EU of 26 August 2010 laying down model health certificates for trade within the Union in semen, ova and embryos of animals of the equine, ovine and caprine species and in ova and embryos of animals of the porcine species [3] is to be incorporated into the Agreement.

(17) Directive 2009/156/EC repeals Council Directive 90/426/EEC [4] which is incorporated into the Agreement and is therefore to be repealed under the Agreement.

(18) Decision 2010/367/EU repeals Commission Decision 2007/268/EC [5] which is incorporated into the Agreement and is therefore to be repealed under the Agreement.

(19) Decision 2010/436/EU repeals Commission Decision 2004/233/EC [6] which is incorporated into the Agreement and is therefore to be repealed under the Agreement.

(20) Decision 2010/470/EU repeals Commission Decisions 95/294/EC [7], 95/307/EC [8], 95/388/EC [9] and 95/483/EC [10] which are incorporated into the Agreement and are therefore to be repealed under the Agreement.

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

HAS ADOPTED THIS DECISION:

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 (EU) No 176/2010, (EU) No 388/2010 and (EU) No 438/2010, Directive 2009/156/EC and Decisions 2007/371/EC, 2010/188/EU, 2010/193/EU, 2010/270/EU, 2010/271/EU, 2010/367/EU, 2010/391/EU, 2010/434/EU, 2010/435/EU, 2010/436/EU and 2010/470/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 2 July 2011, 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, 1 July 2011.

For the EEA Joint Committee
The President
Kurt JÄGER

[1] OJ L 209, 10.8.2010, p. 18.
[2] OJ L 209, 10.8.2010, p. 19.
[3] OJ L 228, 31.8.2010, p. 15.
[4] OJ L 224, 18.8.1990, p. 42.
[5] OJ L 115, 3.5.2007, p. 3.
[6] OJ L 71, 10.3.2004, p. 30.
[7] OJ L 182, 2.8.1995, p. 27.
[8] OJ L 185, 4.8.1995, p. 58.
[9] OJ L 234, 3.10.1995, p. 30.
[10] OJ L 275, 18.11.1995, p. 30.
(*) No constitutional requirements indicated.

ANNEX

(1) the following indent shall be added in point 10 (Regulation (EC) No 998/2003 of the European Parliament and of the Council) in Part 1.1:

'— **32010 R 0438**: Regulation (EU) No 438/2010 of the European Parliament and of the Council of 19 May 2010 (OJ L 132, 29.5.2010, p. 3).';

(2) the following point shall be inserted after point 146 (Commission Regulation (EC) No 1162/2009) in Part 1.2:

'147. **32010 R 0388**: Commission Regulation (EU) No 388/2010 of 6 May 2010 implementing Regulation (EC) No 998/2003 of the European Parliament and of the Council as regards the maximum number of pet animals of certain species that may be the subject of non-commercial movement (OJ L 114, 7.5.2010, p. 3).

This act shall not apply to Iceland.';

(3) the following shall be added in points 1 (Commission Decision 84/247/EEC) and 2 (Commission Decision 84/419/EEC) in Part 2.2:

', as amended by:

— **32007 D 0371**: Commission Decision 2007/371/EC of 29 May 2007 (OJ L 140, 1.6.2007, p. 49).';

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

'— **32010 D 0435**: Commission Decision 2010/435/EU of 9 August 2010 (OJ L 209, 10.8.2010, p. 18).';

(5) the text of point 38 (Commission Decision 2007/268/EC) in Part 3.2 shall be deleted;

(6) the following point shall be inserted after point 44 (Commission Decision 2009/712/EC) in Part 3.2:

'45. **32010 D 0367**: Commission Decision 2010/367/EU of 25 June 2010 on the implementation by Member States of surveillance programmes for avian influenza in poultry and wild birds (OJ L 166, 1.7.2010, p. 22).

This act shall not apply to Iceland.';

(7) under the heading '*ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT*' the following indent shall be added in point 20 (Commission Decision 2003/135/EC) in Part 3.2:

'— **32010 D 0193**: Commission Decision 2010/193/EU of 29 March 2010 (OJ L 84, 31.3.2010, p. 56).';

(8) the following indents shall be added in point 9 (Council Directive 92/65/EEC) in Part 4.1 and point 15 (Council Directive 92/65/EEC) in Part 8.1:

'— **32010 R 0176**: Commission Regulation (EU) No 176/2010 of 2 March 2010 (OJ L 52, 3.3.2010, p. 14),

— **32010 D 0270**: Commission Decision 2010/270/EU of 6 May 2010 (OJ L 118, 12.5.2010, p. 56).';

(9) the text of point 3 (Council Directive 90/426/EEC) in Part 4.1 and point 2 (Council Directive 90/426/EEC) of Part 8.1 shall be replaced by the following:

'**32009 L 0156**: Council Directive 2009/156/EC of 30 November 2009 on animal health conditions governing the movement and importation from third countries of equidae (OJ L 192, 23.7.2010, p. 1).

This act shall not apply to Iceland.';

(10) the following indent shall be added in point 14 (Commission Decision 93/52/EEC) in Part 4.2:

'— **32010 D 0391**: Commission Decision 2010/391/EU of 8 July 2010 (OJ L 180, 15.7.2010, p. 21).';

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

'— **32010 D 0188**: Commission Decision 2010/188/EU of 29 March 2010 (OJ L 83, 30.3.2010, p. 59),

— **32010 D 0391**: Commission Decision 2010/391/EU of 8 July 2010 (OJ L 180, 15.7.2010, p. 21).';

(12) the following indents shall be added in point 84 (Commission Decision 2008/185/EC) in Part 4.2:

'— **32010 D 0271**: Commission Decision 2010/271/EU of 11 May 2010 (OJ L 118, 12.5.2010, p. 63),

— **32010 D 0434**: Commission Decision 2010/434/EU of 6 August 2010 (OJ L 208, 7.8.2010, p. 5).';

(13) the text of points 33 (Commission Decision 95/294/EC), 34 (Commission Decision 95/307/EC), 36 (Commission Decision 95/388/EC), 40 (Commission Decision 95/483/EC) and 76 (Commission Decision 2004/233/EC) in Part 4.2 shall be deleted;

(14) the following points shall be inserted after point 91 (Commission Decision 2009/712/EC) in Part 4.2:

'92. **32010 D 0436**: Commission Decision 2010/436/EU of 9 August 2010 implementing Council Decision 2000/258/EC as regards proficiency tests for the purposes of maintaining authorisations of laboratories to carry out serological tests to monitor the effectiveness of rabies vaccines (OJ L 209, 10.8.2010, p. 19).

This act shall not apply to Iceland.

93. **32010 D 0470**: Commission Decision 2010/470/EU of 26 August 2010 laying down model health certificates for trade within the Union in semen, ova and embryos of animals of the equine, ovine and caprine species and in ova and embryos of animals of the porcine species (OJ L 228, 31.8.2010, p. 15).

This act shall not apply to Iceland.

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

The date '31 August 2010' in Articles 2(a) and (b) and 4(a) and (b) shall for the EFTA States read 'the day before the date of the entry into force of Decision of the EEA Joint Committee No 60/2011'. The date '1 September 2010' in Articles 2(b) and 4(b) shall for the EFTA States read the date of the entry into force of Decision of the EEA Joint Committee No 60/2011.'.