DECISION OF THE EEA JOINT COMMITTEE

No 138/2005

of 2 December 2005

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 93/2005 ([1]).

(2) Commission Decision 2005/28/EC of 12 January 2005 amending Decision 93/52/EEC as regards the declaration that certain provinces of Italy are free of brucellosis (*B. melitensis*) and Decision 2003/467/EC as regards the declaration that certain provinces of Italy are free of bovine tuberculosis, bovine brucellosis and enzootic bovine leucosis ([2]) is to be incorporated into the Agreement.

(3) Commission Decision 2005/34/EC of 11 January 2005 laying down harmonised standards for the testing for certain residues in products of animal origin imported from third countries ([3]) is to be incorporated into the Agreement.

(4) Commission Decision 2005/43/EC of 30 December 2004 amending Decision 95/388/EC as regards the updating of the model health certificates for intra-Community trade in semen, ova and embryos of the ovine and caprine species ([4]) is to be incorporated into the Agreement.

(5) Commission Decision 2005/58/EC of 26 January 2005 amending Decision 2003/135/EC as regards the termination of the eradication and vaccination plans in the federal states of Lower-Saxony and North Rhine-Westphalia and the eradication plan in the federal state of Saarland (Germany) ([5]) is to be incorporated into the Agreement.

(6) Commission Decision 2005/59/EC of 26 January 2005 approving the plans for the eradication of classical swine fever in feral pigs and the emergency vaccination of such pigs in Slovakia ([6]) is to be incorporated into the Agreement.

(7) Commission Decision 2005/64/EC of 26 January 2005 implementing Council Directive 92/65/EEC as regards import conditions for cats, dogs and ferrets for approved bodies, institutes or centres ([7]) is to be incorporated into the Agreement.

(8) Commission Decision 2005/65/EC of 28 January 2005 as regards certain transitional additional guarantees for Denmark in relation to the change of its non-vaccinating status against Newcastle disease ([8]) is to be incorporated into the Agreement.

(9) Commission Decision 2005/66/EC of 28 January 2005 repealing Decision 2003/363/EC approving the plan for the eradication of classical swine fever in feral pigs in certain areas of Belgium ([9]) is to be incorporated into the Agreement.

([1]) OJ L 306, 24.11.2005, p. 14.
([2]) OJ L 15, 19.1.2005, p. 30.
([3]) OJ L 16, 20.1.2005, p. 61.
([4]) OJ L 20, 22.1.2005, p. 34.
([5]) OJ L 24, 27.1.2005, p. 45.
([6]) OJ L 24, 27.1.2005, p. 46. Decision as amended by Decision 2005/226/EC (OJ L 71, 17.3.2005, p. 72).
([7]) OJ L 27, 29.1.2005, p. 48.
([8]) OJ L 27, 29.1.2005, p. 52.
([9]) OJ L 27, 29.1.2005, p. 54.

(10) Commission Decision 2005/92/EC of 2 February 2005 as regards animal health conditions, certification and transitional provisions concerning the introduction and storage period for consignments of certain products of animal origin in free zones, free warehouses and premises of operators supplying cross border means of sea transport in the Community [1] is to be incorporated into the Agreement.

(11) Commission Decision 2005/138/EC of 16 February 2005 amending Decision 2003/828/EC as regards movements of animals from and inside a restricted zone in Portugal, in relation to an outbreak of bluetongue in that Member State [2] is to be incorporated into the Agreement.

(12) Decision 2005/65/EC repeals Commission Decision 91/552/EEC [3], which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.

(13) 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 Decisions 2005/28/EC, 2005/34/EC, 2005/43/EC, 2005/58/EC, 2005/59/EC, 2005/64/EC, 2005/65/EC, 2005/66/EC, 2005/92/EC and 2005/138/EC 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 3 December 2005, 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, 2 December 2005.

For the EEA Joint Committee

The President

H.S.H. Prinz Nikolaus von LIECHTENSTEIN

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[1] OJ L 31, 4.2.2005, p. 62. Decision as amended by Decision 2005/755/EC (OJ L 284, 27.10.2005, p. 8).
[2] OJ L 47, 18.2.2005, p. 38.
[3] OJ L 298, 29.10.1991, p. 21.
(*) No constitutional requirements indicated.

ANNEX

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

1. the following points shall be inserted after point 127 (Commission Regulation (EC) No 745/2004) in Part 1.2:

   '128. **32005 D 0034**: Commission Decision 2005/34/EC of 11 January 2005 laying down harmonised standards for the testing for certain residues in products of animal origin imported from third countries (OJ L 16, 20.1.2005, p. 61).

   129. **32005 D 0064**: Commission Decision 2005/64/EC of 26 January 2005 implementing Council Directive 92/65/EEC as regards import conditions for cats, dogs and ferrets for approved bodies, institutes or centres (OJ L 27, 29.1.2005, p. 48).

   130. **32005 D 0092**: Commission Decision 2005/92/EC of 2 February 2005 as regards animal health conditions, certification and transitional provisions concerning the introduction and storage period for consignments of certain products of animal origin in free zones, free warehouses and premises of operators supplying cross border means of sea transport in the Community (OJ L 31, 4.2.2005, p. 63).';

2. the following indent shall be added in point 30 (Commission Decision 2003/828/EC) in Part 3.2:

   '— **32005 D 0138**: Commission Decision 2005/138/EC (OJ L 47, 18.2.2005, p. 38).';

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

   '— **32005 D 0058**: Commission Decision 2005/58/EC (OJ L 24, 27.1.2005, p. 45).';

4. under the heading 'ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT' in Part 3.2, the following points shall be inserted after point 28 (Commission Decision 2004/832/EC):

   '29. **32005 D 0059**: Commission Decision 2005/59/EC of 26 January 2005 approving the plans for the eradication of classical swine fever in feral pigs and the emergency vaccination of such pigs in Slovakia (OJ L 24, 27.1.2005, p. 46).

   30. **32005 D 0066**: Commission Decision 2005/66/EC of 28 January 2005 repealing Decision 2003/363/EC approving the plan for the eradication of classical swine fever in feral pigs in certain areas of Belgium (OJ L 27, 29.1.2005, p. 54).';

5. under the heading 'ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT' in Part 3.2, the text of point 23 (Commission Decision 2003/363/EC) shall be deleted;

6. the following indent shall be added in points 14 (Commission Decision 93/52/EEC) and 70 (Commission Decision 2003/467/EC) in Part 4.2:

   '— **32005 D 0028**: Commission Decision 2005/28/EC (OJ L 15, 19.1.2005, p. 30).';

7. the following shall be added in point 36 (Commission Decision 95/388/EC) in Part 4.2:

   ', as amended by:

   — **32005 D 0043**: Commission Decision 2005/43/EC (OJ L 20, 22.1.2005, p. 34).';

8. the following point shall be inserted after point 80 (Commission Decision 2004/558/EC) in Part 4.2:

   '81. **32005 D 0065**: Commission Decision 2005/65/EC of 28 January 2005 as regards certain transitional additional guarantees for Denmark in relation to the change of its non-vaccinating status against Newcastle disease (OJ L 27, 29.1.2005, p. 52).';

9. the text of point 2 (Commission Decision 91/552/EEC) in Part 4.2 shall be deleted.