DECISION OF THE EEA JOINT COMMITTEE

No 38/2012

of 30 March 2012

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 5/2012 of 10 February 2012 [1].

(2) Commission Regulation (EU) No 26/2011 of 14 January 2011 concerning the authorisation of vitamin E as a feed additive for all animal species [2] is to be incorporated into the Agreement.

(3) Commission Implementing Regulation (EU) No 881/2011 of 2 September 2011 amending Regulation (EC) No 1137/2007 as regards the additive composition of the preparation of *Bacillus subtilis* DSM 17299 (holder of authorisation Chr. Hansen A/S) and its use in feed containing formic acid [3] is to be incorporated into the Agreement.

(4) Commission Implementing Regulation (EU) No 885/2011 of 5 September 2011 concerning the authorisation of *Bacillus subtilis* (ATCC PTA-6737) as a feed additive for chickens reared for laying, ducks for fattening, quails, pheasants, partridges, guinea fowl, pigeons, geese for fattening and ostriches (holder of authorisation Kemin Europa N.V.) [4] is to be incorporated into the Agreement.

(5) Commission Implementing Regulation (EU) No 886/2011 of 5 September 2011 concerning the authorisation of 6-phytase (EC 3.1.3.26) produced by *Trichoderma reesei* (CBS 122001) as a feed additive for sows (holder of authorisation Roal Oy) [5] is to be incorporated into the Agreement.

(6) Commission Implementing Regulation (EU) No 887/2011 of 5 September 2011 concerning the authorisation of a preparation of *Enterococcus faecium* CECT 4515 as feed additive for chickens for fattening (holder of the authorisation Norel SA) [6] is to be incorporated into the Agreement.

(7) Commission Implementing Regulation (EU) No 888/2011 of 5 September 2011 concerning the authorisation of diclazuril as a feed additive for turkeys for fattening (holder of authorisation Janssen Pharmaceutica N.V.) and amending Regulation (EC) No 2430/1999 [7] is to be incorporated into the Agreement.

(8) Commission Implementing Regulation (EU) No 900/2011 of 7 September 2011 concerning the authorisation of lasalocid A sodium as a feed additive for pheasants, guinea fowl, quails and partridges other than laying birds (holder of authorisation Alpharma (Belgium) BVBA) [8] is to be incorporated into the Agreement.

(9) Commission Implementing Regulation (EU) No 1068/2011 of 21 October 2011 concerning the authorisation of an enzyme preparation of endo-1,4-beta-xylanase produced by *Aspergillus niger* (CBS 109.713) and endo-1,4-beta-glucanase produced by *Aspergillus niger* (DSM 18404) as a feed additive for chickens reared for laying, turkeys for breeding purposes, turkeys reared for breeding, other minor avian species (other than ducks for fattening) and ornamental birds (holder of authorisation BASF SE) [9] is to be incorporated into the Agreement.

(10) Commission Implementing Regulation (EU) No 1074/2011 of 24 October 2011 concerning the authorisation of *Saccharomyces cerevisiae* NCYC R-625 as a feed additive for weaned piglets (holder of the authorisation Integro Gida SAN. ve TIC. A.S. represented by RM Associates Ltd) [10] is to be incorporated into the Agreement.

[1] OJ L 161, 21.6.2012, p. 8.
[2] OJ L 11, 15.1.2011, p. 18.
[3] OJ L 228, 3.9.2011, p. 9.
[4] OJ L 229, 6.9.2011, p. 3.
[5] OJ L 229, 6.9.2011, p. 5.
[6] OJ L 229, 6.9.2011, p. 7.
[7] OJ L 229, 6.9.2011, p. 9.
[8] OJ L 231, 8.9.2011, p. 15.
[9] OJ L 277, 22.10.2011, p. 11.
[10] OJ L 278, 25.10.2011, p. 5.

(11) Commission Implementing Regulation (EU) No 1088/2011 of 27 October 2011 concerning the authorisation of an enzyme preparation of endo-1,4-beta-xylanase produced by *Trichoderma reesei* (MULC 49755) and endo-1,3(4)-beta-glucanase produced by *Trichoderma reesei* (MULC 49754) as a feed additive for weaned piglets (holder of authorisation Aveve NV) [1] is to be incorporated into the Agreement.

(12) Commission Implementing Regulation (EU) No 1110/2011 of 3 November 2011 concerning the authorisation of an enzyme preparation of endo-1,4-beta-xylanase produced by *Trichoderma reesei* (CBS 114044) as a feed additive for laying hens, minor poultry species and pigs for fattening (holder of authorisation Roal Oy) [2] is to be incorporated into the Agreement.

(13) Commission Implementing Regulation (EU) No 1111/2011 of 3 November 2011 concerning the authorisation of *Lactobacillus plantarum* (NCIMB 30236) as a feed additive for all animal species [3] is to be incorporated into the Agreement.

(14) This Decision concerns legislation regarding feedingstuffs. Legislation regarding feedingstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I to the Agreement. This Decision is therefore not to apply to Liechtenstein,

HAS ADOPTED THIS DECISION:

Article 1

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

(1) the following indent shall be added in point 1k (Commission Regulation (EC) No 2430/1999):

'— **32011 R 0888**: Commission Implementing Regulation (EU) No 888/2011 of 5 September 2011 (OJ L 229, 6.9.2011, p. 9).';

(2) the following indent shall be added in point 1zzzy (Commission Regulation (EC) No 1137/2007):

'— **32011 R 0881**: Commission Implementing Regulation (EU) No 881/2011 of 2 September 2011 (OJ L 228, 3.9.2011, p. 9).';

(3) the following points shall be inserted after point 2zj (Commission Implementing Regulation (EU) No 868/2011):

'2zk. **32011 R 0026**: Commission Regulation (EU) No 26/2011 of 14 January 2011 concerning the authorisation of vitamin E as a feed additive for all animal species (OJ L 11, 15.1.2011, p. 18).

2zl. **32011 R 0885**: Commission Implementing Regulation (EU) No 885/2011 of 5 September 2011 concerning the authorisation of *Bacillus subtilis* (ATCC PTA-6737) as a feed additive for chickens reared for laying, ducks for fattening, quails, pheasants, partridges, guinea fowl, pigeons, geese for fattening and ostriches (holder of authorisation Kemin Europa N.V.) (OJ L 229, 6.9.2011, p. 3).

2zm. **32011 R 0886**: Commission Implementing Regulation (EU) No 886/2011 of 5 September 2011 concerning the authorisation of 6-phytase (EC 3.1.3.26) produced by *Trichoderma reesei* (CBS 122001) as a feed additive for sows (holder of authorisation Roal Oy) (OJ L 229, 6.9.2011, p. 5).

2zn. **32011 R 0887**: Commission Implementing Regulation (EU) No 887/2011 of 5 September 2011 concerning the authorisation of a preparation of *Enterococcus faecium* CECT 4515 as feed additive for chickens for fattening (holder of the authorisation Norel SA) (OJ L 229, 6.9.2011, p. 7).

2zo. **32011 R 0888**: Commission Implementing Regulation (EU) No 888/2011 of 5 September 2011 concerning the authorisation of diclazuril as a feed additive for turkeys for fattening (holder of authorisation Janssen Pharmaceutica N.V.) and amending Regulation (EC) No 2430/1999 (OJ L 229, 6.9.2011, p. 9).

2zp. **32011 R 0900**: Commission Implementing Regulation (EU) No 900/2011 of 7 September 2011 concerning the authorisation of lasalocid A sodium as a feed additive for pheasants, guinea fowl, quails and partridges other than laying birds (holder of authorisation Alpharma (Belgium) BVBA) (OJ L 231, 8.9.2011, p. 15).

2zq. **32011 R 1068**: Commission Implementing Regulation (EU) No 1068/2011 of 21 October 2011 concerning the authorisation of an enzyme preparation of endo-1,4-beta-xylanase produced by *Aspergillus niger* (CBS 109.713) and endo-1,4-beta-glucanase produced by *Aspergillus niger* (DSM 18404) as a feed additive for chickens reared for laying, turkeys for breeding purposes, turkeys reared for breeding, other minor avian species (other than ducks for fattening) and ornamental birds (holder of authorisation BASF SE) (OJ L 277, 22.10.2011, p. 11).

[1] OJ L 281, 28.10.2011, p. 14.
[2] OJ L 287, 4.11.2011, p. 27.
[3] OJ L 287, 4.11.2011, p. 30.

2zr. **32011 R 1074**: Commission Implementing Regulation (EU) No 1074/2011 of 24 October 2011 concerning the authorisation of *Saccharomyces cerevisiae* NCYC R-625 as a feed additive for weaned piglets (holder of the authorisation Integro Gida SAN. ve TIC. A.S. represented by RM Associates Ltd) (OJ L 278, 25.10.2011, p. 5).

2zs. **32011 R 1088**: Commission Implementing Regulation (EU) No 1088/2011 of 27 October 2011 concerning the authorisation of an enzyme preparation of endo-1,4-beta-xylanase produced by *Trichoderma reesei* (MULC 49755) and endo-1,3(4)-beta-glucanase produced by *Trichoderma reesei* (MULC 49754) as a feed additive for weaned piglets (holder of authorisation Aveve NV) (OJ L 281, 28.10.2011, p. 14).

2zt. **32011 R 1110**: Commission Implementing Regulation (EU) No 1110/2011 of 3 November 2011 concerning the authorisation of an enzyme preparation of endo-1,4-beta-xylanase produced by *Trichoderma reesei* (CBS 114044) as a feed additive for laying hens, minor poultry species and pigs for fattening (holder of authorisation Roal Oy) (OJ L 287, 4.11.2011, p. 27).

2zu. **32011 R 1111**: Commission Implementing Regulation (EU) No 1111/2011 of 3 November 2011 concerning the authorisation of *Lactobacillus plantarum* (NCIMB 30236) as a feed additive for all animal species (OJ L 287, 4.11.2011, p. 30).'.

Article 2

The texts of Regulation (EU) No 26/2011, Implementing Regulations (EU) No 881/2011, (EU) No 885/2011, (EU) No 886/2011, (EU) No 887/2011, (EU) No 888/2011, (EU) No 900/2011, (EU) No 1068/2011, (EU) No 1074/2011, (EU) No 1088/2011, (EU) No 1110/2011 and (EU) No 1111/2011 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 1 May 2012, 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, 30 March 2012.

For the EEA Joint Committee
The Acting President
Gianluca GRIPPA

(*) No constitutional requirements indicated.