

**DECISION OF THE EEA JOINT COMMITTEE**  
**No 133/2007**

**of 26 October 2007**

**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 99/2007 of 28 September 2007<sup>1</sup>
- (2) Chapter I of Annex I currently applies to Iceland only with regard to aquaculture animals and products and fisheries products.
- (3) Paragraph 2 of the introductory part of Chapter I of Annex I states that the acts referred to in Chapter I of Annex I shall apply to Iceland, where this is so stated in relation to the specific act.
- (4) Paragraph 2 of the introductory part of Chapter I of Annex I envisages a review of Chapter I of Annex I for Iceland.
- (5) The Contracting Parties have reviewed the situation for Iceland and decided that Iceland will take over the acts referred to in Chapter I of Annex I, except for the provisions that concern live animals, other than fish and aquaculture animals, and animal products such as ova, embryo and semen.
- (6) The acts referred to in Chapter I of Annex I shall apply to Iceland unless it is stated in relation to the specific act that it shall not apply to Iceland. Therefore, paragraph 2 of the introductory part to Chapter I of Annex I must be amended.
- (7) Due to the specific situation of Iceland as regards climate, geographical localisation and nature of resources available, the feeding of fishmeal to ruminants may be accepted. This authorisation takes account of the absence of production and importation of meat and bone meal in Iceland.

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<sup>1</sup> OJ L 47, 21.2.2008, p. 10.

- (8) Iceland needs a transitional period of 18 months in order to comply fully with the provisions in the areas which are made applicable to Iceland by the adoption of this Decision.
- (9) This Decision is not to apply to 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*

This Decision shall enter into force on 27 October 2007, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee\*.

*Article 3*

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, 26 October 2007.

*For the EEA Joint Committee  
The President*

*Stefán Haukur Jóhannesson*

*The Secretaries  
to the EEA Joint Committee*

*Bergdis Ellertsdóttir Matthias Brinkmann*

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\* Constitutional requirements indicated.

## ANNEX

### to the Decision of the EEA Joint Committee No 133/2007

Chapter I of Annex I shall be amended as specified below:

1. The Introductory Part shall be amended as follows:
  - (a) The text of paragraph 2 shall be replaced by the following:

“The provisions contained in this Chapter shall apply to Iceland, except for the provisions concerning live animals, other than fish and aquaculture animals, and animal products such as ova, embryo and semen. When an act is not to apply or is to apply partly to Iceland, it shall be stated in relation to the specific act.

Iceland shall implement the provisions contained in this Chapter, in the areas which did not apply to Iceland prior to the review of this Chapter by Decision of the EEA Joint Committee No 133/2007, no later than 18 months after the entry into force of this Decision.

The other Contracting Parties may maintain their third-country regimes in trade with Iceland for areas not applicable to Iceland.”
  - (b) The text of paragraphs 3(c), 4D, 6(c), 7(c) and 8(d) shall be replaced by the following text:

“This paragraph applies also to Iceland for the areas referred to in paragraph 2.”
2. The sentence “This act applies also to Iceland for the areas covered by the specific acts to which reference is made in paragraph 2 of the introductory Part” in points 1 (Council Directive 89/662/EEC), 4 (Council Directive 97/78/EC) and 6 (Council Decision 92/438/EEC) in Part 1.1 shall be deleted.
3. The sentence “This act applies also to Iceland for the areas covered by the specific acts to which reference is made in paragraph 2 of the introductory Part” in points 2 (Council Directive 90/425/EEC), 5 (Council Directive 91/496/EEC) and 8 (Council Directive 85/73/EEC) in Part 1.1 shall be replaced by the sentence “This act applies to Iceland for the areas referred to in paragraph 2 of the Introductory Part.”
4. The sentence “This act applies also to Iceland for the areas referred to in paragraph 2 of the Introductory Part” shall be inserted in points 3 (Council Directive 89/608/EEC) and 9 (Council Directive 96/93/EC) in Part 1.1.
5. The sentence “This act shall not apply to Iceland” shall be inserted in point 10 (Regulation (EC) No 998/2003 of the European Parliament and of the Council) in Part 1.1.
6. The sentence “This act applies also to Iceland” in points 84 (Commission Decision 98/470/EC), 104 (Commission Decision 2000/351/EC) and 114 (Commission Decision 2003/630/EC) in Part 1.2 shall be deleted.

7. The sentence “This act applies also to Iceland for the areas covered by the specific acts to which reference is made in paragraph 2 of the introductory Part” in points 21 (Commission Decision 93/352/EEC), 25 (Commission Decision 94/360/EC), 29 (Commission Decision 94/641/EC), 31 (Commission Decision 94/958/EC), 33 (Commission Decision 94/971/EC), 87 (Commission Decision 2000/25/EC), 88 (Commission Decision 2000/208/EC), 106 (Commission Decision 2000/571/EC), 111 (Commission Decision 2001/812/EC), 113 (Commission Decision 2002/349/EC) and 115 (Commission Regulation (EC) No 136/2004) in Part 1.2 shall be deleted.
8. The sentence “This act applies also to Iceland for the areas covered by the specific acts to which reference is made in paragraph 2 of the introductory Part” in points 2 (Commission Decision 91/398/EEC), 3 (Commission Decision 91/585/EEC), 4 (Commission Decision 91/637/EEC), 5 (Commission Decision 91/638/EEC), 6 (Commission Decision 92/176/EEC), 8 (Commission Decision 92/341/EEC), 9 (Commission Decision 92/373/EEC), 11 (Commission Decision 92/432/EEC), 12 (Commission Decision 92/486/EEC), 15 (Commission Decision 92/563/EEC), 17 (Commission Decision 93/14/EEC), 18 (Commission Decision 93/70/EEC), 22 (Commission Decision 93/444/EEC), 23 (Commission Decision 94/338/EC), 24 (Commission Decision 94/339/EC), 30 (Commission Decision 94/957/EC), 32 (Commission Decision 94/970/EC), 39 (Commission Decision 2001/881/EC), 42 (Commission Decision 96/105/EC), 46 (Commission Decision 2002/459/EC), 116 (Commission Decision 2004/253/EC), 117 (Commission Regulation (EC) No 282/2004), 118 (Commission Decision 2004/292/EC) and 119 (Commission Regulation (EC) No 599/2004) in Part 1.2 shall be replaced by the sentence “This act applies also to Iceland for the areas referred to in paragraph 2 of the Introductory Part.”
9. Under the heading “*ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT*” in Part 1.2, the sentence “This act applies also to Iceland” in point 1 (Commission Decision 98/140/EC) shall be deleted.
10. The sentence “This act applies also to Iceland for the areas referred to in paragraph 2 of the Introductory Part” shall be inserted in point 68 (Commission Decision 97/794/EC) and 74 (Commission Decision 98/139/EC) in Part 1.2.
11. The sentence “This act shall not apply to Iceland” shall be inserted before the adaptation text in points 121 (Commission Decision 2003/803/EC), 122 (Commission Decision 2004/301/EC), 123 (Commission Decision 2004/595/EC), 124 (Commission Decision 2004/824/EC), 125 (Commission Decision 2004/839/EC), 126 (Commission Decision 2005/91/EC) and 129 (Commission Decision 2005/64/EC) in Part 1.2.
12. Under the heading “*ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT*” in Part 1.2, the sentence “This act shall not apply to Iceland” shall be inserted in points 11 (Commission Decision 2000/62/EC) and 18 (Commission Decision 2004/557/EC) in Part 1.2.

13. The sentence “This act applies also to Iceland for the areas referred to in paragraph 2 of the Introductory Part” shall be inserted in points 57 (Commission Decision 97/152/EC) and 60 (Commission Decision 97/394/EC) in Part 1.2.
14. The sentence “This act shall not apply to Iceland” shall be inserted in points 1 (Council Directive 77/504/EEC), 2 (Council Directive 88/661/EEC), 3 (Council Directive 89/361/EEC), 4 (Council Directive 90/427/EEC), 5 (Council Directive 90/428/EEC), 6 (Council Directive 91/174/EEC) and 7 (Council Decision 96/463/EC) in Part 2.1 and points 1 (Commission Decision 84/247/EEC), 2 (Commission Decision 84/419/EEC), 5 (Council Directive 87/328/EEC), 7 (Commission Decision 89/501/EEC), 8 (Commission Decision 89/502/EEC), 9 (Commission Decision 89/503/EEC), 10 (Commission Decision 89/504/EEC), 11 (Commission Decision 89/505/EEC), 12 (Commission Decision 89/506/EEC), 13 (Commission Decision 89/507/EEC), 14 (Council Directive 90/118/EEC), 15 (Council Directive 90/119/EEC), 16 (Commission Decision 90/254/EEC), 17 (Commission Decision 90/255/EEC), 18 (Commission Decision 90/256/EEC), 19 (Commission Decision 90/257/EEC), 20 (Commission Decision 90/258/EEC), 21 (Commission Decision 92/216/EEC), 22 (Commission Decision 92/353/EEC), 23 (Commission Decision 92/354/EEC), 24 (Commission Decision 93/623/EEC), 25 (Commission Decision 96/78/EC), 26 (Commission Decision 96/79/EC), 30 (Commission Decision 2002/8/EC), 31 (Commission Decision 2005/379/EC) and 32 (Commission Decision 2006/427/EC) in Part 2.2.
15. The sentence “This act applies also to Iceland” in points 7 (Council Directive 93/53/EEC), 8 (Council Directive 95/70/EC) and 10 (Council Directive 82/894/EEC) in Part 3.1 and point 29 (Commission Decision 2003/466/EC) in Part 3.2 shall be deleted.
16. The sentence “This act shall not apply to Iceland” shall be inserted in points 1a (Council Directive 2003/85/EC), 2 (Council Directive 90/423/EEC), 3 (Council Directive 2001/89/EC), 4 (Council Directive 92/35/EEC), 6 (Council Directive 92/66/EEC), 9 (Council Directive 92/119/EEC), 9a (Council Directive 2000/75/EC) and 9b (Council Directive 2002/60/EC) in Part 3.1 and points 2 (Commission Decision 88/397/EEC), 7 (Council Decision 91/666/EEC), 8 (Commission Decision 93/455/EEC), 9 (Commission Decision 93/590/EC), 10 (Commission Decision 1999/128/EC), 11 (Commission Decision 98/502/EC), 12 (Commission Decision 2000/111/EC), 13 (Commission Decision 2000/112/EC), 14 (Commission Decision 2000/428/EC), 17 (Commission Decision 2001/138/EC), 18 (Commission Decision 2001/246/EC), 19 (Commission Decision 2001/257/EC), 20 (Commission Decision 2001/295/EC), 21 (Commission Decision 2001/303/EC), 23 (Commission Decision 2002/106/EC), 24 (Commission Decision 2002/551/EC), 25 (Commission Decision 2002/552/EC), 28 (Commission Decision 2003/422/EC), 31 (Commission Decision 2004/288/EC), 32 (Commission Decision 2005/176/EC), 33 (Commission Decision 2005/393/EC), 35 (Commission Decision 2006/393/EC), 36 (Commission Decision 2006/416/EC) and 37 (Commission Decision 2006/437/EC) in Part 3.2.
17. Under the heading “*ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT*” in Part 3.2, the sentence “This act shall not apply to Iceland” shall be inserted in points 3 (Commission Decision 94/297/EC), 5 (Commission Decision 98/176/EC), 9 (Commission Decision 1999/246/EC), 18 (Commission Decision 2002/526/EC), 20

(Commission Decision 2003/135/EC), 22 (Commission Decision 2003/362/EC), 24 (Commission Decision 2003/435/EC), 25 (Commission Decision 2004/402/EC), 26 (Commission Decision 2004/431/EC), 27 (Commission Decision 2004/435/EC), 28 (Commission Decision 2004/832/EC), 29 (Commission Decision 2005/59/EC), 30 (Commission Decision 2005/66/EC), 31 (Commission Decision 2005/235/EC), 32 (Commission Decision 2005/362/EC), 33 (Commission Decision 2005/773/EC) and 34 (Commission Decision 2006/705/EC).

18. The sentence “This act applies also to Iceland” in point 5 (Council Directive 91/67/EEC) in Part 4.1 and points 51 (Commission Decision 1999/567/EC), 63 (Commission Decision 2001/183/EC), 65 (Commission Decision 2002/300/EC), 66 (Commission Decision 2002/308/EC), 68 (Commission Decision 2002/878/EC), 72 (Commission Decision 2003/390/EC), 73 (Commission Decision 2003/466/EC) and 79 (Commission Decision 2004/453/EC) in Part 4.2 shall be deleted.
19. Under the heading “*ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT*” in Part 4.2, the sentence “This act applies also to Iceland” in points 21 (Commission Decision 94/722/EC), 55 (Commission Decision 2003/634/EC) and 56 (Commission Decision 2003/904/EC) shall be deleted.
20. The sentence “This act shall not apply to Iceland” shall be inserted in points 1 (Council Directive 64/432/EEC), 2 (Council Directive 91/68/EEC), 3 (Council Directive 90/426/EEC), 4 (Council Directive 90/539/EEC), 6 (Council Directive 89/556/EEC), 7 (Council Directive 88/407/EEC), 8 (Council Directive 90/429/EEC) and 9 (Council Directive 92/65/EEC) in Part 4.1 and points 1 (Commission Decision 90/208/EEC), 3 (Commission Decision 92/339/EEC), 4 (Commission Decision 92/340/EEC), 5 (Commission Decision 92/381/EEC), 14 (Commission Decision 93/52/EEC), 18 (Commission Decision 93/152/EC), 21 (Commission Decision 94/274/EC), 22 (Commission Decision 94/275/EC), 24 (Commission Decision 94/327/EC), 25 (Commission Decision 94/963/EC), 26 (Commission Decision 95/98/EC), 28 (Commission Decision 95/117/EC), 33 (Commission Decision 95/294/EC), 34 (Commission Decision 95/307/EC), 35 (Commission Decision 95/329/EC), 36 (Commission Decision 95/388/EC), 37 (Council Decision 95/410/EC), 40 (Commission Decision 95/483/EC), 41 (Commission Decision 96/93/EC), 42 (Commission Decision 96/94/EC), 43 (Commission Decision 96/95/EC), 54 (Council Decision 2000/258/EC), 56 (Commission Decision 2000/504/EC), 57 (Commission Decision 2000/678/EC), 58 (Commission Decision 97/262/EC), 59 (Commission Decision 97/263/EC), 61 (Commission Decision 2001/106/EC), 64 (Commission Decision 2001/618/EC), 67 (Commission Decision 2002/598/EC), 69 (Commission Decision 2004/205/EC), 70 (Commission Decision 2003/467/EC), 71 (Commission Decision 2003/644/EC), 74 (Commission Decision 2003/886/EC), 75 (Commission Decision 2004/226/EC), 76 (Commission Decision 2004/233/EC), 77 (Commission Decision 2004/235/EC), 78 (Commission Decision 2004/315/EC), 80 (Commission Decision 2004/558/EC), 81 (Commission Decision 2005/65/EC) and 82 (Commission Regulation (EC) No 1739/2005) in Part 4.2.
21. Under the heading “*ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT*” in Part 4.2, the sentence “This act shall not apply to Iceland” shall be inserted in points 4 (Commission Decision 88/267/EEC), 27 (Commission Decision 94/968/EC), 28

(Commission Decision 95/50/EC), 29 (Commission Decision 95/59/EC), 32 (Commission Decision 95/70/EC), 33 (Commission Decision 95/71/EC), 37 (Commission Decision 95/210/EC), 40 (Commission Decision 96/283/EC), 51 (Commission Decision 2001/905/EC) and 57 (Commission Decision 2004/835/EC).

22. The sentence “The provisions of Annex I, Chapter 6(I)(A), second indent, shall apply to Iceland.” in point 7 (Council Directive 92/118/EEC) in Part 5.1 and point 16 (Council Directive 92/118/EEC) in part 8.1 shall be deleted.
23. The sentence “The provisions of Annex I, Chapter 6, are applicable to Iceland for processed animal protein derived from fish and intended for animal feedingstuff. For processed animal protein derived from fish and intended for human consumption, the matter shall be reviewed in the year 2000” in point 15 (Council Directive 92/118/EEC) in Part 6.1 shall be deleted.
24. The sentence “This act applies also to Iceland” in points 10 (Commission Decision 92/92/EEC), 13 (Commission Decision 93/51/EEC), 14 (Commission Decision 94/140/EC), 17 (Council Decision 93/383/EEC), 19 (Council Decision 94/117/EC), 20 (Commission Decision 94/306/EEC), 21 (Commission Decision 94/356/EC), 28 (Commission Decision 95/149/EC), 37 (Commission Decision 97/757/EC), 39 (Commission Decision 98/536/EC), 42 (Commission Decision 2002/225/EC), 43 (Commission Decision 2002/226/EC) and 47 (Commission Decision 2003/774/EC) in Part 6.2 shall be deleted.
25. The following amendments shall be made to the adaptation texts in point 12 (Regulation (EC) No 999/2001 of the European Parliament and of the Council) in Part 7.1:

1. The following text shall be added in adaptation text B:

“Iceland	The Institute for Experimental Pathology, University of Iceland  Keldur  112 Reykjavik  Iceland”
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2. The following adaptation texts shall be inserted:

- ‘D. In Annex IV, point 2, the following provision shall be added:

“Iceland may continue feeding fishmeal to ruminants. The fishmeal shall be produced in processing plants dedicated exclusively to the production of fish derived products.”

- E. The provisions concerning the eradication of transmissible spongiform encephalopathy in ovine and caprine animals contained in Annex VII, Chapter A, paragraphs 2.3, 3, 4, 5 and 6 shall not apply to Iceland. However, only ovine animals may be introduced to the holding(s) where

complete destruction has been undertaken provided they do not carry a VRQ allele.

- F. The provisions of Chapters A, B, and D of Annex VIII that concern intra-Community trade and export of live animals, and the provisions of Chapters A, B, D, E and H of Annex IX that concern importation into the Community of live animals, shall not apply to Iceland.
  - G. Iceland continues to prohibit the import of meat and bone meal and products containing meat and bone meal, from the Community, the EFTA States and third countries.'
- 26. The sentence "This act applies also to Iceland, but only as regards the disposal and processing of fish-waste, its placing on the market and the prevention of pathogens in feedingstuffs of fish origin" in point 7 (Commission Decision 92/562/EEC) in Part 7.2 shall be deleted.
  - 27. The sentence "This act applies also to Iceland" in point 4 (Council Directive 91/67/EEC) in Part 8.1 shall be deleted.
  - 28. The sentence "This act shall not apply to Iceland" shall be inserted in points 2 (Council Directive 90/426/EEC), 3 (Council Directive 90/539/EEC), 5 (Council Directive 89/556/EEC), 6 (Council Directive 88/407/EEC), 7 (Council Directive 90/429/EEC), 15 (Council Directive 92/65/EEC) and 16a (Council Directive 2004/68/EC) in Part 8.1.
  - 29. The sentence "This act shall not apply to Iceland" shall be inserted in points 1 (Council Directive 91/628/EEC), 3 (Council Directive 88/166/EEC), 4 (Council Directive 91/629/EEC), 5 (Council Directive 91/630/EEC), 6 (Council Directive 98/58/EC), 7 (Council Regulation (EC) No 411/98), 8 (Council Directive 1999/74/EC) and 10 (Council Regulation (EC) No 1/2005) in Part 9.1 and points 1 (Commission Decision 94/96/EC), 2 (Commission Directive 2002/4/EC), 3 (Commission Decision 2004/433/EC) and 4 (Commission Decision 2006/778/EC) in Part 9.2.
  - 30. Under the heading "*ACTS OF WHICH THE CONTRACTING PARTY SHALL TAKE NOTE*" in Part 9.2, the sentence "This act shall not apply to Iceland" shall be inserted in points 1 (Council Decision 78/923/EEC) and 3 (Commission Recommendation 89/214/EEC).



**DECISION OF THE EEA JOINT COMMITTEE**  
**No 134/2007**

**of 26 October 2007**

**amending Annex I (Veterinary and phytosanitary matters) and  
Annex II (Technical regulations, standards, testing and certification)  
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 100/2007 of 28 September 2007<sup>1</sup>.
- (2) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 104/2007 of 28 September 2007<sup>2</sup>.
- (3) Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety<sup>3</sup> should be incorporated into the Agreement.
- (4) Commission Regulation (EC) No 1304/2003 of 11 July 2003 on the procedure applied by the European Food Safety Authority to requests for scientific opinions referred to it<sup>4</sup>, should be incorporated into the Agreement.
- (5) Regulation (EC) No 1642/2003 of the European Parliament and of the Council of 22 July 2003 amending Regulation (EC) No 178/2002<sup>5</sup> should be incorporated into the Agreement.
- (6) Commission Decision 2004/478/EC of 29 April 2004 concerning the adoption of a general plan for food/feed crisis management<sup>6</sup> should be incorporated into the Agreement.
- (7) Commission Regulation (EC) No 2230/2004 of 23 December 2004 laying down detailed rules for the implementation of European Parliament and Council Regulation (EC)

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<sup>1</sup> OJ L 47, 21.2.2008, p. 12.

<sup>2</sup> OJ L 47, 21.2.2008, p. 21.

<sup>3</sup> OJ L 31, 1.2.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 575/2006 (OJ L 100, 8.4.2006, p. 3).

<sup>4</sup> OJ L 185, 24.7.2003, p. 6. Regulation as corrected in OJ L 186, 25.7.2003, p. 46.

<sup>5</sup> OJ L 245, 29.9.2003, p. 4.

<sup>6</sup> OJ L 160, 30.4.2004, p. 98. Decision as corrected in OJ L 212, 12.6.2004, p. 60.

No 178/2002 with regard to the network of organisations operating in the fields within the European Food Safety Authority's mission<sup>7</sup> should be incorporated into the Agreement.

- (8) Commission Regulation (EC) No 575/2006 of 7 April 2006 amending Regulation (EC) No 178/2002 of the European Parliament and of the Council as regards the number and names of the permanent Scientific Panels of the European Food Safety Authority<sup>8</sup> should be incorporated into the Agreement.
- (9) Council Decision 2006/478/EC of 19 June 2006 appointing half of the members of the Management Board of the European Food Safety Authority<sup>9</sup> should be incorporated into the Agreement.
- (10) This Decision is not to apply to Liechtenstein.
- (11) This Decision should apply to Iceland without the transitional period specified in paragraph 2 of the Introductory Part of Chapter I of Annex I to the Agreement,

HAS DECIDED AS FOLLOWS:

#### *Article 1*

Annexes I and II to the Agreement shall be amended as specified in the Annex to this Decision.

#### *Article 2*

The texts of Regulations (EC) No 178/2002, No 1304/2003, as corrected by OJ L 186, 25.7.2003, p. 46, No 1642/2003, No 2230/2004 and No 575/2006 and Decisions 2004/478/EC, as corrected by OJ L 212, 12.6.2004, p. 60 and 2006/478/EC 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 27 October 2007 provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee\*, or on the date of the entry into force of Decision of the EEA Joint Committee No 133/2007 of 26 October 2007, whichever is the later.

#### *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*.

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<sup>7</sup> OJ L 379, 24.12.2004, p. 64.

<sup>8</sup> OJ L 100, 8.4.2006, p. 3.

<sup>9</sup> OJ L 189, 12.7.2006, p. 7.

\* Constitutional requirements indicated.

Done at Brussels, 26 October 2007.

*For the EEA Joint Committee  
The President*

*Stefán Haukur Jóhannesson*

*The Secretaries  
to the EEA Joint Committee*

*Bergdis Ellertsdóttir Matthias Brinkmann*

## ANNEX

### **to Decision of the EEA Joint Committee No 134/2007**

Annexes I and II to the Agreement shall be amended as follows:

- 1) the following shall be added after point 12 (Regulation (EC) No 999/2001 of the European Parliament and of the Council) in Part 7.1 of Chapter I of Annex I to the Agreement:

‘General food law and the European Food Safety Authority

13. **32002 R 0178:** Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1), as amended by:
- **32003 R 1642:** Regulation (EC) No 1642/2003 of the European Parliament and of the Council of 22 July 2003 (OJ L 245, 29.9.2003, p. 4),
  - **32006 R 0575:** Commission Regulation (EC) No 575/2006 of 7 April 2006 (OJ L 100, 8.4.2006, p. 3).

The provisions of Regulation (EC) No 178/2002 shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) The Regulation, and acts adopted pursuant to it, shall apply to Iceland without the transitional period laid down in paragraph 2 of the Introductory Part of Chapter I of Annex I;
- (b) The EFTA States shall participate in the work of the European Food Safety Authority, hereinafter referred to as ‘the Authority’, except for the right to vote. Unless otherwise established hereafter, and notwithstanding the provisions of Protocol 1 to the Agreement, the term ‘Member State(s)’ contained in the Regulation shall be understood to include, in addition to its meaning in the Regulation, the EFTA States. Paragraph 11 of Protocol 1 shall apply;
- (c) The EFTA States concerned shall be invited to send observers to the meetings of the Standing Committee on the Food Chain and Animal Health, dealing with matters which fall within acts referred to in the Agreement. The representatives of the EFTA States shall participate fully in the work of the Committee, but shall not have the right to vote;
- (d) The text of Article 12 shall be replaced by the following:

‘The legislation of the EFTA States pertaining to production, import and marketing of food and feed shall comply with the relevant requirements of food law, including effective measures to ensure that products withdrawn from the market in an EU Member State cannot be exported or re-exported to a third country via an EFTA State.’;
- (e) The EFTA Surveillance Authority shall receive the information provided for in Articles 26(3), 32(2), 33(4) and (6), and 34(4);

- (f) Article 29 shall apply with the following adaptations:

An EFTA State may request the Authority to issue a scientific opinion on matters falling within its mission. Such a request shall, in the first place, be addressed to the Commission which shall, where it considers that the request is of common interest, forward it to the Authority with a view to obtaining the opinion requested.

The EFTA Surveillance Authority may request the Authority for scientific opinions in the case. The EFTA Surveillance Authority shall cooperate with the Commission to ensure a harmonised approach;

- (g) Article 31 shall apply with the following adaptation:

The EFTA Surveillance Authority may request the Authority to provide scientific and technical assistance as described in Article 31, on matters falling within its competence pursuant to the Agreement;

- (h) The following shall be added in Article 48:

‘By way of derogation from Article 12(2)(a) of the Conditions of employment of other servants of the European Communities, nationals of the EFTA States enjoying their full rights as citizens may be engaged under contract by the Executive Director of the Authority.’;

- (i) Articles 53 and 54 shall apply with the following adaptations:

1. In the case of food or feed of Community or EFTA State origin the following shall apply:

- (a) If the Community or an EFTA State intends to adopt emergency measures against the other Contracting Parties, it shall inform the other Parties without delay.

The proposed measures shall be notified without delay to each Contracting Party and to both the EC Commission and the EFTA Surveillance Authority.

Without prejudice to the possibility of putting the measures into force immediately, consultations among the EC Commission and the Parties concerned, at the request of any of them, shall take place as soon as possible in order to find appropriate solutions.

In case of disagreement, any of the Parties concerned may refer the matter to the EEA Joint Committee. If an agreement cannot be reached in that Committee, a Contracting Party may adopt appropriate measures. Such measures shall be restricted to what is strictly necessary to remedy the situation. Priority shall be given to such measures as will least disturb the functioning of the Agreement;

- (b) If the EC Commission intends to take a decision on emergency measures concerning part of the territory of the Community, it shall

inform the EFTA Surveillance Authority and the EFTA States without delay.

If the EC Commission takes a decision on emergency measures concerning part of the territory of the Community, the EFTA State concerned, after consultation and after an examination of the situation, shall adopt corresponding measures unless the specific situation of that State indicates that such measures are not justified. In that case, it shall immediately inform the EFTA Surveillance Authority and the EC Commission.

Consultations shall take place as soon as possible in order to find appropriate solutions. In case of disagreement, the fourth subparagraph of paragraph (a) shall apply.

2. In the case of food and feed from a third country the following shall apply:
  - (a) The EFTA States shall simultaneously with the EC Member States take emergency measures corresponding to those taken by the latter on imports from third countries;
  - (b) In the case of any difficulty relating to the application of a Community act, the EFTA State concerned shall immediately report the matter to the EEA Joint Committee;
  - (c) The application of this paragraph is without prejudice to the possibility of an EFTA State taking unilateral emergency measures pending the adoption of the decisions mentioned in (a);
  - (d) The EEA Joint Committee may take note of the Community decisions;
- (j) Article 60 shall be amended as follows:
  1. The following shall be added in paragraph 1:

‘If an EFTA State is of the opinion that a measure taken by an EU Member State is either incompatible with this Regulation or is likely to affect the functioning of the Agreement, it shall refer the matter to the EEA Joint Committee. The same shall apply if an EU Member State is of the opinion that a measure taken by an EFTA State is either incompatible with this Regulation or is likely to affect the functioning of the Agreement.’;
  2. In paragraph 2, first and last sentence, the words ‘the two Member States’ shall read ‘the EFTA State and the EU Member State’ and the term ‘Commission’ shall read ‘EEA Joint Committee’. In the second sentence, the words ‘Commission may’ shall read ‘EEA Joint Committee may, at the request of either of the Contracting Parties’;
- (k) The EFTA States shall contribute financially to the budget of the Authority in accordance with Article 82(1)(a) and Protocol 32 of the Agreement;

(1) The EFTA States shall grant privileges and immunities to the Authority equivalent to those contained in the Protocol on the privileges and immunities of the European Communities.’;

2) the following points shall be inserted after point 29 (Commission Regulation (EC) No 1177/2006) in Part 7.2 of Chapter I of Annex I:

‘30. **32003 R 1304**: Commission Regulation (EC) No 1304/2003 of 11 July 2003 on the procedure applied by the European Food Safety Authority to requests for scientific opinions referred to it (OJ L 185, 24.7.2003, p. 6), Regulation as corrected by OJ L 186, 25.7.2003, p. 46.

31. **32004 D 0478**: Commission Decision 2004/478/EC of 29 April 2004 concerning the adoption of a general plan for food/feed crisis management (OJ L 160, 30.4.2004, p. 98), Decision as corrected by OJ L 212, 12.6.2004, p. 60.

The provisions of Decision 2004/478/EC shall, for the purposes of the Agreement, be read with the following adaptation:

Where the Commission identifies a situation referred to in Article 56(1) of Regulation (EC) No 178/2002 in which an EFTA State is directly concerned and sets up a crisis unit in accordance with Article 56(2) of Regulation (EC) No 178/2002, the crisis coordinator(s) designated by the EFTA State directly concerned and the crisis coordinator designated by the EFTA Surveillance Authority shall take part in the work of the crisis unit.

32. **32004 R 2230**: Commission Regulation (EC) No 2230/2004 of 23 December 2004 laying down detailed rules for the implementation of European Parliament and Council Regulation (EC) No 178/2002 with regard to the network of organisations operating in the fields within the European Food Safety Authority's mission (OJ L 379, 24.12.2004, p. 64).

33. **32006 D 0478**: Council Decision 2006/478/EC of 19 June 2006 appointing half of the members of the Management Board of the European Food Safety Authority (OJ L 189, 12.7.2006, p. 7).’;

3) the following shall be inserted after point 40 (Regulation (EC) No 396/2005 of the European Parliament and of the Council) of Chapter II of Annex I to the Agreement:

‘General food law and the European Food Safety Authority

41. **32002 R 0178**: Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1), as amended by:

– **32003 R 1642**: Regulation (EC) No 1642/2003 of the European Parliament and of the Council of 22 July 2003 (OJ L 245, 29.9.2003, p. 4),

– **32006 R 0575**: Commission Regulation (EC) No 575/2006 of 7 April 2006 (OJ L 100, 8.4.2006, p. 3).

The provisions of Regulation (EC) No 178/2002 shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) The Regulation, and acts adopted pursuant to it, shall apply to Iceland without the transitional period laid down in paragraph 2 of the Introductory Part of Chapter I of Annex I;
- (b) The EFTA States shall participate in the work of the European Food Safety Authority, hereinafter referred to as ‘the Authority’, except for the right to vote. Unless otherwise established hereafter, and notwithstanding the provisions of Protocol 1 to the Agreement, the term ‘Member State(s)’ contained in the Regulation shall be understood to include, in addition to its meaning in the Regulation, the EFTA States. Paragraph 11 of Protocol 1 shall apply;
- (c) The EFTA States concerned shall be invited to send observers to the meetings of the Standing Committee on the Food Chain and Animal Health, dealing with matters which fall within acts referred to in the Agreement. The representatives of the EFTA States shall participate fully in the work of the Committee, but shall not have the right to vote;
- (d) The text of Article 12 shall be replaced by the following:  
  
‘The legislation of the EFTA States pertaining to production, import and marketing of food and feed shall comply with the relevant requirements of food law, including effective measures to ensure that products withdrawn from the market in an EU Member State cannot be exported or re-exported to a third country via an EFTA State.’;
- (e) The EFTA Surveillance Authority shall receive the information provided for in Articles 26(3), 32(2), 33(4) and (6), and 34(4);
- (f) Article 29 shall apply with the following adaptations:  
  
An EFTA State may request the Authority to issue a scientific opinion on matters falling within its mission. Such a request shall, in the first place, be addressed to the Commission which shall, where it considers that the request is of common interest, forward it to the Authority with a view to obtaining the opinion requested.  
  
The EFTA Surveillance Authority may request the Authority for scientific opinions in the case. The EFTA Surveillance Authority shall cooperate with the Commission to ensure a harmonised approach;
- (g) Article 31 shall apply with the following adaptation:  
  
The EFTA Surveillance Authority may request the Authority to provide scientific and technical assistance as described in Article 31, on matters falling within its competence pursuant to the Agreement;
- (h) The following shall be added to Article 48:  
  
‘By way of derogation from Article 12(2)(a) of the Conditions of employment of other servants of the European Communities, nationals of the EFTA States enjoying their full rights as citizens may be engaged under contract by the Executive Director of the Authority.’;



(i) Articles 53 and 54 shall apply with the following adaptations:

1. In the case of food or feed of Community or EFTA State origin, the following shall apply:

(a) If the Community or an EFTA State intends to adopt emergency measures against the other Contracting Parties, it shall inform the other Parties without delay.

The proposed measures shall be notified without delay to each Contracting Party and to both the EC Commission and the EFTA Surveillance Authority.

Without prejudice to the possibility of putting the measures into force immediately, consultations among the EC Commission and the Parties concerned, at the request of any of them, shall take place as soon as possible in order to find appropriate solutions.

In case of disagreement, any of the Parties concerned may refer the matter to the EEA Joint Committee. If an agreement cannot be reached in that Committee, a Contracting Party may adopt appropriate measures. Such measures shall be restricted to what is strictly necessary to remedy the situation. Priority shall be given to such measures as will least disturb the functioning of the Agreement;

(b) If the EC Commission intends to take a decision on emergency measures concerning part of the territory of the Community, it shall inform the EFTA Surveillance Authority and the EFTA States without delay.

If the EC Commission takes a decision on emergency measures concerning part of the territory of the Community, the EFTA State concerned, after consultation and after an examination of the situation, shall adopt corresponding measures unless the specific situation of that State indicates that such measures are not justified. In that case, it shall immediately inform the EFTA Surveillance Authority and the EC Commission.

Consultations shall take place as soon as possible in order to find appropriate solutions. In case of disagreement, the fourth subparagraph of paragraph (a) shall apply.

2. In the case of food and feed from a third country the following shall apply:

(a) The EFTA States shall simultaneously with the EC Member States take emergency measures corresponding to those taken by the latter on imports from third countries;

(b) In the case of any difficulty relating to the application of a Community act, the EFTA State concerned shall immediately report the matter to the EEA Joint Committee;

- (c) The application of this paragraph is without prejudice to the possibility of an EFTA State taking unilateral emergency measures pending the adoption of the decisions mentioned in (a);
  - (d) The EEA Joint Committee may take note of the Community decisions;
- (j) Article 60 shall be amended as follows:
1. The following shall be added in paragraph 1:
 

‘If an EFTA State is of the opinion that a measure taken by an EU Member State is either incompatible with this Regulation or is likely to affect the functioning of the Agreement, it shall refer the matter to the EEA Joint Committee. The same shall apply if an EU Member State is of the opinion that a measure taken by an EFTA State is either incompatible with this Regulation or is likely to affect the functioning of the Agreement.’;
  2. In paragraph 2, first and last sentence, the words ‘the two Member States’ shall read ‘the EFTA State and the EU Member State’ and the term ‘Commission’ shall read ‘EEA Joint Committee’. In the second sentence, the words ‘Commission may’ shall read ‘EEA Joint Committee may, at the request of either of the Contracting Parties.’;
- (k) The EFTA States shall contribute financially to the budget of the Authority in accordance with Article 82(1)(a) and Protocol 32 of the Agreement;
  - (l) The EFTA States shall grant privileges and immunities to the Authority equivalent to those contained in the Protocol on the privileges and immunities of the European Communities;
  - (m) This Regulation shall not apply to Liechtenstein. Consequently Liechtenstein will not participate in the European Food Safety Authority or contribute financially to its operation.
42. **32003 R 1304:** Commission Regulation (EC) No 1304/2003 of 11 July 2003 on the procedure applied by the European Food Safety Authority to requests for scientific opinions referred to it (OJ L 185, 24.7.2003, p. 6), Regulation as corrected by OJ L 186, 25.7.2003, p. 46.
43. **32004 D 0478:** Commission Decision 2004/478/EC of 29 April 2004 concerning the adoption of a general plan for food/feed crisis management (OJ L 160, 30.4.2004, p. 98), Decision as corrected by OJ L 212, 12.6.2004, p. 60.

The provisions of Decision 2004/478/EC shall, for the purposes of the Agreement, be read with the following adaptation:

Where the Commission identifies a situation referred to in Article 56(1) of Regulation (EC) No 178/2002 in which an EFTA State is directly concerned and sets up a crisis unit in accordance with Article 56(2) of Regulation (EC) No 178/2002, the crisis coordinator(s) designated by the EFTA State directly concerned and the crisis coordinator designated by the EFTA Surveillance Authority shall take part in the work of the crisis unit.

44. **32004 R 2230**: Commission Regulation (EC) No 2230/2004 of 23 December 2004 laying down detailed rules for the implementation of European Parliament and Council Regulation (EC) No 178/2002 with regard to the network of organisations operating in the fields within the European Food Safety Authority's mission (OJ L 379, 24.12.2004, p. 64).
45. **32006 D 0478**: Council Decision 2006/478/EC of 19 June 2006 appointing half of the members of the Management Board of the European Food Safety Authority (OJ L 189, 12.7.2006, p. 7).’;

4) the following shall be inserted after point 54zzzb (Commission Regulation (EC) No 2023/2006) of Chapter XII of Annex II to the Agreement:

- ‘54zzzc. **32002 R 0178**: Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1), as amended by:
- **32003 R 1642**: Regulation (EC) No 1642/2003 of the European Parliament and of the Council of 22 July 2003 (OJ L 245, 29.9.2003, p. 4),
  - **32006 R 0575**: Commission Regulation (EC) No 575/2006 of 7 April 2006 (OJ L 100, 8.4.2006, p. 3).

The provisions of Regulation (EC) No 178/2002 shall, for the purposes of the Agreement, be read with the following adaptations:

- (a) The Regulation, and acts adopted pursuant to the Regulation, shall apply to Iceland without the transitional period laid down in paragraph 2 of the Introductory Part of Chapter I of Annex I;
- (b) The EFTA States shall participate in the work of the European Food Safety Authority, hereinafter referred to as ‘the Authority’, except for the right to vote. Unless otherwise established hereafter, and notwithstanding the provisions of Protocol 1 to the Agreement, the term ‘Member State(s)’ contained in the Regulation shall be understood to include, in addition to its meaning in the Regulation, the EFTA States. Paragraph 11 of Protocol 1 shall apply;
- (c) The EFTA States concerned shall be invited to send observers to the meeting of the Standing Committee on the Food Chain and Animal Health, dealing with matters which fall within acts referred to in the Agreement. The representatives of the EFTA States shall participate fully in the work of the Committee, but shall not have the right to vote;
- (d) The text of Article 12 shall be replaced by the following:

‘The legislation of the EFTA States pertaining to production, import and marketing of food and feed shall comply with the relevant requirements of food law, including effective measures to ensure that products withdrawn from the market in an EU Member State cannot be exported or re-exported to a third country via an EFTA State.’;

(e) The EFTA Surveillance Authority shall receive the information provided for in Articles 26(3), 32(2), 33(4) and (6), and 34(4);

(f) Article 29 shall apply with the following adaptations:

An EFTA State may request the Authority to issue a scientific opinion on matters falling within its mission. Such a request shall, in the first place, be addressed to the Commission which shall, where it considers that the request is of common interest, forward it to the Authority with a view to obtaining the opinion requested.

The EFTA Surveillance Authority may request the Authority for scientific opinions in the case. The EFTA Surveillance Authority shall cooperate with the Commission to ensure a harmonised approach;

(g) Article 31 shall apply with the following adaptation:

The EFTA Surveillance Authority may request the Authority to provide scientific and technical assistance as described in Article 31, on matters falling within its competence pursuant to the Agreement;

(h) The following shall be added to Article 48:

‘By way of derogation from Article 12(2)(a) of the Conditions of employment of other servants of the European Communities, nationals of the EFTA States enjoying their full rights as citizens may be engaged under contract by the Executive Director of the Authority.’;

(i) Articles 53 and 54 shall apply with the following adaptations:

1. In the case of food or feed of Community or EFTA State origin the following shall apply:

(a) If the Community or an EFTA State intends to adopt emergency measures against the other Contracting Parties, it shall inform the other Parties without delay.

The proposed measures shall be notified without delay to each Contracting Party and to both the EC Commission and the EFTA Surveillance Authority.

Without prejudice to the possibility of putting the measures into force immediately, consultations among the EC Commission and the Parties concerned, at the request of any of them, shall take place as soon as possible in order to find appropriate solutions.

In case of disagreement, any of the Parties concerned may refer the matter to the EEA Joint Committee. If an agreement cannot be reached in that Committee, a Contracting Party may adopt appropriate measures. Such measures shall be restricted to what is strictly necessary to remedy the situation. Priority shall be given to such measures as will least disturb the functioning of the Agreement;

- (b) If the EC Commission intends to take a decision on emergency measures concerning part of the territory of the Community, it shall inform the EFTA Surveillance Authority and the EFTA States without delay.

If the EC Commission takes a decision on emergency measures concerning part of the territory of the Community, the EFTA State concerned, after consultation and after an examination of the situation, shall adopt corresponding measures unless the specific situation of that State indicates that such measures are not justified. In that case, it shall immediately inform the EFTA Surveillance Authority and the EC Commission.

Consultations shall take place as soon as possible in order to find appropriate solutions. In case of disagreement, the fourth subparagraph of paragraph (a) shall apply.

- 2. In the case of food and feed from a third country the following shall apply:
  - (a) The EFTA States shall simultaneously with the EC Member States take emergency measures corresponding to those taken by the latter on imports from third countries;
  - (b) In the case of any difficulty relating to the application of a Community act, the EFTA State concerned shall immediately report the matter to the EEA Joint Committee;
  - (c) The application of this paragraph is without prejudice to the possibility of an EFTA State taking unilateral emergency measures pending the adoption of the decisions mentioned in (a);
  - (d) The EEA Joint Committee may take note of the Community decisions;

- (j) Article 60 shall be amended as follows:

- 1. The following shall be added to paragraph 1:

‘If an EFTA State is of the opinion that a measure taken by an EU Member State is either incompatible with this Regulation or is likely to affect the functioning of the Agreement, it shall refer the matter to the EEA Joint Committee. The same shall apply if an EU Member State is of the opinion that a measure taken by an EFTA State is either incompatible with this Regulation or is likely to affect the functioning of the Agreement.’;

- 2. In paragraph 2, first and last sentence, the words ‘the two Member States’ shall read ‘the EFTA State and the EU Member State’ and the term ‘Commission’ shall read ‘EEA Joint Committee’. In the second sentence, the words ‘Commission may’ shall read ‘EEA Joint Committee may, at the request of either of the Contracting Parties.’;

- (k) The EFTA States shall contribute financially to the budget of the Authority in accordance with Article 82(1) (a) and Protocol 32 of the Agreement;
- (l) The EFTA States shall grant privileges and immunities to the Authority equivalent to those contained in the Protocol on the privileges and immunities of the European Communities;
- (m) This Regulation shall not apply to Liechtenstein. Consequently Liechtenstein will not participate in the European Food Safety Authority or contribute financially to its operation.

54zzzd. **32003 R 1304**: Commission Regulation (EC) No 1304/2003 of 11 July 2003 on the procedure applied by the European Food Safety Authority to requests for scientific opinions referred to it (OJ L 185, 24.7.2003, p. 6), Regulation as corrected by OJ L 186, 25.7.2003, p. 46.

54zzze. **32004 D 0478**: Commission Decision 2004/478/EC of 29 April 2004 concerning the adoption of a general plan for food/feed crisis management (OJ L 160, 30.4.2004, p. 98), Decision as corrected by OJ L 212, 12.6.2004, p. 60.

The provisions of Decision 2004/478/EC shall, for the purposes of the Agreement, be read with the following adaptation:

Where the Commission identifies a situation referred to in Article 56(1) of Regulation (EC) No 178/2002 in which an EFTA State is directly concerned and sets up a crisis unit in accordance with Article 56(2) of Regulation (EC) No 178/2002, the crisis coordinator(s) designated by the EFTA State directly concerned and the crisis coordinator designated by the EFTA Surveillance Authority shall take part in the work of the crisis unit.

54zzzf. **32004 R 2230**: Commission Regulation (EC) No 2230/2004 of 23 December 2004 laying down detailed rules for the implementation of European Parliament and Council Regulation (EC) No 178/2002 with regard to the network of organisations operating in the fields within the European Food Safety Authority's mission (OJ L 379, 24.12.2004, p. 64).

54zzzg. **32006 D 0478**: Council Decision 2006/478/EC of 19 June 2006 appointing half of the members of the Management Board of the European Food Safety Authority (OJ L 189, 12.7.2006, p. 7).'

**DECLARATION  
BY THE EFTA STATES  
CONCERNING ARTICLE 12 OF REGULATION (EC) No 178/2002  
ON GENERAL FOOD LAW AND  
THE EUROPEAN FOOD SAFETY AUTHORITY**

The EEA Agreement does not entail a common trade policy with regard to export of food and feed to third countries. The EFTA States wish to state, however, that they consider their national legislation and procedures to be fully in line with the provisions of EU legislation as laid down in Article 12 of Regulation (EC) No 178/2002. Furthermore, the EFTA States are prepared to inform the Commission of any changes to national legislation related to exports of food and feed to third countries.

**JOINT DECLARATION  
BY THE CONTRACTING PARTIES  
ON THE PARTICIPATION OF THE EFTA SURVEILLANCE AUTHORITY  
IN THE ADVISORY FORUM OF  
THE EUROPEAN FOOD SAFETY AUTHORITY (EFSA)**

The Parties note that for the purpose of the integration of Regulation (EC) No 178/2002 into the EEA Agreement, the EFTA Surveillance Authority may be invited as observer by the Executive Director to the meetings of the Advisory Forum.



**DECLARATION  
BY THE GOVERNMENT OF NORWAY  
ON EQUIVALENCE AGREEMENTS  
REGULATION (EC) No 178/2002 ON GENERAL FOOD LAW  
AND THE EUROPEAN FOOD SAFETY AUTHORITY**

If Norway negotiates equivalence agreements in the veterinary field with third countries having equivalence agreements with the European Union, Norway undertakes to negotiate agreements that are parallel to those of the Community in order to avoid discrepancies.

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**DECISION OF THE EEA JOINT COMMITTEE**  
**No 135/2007**

**of 26 October 2007**

**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 99/2007 of 28 September 2007<sup>1</sup>.
- (2) Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption<sup>2</sup>, as corrected by OJ L 30, 3.2.2007, p. 3, is to be incorporated into the Agreement.
- (3) Directive 2002/33/EC of the European Parliament and of the Council of 21 October 2002 amending Council Directives 90/425/EEC and 92/118/EEC as regards health requirements for animal by-products<sup>3</sup> is to be incorporated into the Agreement.
- (4) Commission Regulation (EC) No 808/2003 of 12 May 2003 amending Regulation (EC) No 1774/2002 of the European Parliament and of the Council laying down health rules concerning animal by-products not intended for human consumption<sup>4</sup> is to be incorporated into the Agreement.
- (5) Commission Regulation (EC) No 809/2003 of 12 May 2003 on transitional measures under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the processing standards for category 3 material and manure used in composting plants<sup>5</sup> is to be incorporated into the Agreement.
- (6) Commission Regulation (EC) No 810/2003 of 12 May 2003 on transitional measures under Regulation (EC) No 1774/2002 of the European Parliament and of the Council

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<sup>1</sup> OJ L 47, 21.2.2008, p. 10.

<sup>2</sup> OJ L 273, 10.10.2002, p. 1.

<sup>3</sup> OJ L 315, 19.11.2002, p. 14.

<sup>4</sup> OJ L 117, 13.5.2003, p. 1.

<sup>5</sup> OJ L 117, 13.5.2003, p. 10.

as regards processing standards for category 3 material and manure used in biogas plants<sup>6</sup> is to be incorporated into the Agreement.

- (7) Commission Regulation (EC) No 811/2003 of 12 May 2003 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the intra-species recycling ban for fish, the burial and burning of animal by-products and certain transitional measures<sup>7</sup> is to be incorporated into the Agreement.
- (8) Commission Regulation (EC) No 446/2004 of 10 March 2004 repealing a number of Decisions concerning animal by-products<sup>8</sup> is to be incorporated into the Agreement.
- (9) Commission Regulation (EC) No 668/2004 of 10 March 2004 amending certain Annexes to Regulation (EC) No 1774/2002 of the European Parliament and of the Council, as regards the importation from third countries of animal by-products<sup>9</sup>, as corrected by OJ L 109, 22.4.2006, p. 12, is to be incorporated into the Agreement.
- (10) Commission Regulation (EC) No 878/2004 of 29 April 2004 laying down transitional measures in accordance with Regulation (EC) No 1774/2002 for certain animal by-products classified as Category 1 and 2 materials and intended for technical purposes<sup>10</sup> is to be incorporated into the Agreement.
- (11) Commission Regulation (EC) No 92/2005 of 19 January 2005 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards means of disposal or uses of animal by-products and amending its Annex VI as regards biogas transformation and processing of rendered fats<sup>11</sup> is to be incorporated into the Agreement.
- (12) Commission Regulation (EC) No 93/2005 of 19 January 2005 amending Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards processing of animal by-products of fish origin and commercial documents for the transportation of animal by-products<sup>12</sup> is to be incorporated into the Agreement.
- (13) Commission Regulation (EC) No 2067/2005 of 16 December 2005 amending Regulation (EC) No 92/2005 as regards alternative means of disposal and use of animal by-products<sup>13</sup> is to be incorporated into the Agreement.
- (14) Commission Regulation (EC) No 209/2006 of 7 February 2006 amending Regulations (EC) No 809/2003 and (EC) No 810/2003 as regards the extension of the validity of the transitional measures for composting and biogas plants under Regulation (EC) No 1774/2002 of the European Parliament and of the Council<sup>14</sup> is to be incorporated into the Agreement.

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<sup>6</sup> OJ L 117, 13.5.2003, p. 12.

<sup>7</sup> OJ L 117, 13.5.2003, p. 14.

<sup>8</sup> OJ L 72, 11.3.2004, p. 62.

<sup>9</sup> OJ L 112, 19.4.2004, p. 1.

<sup>10</sup> OJ L 162, 30.4.2004, p. 62.

<sup>11</sup> OJ L 19, 21.1.2005, p. 27.

<sup>12</sup> OJ L 19, 21.1.2005, p. 34.

<sup>13</sup> OJ L 331, 17.12.2005, p. 12.

<sup>14</sup> OJ L 36, 8.2.2006, p. 32.

- (15) Commission Regulation (EC) No 1192/2006 of 4 August 2006 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards lists of approved plants in Member States<sup>15</sup> is to be incorporated into the Agreement.
- (16) Commission Regulation (EC) No 1678/2006 of 14 November 2006 amending Regulation (EC) No 92/2005 as regards alternative means of disposal of and use of animal by-products<sup>16</sup> is to be incorporated into the Agreement.
- (17) Commission Regulation (EC) No 1877/2006 of 18 December 2006 amending Regulation (EC) No 878/2004 laying down transitional measures in accordance with Regulation (EC) No 1774/2002 for certain animal by-products classified as Category 1 and 2 materials and intended for technical purposes<sup>17</sup> is to be incorporated into the Agreement.
- (18) Commission Regulation (EC) No 2007/2006 of 22 December 2006 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the importation and transit of certain intermediate products derived from Category 3 material intended for technical uses in medical devices, in vitro diagnostics and laboratory reagents and amending that Regulation<sup>18</sup> is to be incorporated into the Agreement.
- (19) Regulation (EC) No 1774/2002 repeals Council Directive 90/667/EEC<sup>19</sup>, Council Decision 95/348/EC<sup>20</sup> and Council Decision 1999/534/EC<sup>21</sup>, which are incorporated into the Agreement and which are consequently to be repealed under the Agreement.
- (20) Regulation (EC) No 446/2004 repeals Commission Decisions 92/562/EEC<sup>22</sup>, 97/735/EC<sup>23</sup> and 2001/25/EC<sup>24</sup>, which are incorporated into the Agreement and which are consequently to be repealed under the Agreement.
- (21) This Decision is not to apply to Liechtenstein.
- (22) This Decision shall apply to Iceland with the transitional period specified in paragraph 2 of the Introductory Part of Chapter I of Annex I for the areas which did not apply to Iceland prior to the review of this Chapter by Decision of the EEA Joint Committee No 133/2007 of 26 October 2007,

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<sup>15</sup> OJ L 215, 5.8.2006, p. 10.

<sup>16</sup> OJ L 314, 15.11.2006, p. 4.

<sup>17</sup> OJ L 360, 19.12.2006, p. 133.

<sup>18</sup> OJ L 379, 28.12.2006, p. 98.

<sup>19</sup> OJ L 363, 27.12.1990, p. 51.

<sup>20</sup> OJ L 202, 26.8.1995, p. 8.

<sup>21</sup> OJ L 204, 4.8.1999, p. 37.

<sup>22</sup> OJ L 359, 9.12.1992, p. 23.

<sup>23</sup> OJ L 294, 28.10.1997, p. 7.

<sup>24</sup> OJ L 6, 11.1.2001, p. 16.

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) Nos 1774/2002, as corrected by OJ L 30, 3.2.2007, p. 3, 808/2003, 809/2003, 810/2003, 811/2003, 446/2004, 668/2004, as corrected by OJ L 109, 22.4.2006, p. 12, 878/2004, 92/2005, 93/2005, 2067/2005, 209/2006, 1192/2006, 1678/2006, 1877/2006 and 2007/2006 and Directive 2002/33/EC 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 27 October 2007, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee\* or at the day of the entry into force of the Decision on the EEA Joint Committee No 133/2007 of 26 October 2007, whichever is the later.

*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, 26 October 2007.

*For the EEA Joint Committee  
The President*

*Stefán Haukur Jóhannesson*

*The Secretaries  
to the EEA Joint Committee*

*Bergdis Ellertsdóttir Matthias Brinkmann*

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\* Constitutional requirements indicated.

## ANNEX

### to Decision of the EEA Joint Committee No 135/2007

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

1. The following point shall be inserted after point 9a (Council Decision 1999/534/EC) in Part 7.1:
  - ‘9b. **32002 R 1774**: Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption (OJ L 273, 10.10.2002, p. 1), as corrected by OJ L 30, 3.2.2007, p. 3, as amended by:
    - **32003 R 0808**: Commission Regulation (EC) No 808/2003 of 12 May 2003 (OJ L 117, 13.5.2003, p. 1),
    - **32004 R 0668**: Commission Regulation (EC) No 668/2004 of 10 March 2004 (OJ L 112, 19.4.2004, p. 1), as corrected by OJ L 109, 22.4.2006, p. 12,
    - **32005 R 0092**: Commission Regulation (EC) No 92/2005 of 19 January 2005 (OJ L 19, 21.1.2005, p. 27),
    - **32005 R 0093**: Commission Regulation (EC) No 93/2005 of 19 January 2005 (OJ L 19, 21.1.2005, p. 34).’
2. The heading ‘**Animal waste, pathogens**’ in Part 7.1 shall be replaced by the heading ‘**Animal by-products not intended for human consumption**’.
3. The following indent shall be added in points 2 (Council Directive 90/425/EEC) in Part 1.1, 7 (Council Directive 92/118/EC) in Part 5.1 and 16 (Council Directive 92/118/EC) in Part 8.1:
  - ‘- **32002 L 0033**: Directive 2002/33/EC of the European Parliament and of the Council of 21 October 2002 (OJ L 315, 19.11.2002, p. 14).’
4. The following points shall be inserted after point 33 (Council Decision 2006/478/EC) in Part 7.2:
  - ‘34. **32003 R 0809**: Commission Regulation (EC) No 809/2003 of 12 May 2003 on transitional measures under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the processing standards for category 3 material and manure used in composting plants (OJ L 117, 13.5.2003, p. 10), as amended by:
    - **32006 R 0209**: Commission Regulation (EC) No 209/2006 of 7 February 2006 (OJ L 36, 8.2.2006, p. 32).
  35. **32003 R 0810**: Commission Regulation (EC) No 810/2003 of 12 May 2003 on transitional measures under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards processing standards for category 3

material and manure used in biogas plants (OJ L 117, 13.5.2003, p. 12), as amended by:

- **32006 R 0209**: Commission Regulation (EC) No 209/2006 of 7 February 2006 (OJ L 36, 8.2.2006, p. 32).
36. **32003 R 0811**: Commission Regulation (EC) No 811/2003 of 12 May 2003 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the intra-species recycling ban for fish, the burial and burning of animal by-products and certain transitional measures (OJ L 117, 13.5.2003, p. 14).
37. **32004 R 0446**: Commission Regulation (EC) No 446/2004 of 10 March 2004 repealing a number of Decisions concerning animal by-products (OJ L 72, 11.3.2004, p. 62).
38. **32004 R 0878**: Commission Regulation (EC) No 878/2004 of 29 April 2004 laying down transitional measures in accordance with Regulation (EC) No 1774/2002 for certain animal by-products classified as Category 1 and 2 materials and intended for technical purposes (OJ L 162, 30.4.2004, p. 62), as amended by:
- **32006 R 1877**: Commission Regulation (EC) No 1877/2006 of 18 December 2006 (OJ L 360, 19.12.2006, p. 133).
39. **32005 R 0092**: Commission Regulation (EC) No 92/2005 of 19 January 2005 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards means of disposal or uses of animal by-products and amending its Annex VI as regards biogas transformation and processing of rendered fats (OJ L 19, 21.1.2005, p. 27), as amended by:
- **32005 R 2067**: Commission Regulation (EC) No 2067/2005 of 16 December 2005 (OJ L 331, 17.12.2005, p. 12).
  - **32006 R 1678**: Commission Regulation (EC) No 1678/2006 of 14 November 2006 (OJ L 314, 15.11.2006, p. 4).
40. **32006 R 1192**: Commission Regulation (EC) No 1192/2006 of 4 August 2006 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards lists of approved plants in Member States (OJ L 215, 5.8.2006, p. 10).
41. **32006 R 2007**: Commission Regulation (EC) No 2007/2006 of 22 December 2006 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the importation and transit of certain intermediate products derived from Category 3 material intended for technical uses in medical devices, in vitro diagnostics and laboratory reagents and amending that Regulation (OJ L 379, 28.12.2006, p. 98).'
5. The text of points 9 (Council Directive 90/667/EEC) and 9a (Council Decision 1999/534/EC) in Part 7.1 and points 7 (Commission Decision 92/562/EEC) and 11 (Council Decision 95/348/EC) in Part 7.2 shall be deleted.

**DECISION OF THE EEA JOINT COMMITTEE**  
**No 136/2007**

**of 26 October 2007**

**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 99/2007 of 28 September 2007<sup>1</sup>.
- (2) Commission Decision 2003/322/EC of 12 May 2003 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the feeding of certain necrophagous birds with certain category 1 materials<sup>2</sup> is to be incorporated into the Agreement.
- (3) Commission Decision 2003/324/EC of 12 May 2003 as regards a derogation from the intra-species recycling ban for fur animals under Regulation (EC) No 1774/2002 of the European Parliament and of the Council<sup>3</sup> is to be incorporated into the Agreement.
- (4) Commission Decision 2004/407/EC of 26 April 2004 on transitional sanitary and certification rules under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards imports from certain third countries of photographic gelatine<sup>4</sup>, as corrected by OJ L 208, 10.6.2004, p. 9 and OJ L 396, 31.12.2004, p. 63, is to be incorporated into the Agreement.
- (5) Commission Decision 2004/434/EC of 29 April 2004 adapting Decision 2003/324/EC as regards a derogation from the intra-species recycling ban for fur animals under Regulation (EC) No 1774/2002 of the European Parliament and of the Council by reason of the accession of Estonia<sup>5</sup>, as corrected by OJ L 189, 27.5.2004, p. 43, is to be incorporated into the Agreement.

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<sup>1</sup> OJ L 47, 21.2.2008, p. 10.

<sup>2</sup> OJ L 117, 13.5.2003, p. 32.

<sup>3</sup> OJ L 117, 13.5.2003, p. 37.

<sup>4</sup> OJ L 151, 30.4.2004, p. 11.

<sup>5</sup> OJ L 154, 30.4.2004, p. 54.



- (6) Commission Decision 2004/455/EC of 29 April 2004 adapting Decision 2003/322/EC implementing Regulation (EC) No 1774/2002 as regards the feeding of certain necrophagous birds with certain Category 1 materials by reason of the accession of Cyprus<sup>6</sup>, as corrected by OJ L 202, 7.6.2004, p. 31, is to be incorporated into the Agreement.
- (7) Commission Regulation (EC) No 79/2005 of 19 January 2005 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the use of milk, milk-based products and milk-derived products, defined as Category 3 material in that Regulation<sup>7</sup> is to be incorporated into the Agreement.
- (8) Commission Regulation (EC) No 416/2005 of 11 March 2005 amending Annex XI to Regulation (EC) No 1774/2002 of the European Parliament and of the Council, as regards the importation from Japan of certain animal by-products intended for technical purposes<sup>8</sup> is to be incorporated into the Agreement.
- (9) Commission Decision 2005/830/EC of 25 November 2005 amending Decision 2003/322/EC as regards the feeding of certain necrophagous birds with certain category 1 material<sup>9</sup> is to be incorporated into the Agreement.
- (10) Commission Regulation (EC) No 181/2006 of 1 February 2006 implementing Regulation (EC) No 1774/2002 as regards organic fertilisers and soil improvers other than manure and amending that Regulation<sup>10</sup> is to be incorporated into the Agreement.
- (11) Commission Regulation (EC) No 197/2006 of 3 February 2006 on transitional measures under Regulation (EC) No 1774/2002 as regards the collection, transport, treatment, use and disposal of former foodstuffs<sup>11</sup> is to be incorporated into the Agreement.
- (12) Commission Regulation (EC) No 208/2006 of 7 February 2006 amending Annexes VI and VIII to Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards processing standards for biogas and composting plants and requirements for manure<sup>12</sup> is to be incorporated into the Agreement.
- (13) Commission Decision 2006/311/EC of 21 April 2006 amending Commission Decision 2004/407/EC as regards imports of photographic gelatine<sup>13</sup> is to be incorporated into the Agreement.
- (14) This Decision is not to apply to Liechtenstein.
- (15) This Decision shall apply to Iceland with the transitional period specified in paragraph 2 of the Introductory Part of Chapter I of Annex I for the areas which did not apply to

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<sup>6</sup> OJ L 156, 30.4.2004, p. 41.

<sup>7</sup> OJ L 16, 20.1.2005, p. 46.

<sup>8</sup> OJ L 66, 12.3.2005, p. 10.

<sup>9</sup> OJ L 311, 26.11.2005, p. 40.

<sup>10</sup> OJ L 29, 2.2.2006, p. 31.

<sup>11</sup> OJ L 32, 4.2.2006, p. 13.

<sup>12</sup> OJ L 36, 8.2.2006, p. 25.

<sup>13</sup> OJ L 115, 28.4.2006, p. 40.

Iceland prior to the review of this Chapter by Decision of the EEA Joint Committee No 133/2007 of 26 October 2007,

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) Nos 79/2005, 416/2005, 181/2006, 197/2006 and 208/2006 and Decisions 2003/322/EC, 2003/324/EC, 2004/407/EC, as corrected by OJ L 208, 10.6.2004, p. 9 and OJ L 396, 31.12.2004, p. 63, 2004/434/EC, as corrected by OJ L 189, 27.5.2004, p. 43, 2004/455/EC, as corrected by OJ L 202, 7.6.2004, p. 31, 2005/830/EC, and 2006/311/EC 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 27 October 2007, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee\* or at the day of the entry into force of the Decision on the EEA Joint Committee No 133/2007 of 26 October 2007, whichever is the later.

*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, 26 October 2007.

*For the EEA Joint Committee  
The President*

*Stefán Haukur Jóhannesson*

*The Secretaries  
to the EEA Joint Committee*

*Bergdis Ellertsdóttir Matthias Brinkmann*

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\* Constitutional requirements indicated.

## ANNEX

### to Decision of the EEA Joint Committee No 136/2007

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

1. The following indents shall be added in point 9b (Regulation (EC) No 1774/2002 of the European Parliament and of the Council) in Part 7.1:
  - ‘- **32005 R 0416**: Commission Regulation (EC) No 416/2005 of 11 March 2005 (OJ L 66, 12.3.2005, p. 10),
  - **32006 R 0181**: Commission Regulation (EC) No 181/2006 of 1 February 2006 (OJ L 29, 2.2.2006, p. 31),
  - **32006 R 0208**: Commission Regulation (EC) No 208/2006 of 7 February 2006 (OJ L 36, 8.2.2006, p. 25).’
  
2. The following shall be inserted after point 41 (Commission Regulation (EC) No 2007/2006) in Part 7.2:
  - ‘42. **32004 D 0407**: Commission Decision 2004/407/EC of 26 April 2004 on transitional sanitary and certification rules under Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards imports from certain third countries of photographic gelatine (OJ L 151, 30.4.2004, p. 11), as corrected by OJ L 208, 10.6.2004, p. 9 and OJ L 396, 31.12.2004, p. 63, as amended by:
    - **32006 D 0311**: Commission Decision 2006/311/EC of 21 April 2006 (OJ L 115, 28.4.2006, p. 40).
  43. **32005 R 0079**: Commission Regulation (EC) No 79/2005 of 19 January 2005 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the use of milk, milk-based products and milk-derived products, defined as Category 3 material in that Regulation (OJ L 16, 20.1.2005, p. 46).
  44. **32006 R 0181**: Commission Regulation (EC) No 181/2006 of 1 February 2006 implementing Regulation (EC) No 1774/2002 as regards organic fertilisers and soil improvers other than manure and amending that Regulation (OJ L 29, 2.2.2006, p. 31).
  45. **32006 R 0197**: Commission Regulation (EC) No 197/2006 of 3 February 2006 on transitional measures under Regulation (EC) No 1774/2002 as regards the collection, transport, treatment, use and disposal of former foodstuffs (OJ L 32, 4.2.2006, p. 13).’
  
3. Under the heading *‘ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT’* in Part 7.2, the following shall be inserted after point 41 (Commission Decision 2005/598/EC):

**‘Animal by-products not intended for human consumption**

42. **32003 D 0322:** Commission Decision 2003/322/EC of 12 May 2003 implementing Regulation (EC) No 1774/2002 of the European Parliament and of the Council as regards the feeding of certain necrophagous birds with certain category 1 materials (OJ L 117, 13.5.2003, p. 32), as amended by:
- **32004 D 0455:** Commission Decision 2004/455/EC of 29 April 2004 (OJ L 156, 30.4.2004, p. 41), as corrected by OJ L 202, 7.6.2004, p. 31,
  - **32005 D 0830:** Commission Decision 2005/830/EC of 25 November 2005 (OJ L 311, 26.11.2005, p. 40).
43. **32003 D 0324:** Commission Decision 2003/324/EC of 12 May 2003 as regards a derogation from the intra-species recycling ban for fur animals under Regulation (EC) No 1774/2002 of the European Parliament and of the Council (OJ L 117, 13.5.2003, p. 37), as amended by:
- **32004 D 0434:** Commission Decision 2004/434/EC of 29 April 2004 (OJ L 154, 30.4.2004, p. 54), as corrected by OJ L 189, 27.5.2004, p.43.'

**DECISION OF THE EEA JOINT COMMITTEE**  
**No 137/2007**

**of 26 October 2007**

**amending Annex I (Veterinary and phytosanitary matters) and  
Annex II (Technical regulations, standards, testing and certification) 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 100/2007 of 28 September 2007<sup>1</sup>.
- (2) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 104/2007 of 28 September 2007<sup>2</sup>.
- (3) Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs<sup>3</sup>, as corrected by OJ L 226, 25.6.2004, p. 3, is to be incorporated into the Agreement.
- (4) Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin<sup>4</sup>, as corrected by OJ L 226, 25.6.2004, p. 22, is to be incorporated into the Agreement.
- (5) Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption<sup>5</sup>, as corrected by OJ L 226, 25.6.2004, p. 83, is to be incorporated into the Agreement.
- (6) Directive 2004/41/EC of the European Parliament and of the Council of 21 April 2004 repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC

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<sup>1</sup> OJ L 47, 21.2.2008, p. 12.

<sup>2</sup> OJ L 47, 21.2.2008, p. 21.

<sup>3</sup> OJ L 139, 30.4.2004, p. 1.

<sup>4</sup> OJ L 139, 30.4.2004, p. 55.

<sup>5</sup> OJ L 139, 30.4.2004, p. 206.

and Council Decision 95/408/EC<sup>6</sup>, as corrected by OJ L 195, 2.6.2004, p. 12, is to be incorporated into the Agreement.

- (7) Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules<sup>7</sup>, as corrected by OJ L 191, 28.5.2004, p. 1, is to be incorporated into the Agreement.
- (8) Commission Regulation (EC) No 1688/2005 of 14 October 2005 implementing Regulation (EC) No 853/2004 of the European Parliament and of the Council as regards special guarantees concerning salmonella for consignments to Finland and Sweden of certain meat and eggs<sup>8</sup> is to be incorporated into the Agreement.
- (9) Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs<sup>9</sup>, as corrected by OJ L 278, 10.10.2006, p. 32 and OJ L 283, 14.10.2006, p. 62, is to be incorporated into the Agreement.
- (10) Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004<sup>10</sup> is to be incorporated into the Agreement.
- (11) Commission Regulation (EC) No 2075/2005 of 5 December 2005 laying down specific rules on official controls for *Trichinella* in meat<sup>11</sup> is to be incorporated into the Agreement.
- (12) Commission Regulation (EC) No 2076/2005 of 5 December 2005 laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004<sup>12</sup> is to be incorporated into the Agreement.
- (13) Commission Regulation (EC) No 401/2006 of 23 February 2006 laying down the methods of sampling and analysis for the official control of the levels of mycotoxins in foodstuffs<sup>13</sup> is to be incorporated into the Agreement.
- (14) Commission Regulation (EC) No 776/2006 of 23 May 2006 amending Annex VII to Regulation (EC) No 882/2004 of the European Parliament and of the Council as regards Community reference laboratories<sup>14</sup> is to be incorporated into the Agreement.

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<sup>6</sup> OJ L 157, 30.4.2004, p. 33.

<sup>7</sup> OJ L 165, 30.4.2004, p. 1.

<sup>8</sup> OJ L 271, 15.10.2005, p. 17.

<sup>9</sup> OJ L 338, 22.12.2005, p. 1.

<sup>10</sup> OJ L 338, 22.12.2005, p. 27.

<sup>11</sup> OJ L 338, 22.12.2005, p. 60.

<sup>12</sup> OJ L 338, 22.12.2005, p. 83.

<sup>13</sup> OJ L 70, 9.3.2006, p. 12.

- (15) Commission Decision 2006/677/EC of 29 September 2006 setting out the guidelines laying down criteria for the conduct of audits under Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls to verify compliance with feed and food law, animal health and animal welfare rules<sup>15</sup> is to be incorporated into the Agreement.
- (16) Commission Regulation (EC) No 1662/2006 of 6 November 2006 amending Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin<sup>16</sup> is to be incorporated into the Agreement.
- (17) Commission Regulation (EC) No 1663/2006 of 6 November 2006 amending Regulation (EC) No 854/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption<sup>17</sup> is to be incorporated into the Agreement.
- (18) Commission Regulation (EC) No 1664/2006 of 6 November 2006 amending Regulation (EC) No 2074/2005 as regards implementing measures for certain products of animal origin intended for human consumption and repealing certain implementing measures<sup>18</sup> is to be incorporated into the Agreement.
- (19) Commission Regulation (EC) No 1665/2006 of 6 November 2006 amending Regulation (EC) No 2075/2005 laying down specific rules on official controls for Trichinella in meat<sup>19</sup> is to be incorporated into the Agreement.
- (20) Commission Regulation (EC) No 1666/2006 of 6 November 2006 amending Regulation (EC) No 2076/2005 laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council<sup>20</sup> is to be incorporated into the Agreement.
- (21) Commission Decision 2006/765/EC of 6 November 2006 repealing certain implementing acts concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption<sup>21</sup> is to be incorporated into the Agreement.
- (22) Regulation (EC) No 852/2004 repeals Council Directive 93/43/EEC<sup>22</sup>, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.
- (23) Directive 2004/41/EC repeals several acts which are incorporated into the Agreement and which are consequently to be repealed under the Agreement.

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<sup>14</sup> OJ L 136, 24.5.2006, p. 3.

<sup>15</sup> OJ L 278, 10.10.2006, p. 15.

<sup>16</sup> OJ L 320, 18.11.2006, p. 1.

<sup>17</sup> OJ L 320, 18.11.2006, p. 11.

<sup>18</sup> OJ L 320, 18.11.2006, p. 13.

<sup>19</sup> OJ L 320, 18.11.2006, p. 46.

<sup>20</sup> OJ L 320, 18.11.2006, p. 47.

<sup>21</sup> OJ L 320, 18.11.2006, p. 50.

<sup>22</sup> OJ L 175, 19.7.1993, p. 1.

- (24) Regulation (EC) No 882/2004 repeals Council Directives 70/373/EEC<sup>23</sup>, 85/73/EEC<sup>24</sup>, 85/591/EEC<sup>25</sup>, 89/397/EEC<sup>26</sup>, 93/99/EEC<sup>27</sup>, 95/53/EC<sup>28</sup> and Council Decisions 93/383/EEC<sup>29</sup>, 98/728/EC<sup>30</sup> and 1999/313/EC<sup>31</sup>, which are incorporated into the Agreement and which are consequently to be repealed under the Agreement.
- (25) Regulation (EC) No 1688/2005 repeals Commission Decision 95/168/EC<sup>32</sup>, Council Decisions 95/409/EC<sup>33</sup>, 95/411/EC<sup>34</sup> and Commission Decision 2003/470/EC<sup>35</sup>, which are incorporated into the Agreement and which are consequently to be repealed under the Agreement.
- (26) Regulation (EC) No 2073/2005 repeals Commission Decision 93/51/EEC<sup>36</sup> which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.
- (27) Regulation (EC) No 401/2006 repeals Commission Directives 98/53/EC<sup>37</sup>, 2002/26/EC<sup>38</sup>, 2003/78/EC<sup>39</sup> and 2005/38/EC<sup>40</sup>, which are incorporated into the Agreement and which are consequently to be repealed under the Agreement.
- (28) Regulation (EC) No 1664/2006 repeals Commission Decision 91/180/EEC<sup>41</sup>, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.
- (29) Decision 2006/765/EC repeals several acts which are incorporated into the Agreement and which are consequently to be repealed under the Agreement.
- (30) This Decision is not to apply to Liechtenstein.
- (31) This Decision shall apply to Iceland with the transitional period specified in paragraph 2 of the Introductory Part of Chapter I of Annex I for the areas which did not apply to Iceland prior to the review of this Chapter by Decision of the EEA Joint Committee No 133/2007 of 26 October 2007,

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<sup>23</sup> OJ L 170, 3.8.1970, p. 2.

<sup>24</sup> OJ L 32, 5.2.1985, p. 14.

<sup>25</sup> OJ L 372, 31.12.1985, p. 50.

<sup>26</sup> OJ L 186, 30.6.1989, p. 23.

<sup>27</sup> OJ L 290, 24.11.1993, p. 14.

<sup>28</sup> OJ L 265, 8.11.1995, p. 17.

<sup>29</sup> OJ L 166, 8.7.1993, p. 31.

<sup>30</sup> OJ L 346, 22.12.1998, p. 51.

<sup>31</sup> OJ L 120, 8.5.1999, p. 40.

<sup>32</sup> OJ L 109, 16.5.1995, p. 44.

<sup>33</sup> OJ L 243, 11.10.1995, p. 21.

<sup>34</sup> OJ L 243, 11.10.1995, p. 29.

<sup>35</sup> OJ L 157, 26.6.2003, p. 66.

<sup>36</sup> OJ L 13, 21.1.1993, p. 11.

<sup>37</sup> OJ L 201, 17.7.1998, p. 93.

<sup>38</sup> OJ L 75, 16.3.2002, p. 38.

<sup>39</sup> OJ L 203, 12.8.2003, p. 40.

<sup>40</sup> OJ L 143, 7.6.2005, p. 18.

<sup>41</sup> OJ L 93, 13.4.1991, p. 1.



HAS DECIDED AS FOLLOWS:

*Article 1*

Annexes I and II to the Agreement shall be amended as specified in the Annex to this Decision.

*Article 2*

The texts of Regulations (EC) Nos 852/2004, as corrected by OJ L 226, 25.6.2004, p. 3, 853/2004, as corrected by OJ L 226, 25.6.2004, p. 22, 854/2004, as corrected by OJ L 226, 25.6.2004, p. 83, 882/2004, as corrected by OJ L 191, 28.5.2004, p. 1, 1688/2005, 2073/2005, as corrected by OJ L 278, 10.10.2006, p. 32 and OJ L 283, 14.10.2006, p. 62, 2074/2005, 2075/2005, 2076/2005, 401/2006, 776/2006, 1662/2006, 1663/2006, 1664/2006, 1665/2006 and 1666/2006, and Directive 2004/41/EC, as corrected by OJ L 195, 2.6.2004, p. 12, and Decisions 2006/677/EC and 2006/765/EC 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 27 October 2007, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee\* or at the day of the entry into force of the Decision on the EEA Joint Committee No 133/2007 of 26 October 2007, whichever is the later.

*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, 26 October 2007.

*For the EEA Joint Committee  
The President*

*Stefán Haukur Jóhannesson*

*The Secretaries  
to the EEA Joint Committee*

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\* Constitutional requirements indicated.

*Bergdis Ellertsdóttir Matthias Brinkmann*

## ANNEX

### to Decision of the EEA Joint Committee No 137/2007

Annexes I and II to the Agreement shall be amended as specified below:

1. The following shall be inserted after point 10 (Regulation (EC) No 998/2003 of the European Parliament and of the Council) in Part 1.1 of Chapter I of Annex I:

#### **‘Official control of food and feed**

11. **32004 R 0882:** Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (OJ L 165, 30.4.2004, p. 1), as corrected by OJ L 191, 28.5.2004, p. 1, as amended by:
  - **32006 R 0776:** Commission Regulation (EC) No 776/2006 of 23 May 2006 (OJ L 136, 24.5.2006, p. 3).

#### **Official control of food of animal origin**

12. **32004 R 0854:** Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption (OJ L 139, 30.4.2004, p. 206), as corrected by OJ L 226, 25.6.2004, p. 83, as amended by:
  - **32005 R 2074:** Commission Regulation (EC) No 2074/2005 of 5 December 2005 (OJ L 338, 22.12.2005, p. 27),
  - **32005 R 2076:** Commission Regulation (EC) No 2076/2005 of 5 December 2005 (OJ L 338, 22.12.2005, p. 83),
  - **32006 R 1663:** Commission Regulation (EC) No 1663/2006 of 6 November 2006 (OJ L 320, 18.11.2006, p. 11).

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

- (a) In Annex I, Section I, Chapter III, paragraph 3 (a) the following shall be added: “NO” and “IS”;
  - (b) In Annex I, Section I, Chapter III, paragraph 3 (c) the following shall be added: “EFTA”.
2. The text of point 8 (Council Directive 85/73/EEC) in Part 1.1 of Chapter I of Annex I shall be deleted with effect from 1 January 2008.
  3. The following points shall be inserted after point 133 (Commission Decision 2007/16/EC) in Part 1.2 of Chapter I of Annex I:

‘134. **32005 R 2074**: Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 (OJ L 338, 22.12.2005, p. 27), as amended by:

- **32006 R 1664**: Commission Regulation (EC) No 1664/2006 of 6 November 2006 (OJ L 320, 18.11.2006, p. 13).

135. **32005 R 2076**: Commission Regulation (EC) No 2076/2005 of 5 December 2005 laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 (OJ L 338, 22.12.2005, p. 83), as amended by:

- **32006 R 1666**: Commission Regulation (EC) No 1666/2006 of 6 November 2006 (OJ L 320, 18.11.2006, p. 47).

136. **32006 D 0677**: Commission Decision 2006/677/EC of 29 September 2006 setting out the guidelines laying down criteria for the conduct of audits under Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls to verify compliance with feed and food law, animal health and animal welfare rules (OJ L 278, 10.10.2006, p. 15).’

4. The following shall be inserted after point 15 (Council Directive 92/118/EEC) in Part 6.1 of Chapter I of Annex I:

**‘Hygiene in foodstuffs and food of animal origin**

16. **32004 R 0852**: Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (OJ L 139, 30.4.2004, p. 1), as corrected by OJ L 226, 25.6.2004, p. 3.

17. **32004 R 0853**: Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (OJ L 139, 30.4.2004, p. 55), as corrected by OJ L 226, 25.6.2004, p. 22 , as amended by:

- **32005 R 2074**: Commission Regulation (EC) No 2074/2005 of 5 December 2005 (OJ L 338, 22.12.2005, p. 27),
- **32005 R 2076**: Commission Regulation (EC) No 2076/2005 of 5 December 2005 (OJ L 338, 22.12.2005, p. 83),
- **32006 R 1662**: Commission Regulation (EC) No 1662/2006 of 6 November 2006 (OJ L 320, 18.11.2006, p. 1).

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

- (a) In Article 8, the word “Norway” shall be added after the word “Sweden”;
  - (b) In Annex II, Section I, B, paragraph 6 second indent, the following shall be added: “NO” and “IS”;
  - (c) In Annex II, Section I, B, paragraph 8 the following shall be added: “EFTA”.
18. **32004 L 0041**: Directive 2004/41/EC of the European Parliament and of the Council of 21 April 2004 repealing certain directives concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption and amending Council Directives 89/662/EEC and 92/118/EEC and Council Decision 95/408/EC (OJ L 157, 30.4.2004, p. 33), as corrected by OJ L 195, 2.6.2004, p. 12.’
5. The following indent shall be added in points 1 (Council Directive 89/662/EEC) in Part 1.1, 7 (Council Directive 92/118/EEC) in Part 5.1, 15 (Council Directive 92/118/EEC) in Part 6.1, 16 (Council Directive 92/118/EEC) in Part 8.1 and 18 (Council Decision 95/408/EC) in Part 8.1 of Chapter I of Annex I:
- ‘- **32004 L 0041**: Directive 2004/41/EC of the European Parliament and of the Council of 21 April 2004 (OJ L 157, 30.4.2004, p. 33), as corrected by OJ L 195, 2.6.2004, p. 12.’
6. The text of points 10a (Council Decision 1999/313/EC) in Part 6.1 and points 9 (Commission Decision 91/180/EEC) and 17 (Council Decision 93/383/EEC) in Part 6.2 of Chapter I of Annex I shall be deleted.
7. The text of points 1 (Council Directive 72/461/EEC), 2 (Council Directive 91/494/EEC), 3 (Council Directive 80/215/EEC), 4 (Council Directive 92/46/EEC), 5 (Council Directive 91/495/EEC) and 6 (Council Directive 92/45/EEC) in Part 5.1, 1 (Council Directive 64/433/EEC), 2 (Council Directive 71/118/EEC), 4 (Council Directive 77/99/EEC), 6 (Council Directive 94/65/EC), 7 (Council Directive 89/437/EEC), 8 (Council Directive 91/493/EEC), 9 (Council Directive 92/48/EEC), 10 (Council Directive 91/492/EEC), 11 (Council Directive 92/46/EEC), 13 (Council Directive 91/495/EEC) and 14 (Council Directive 92/45/EEC) in Part 6.1, 5 (Commission Directive 89/362/EEC) in Part 6.2, 8 (Council Directive 71/118/EEC), 9 (Council Directive 91/494/EEC), 10 (Council Directive 94/65/EC), 11 (Council Directive 91/493/EEC), 12 (Council Directive 91/492/EEC), 13 (Council Directive 92/46/EEC), 14 (Council Directive 92/45/EEC) and 17 (Council Directive 77/96/EEC) in Part 8.1 of Chapter I of Annex I shall be deleted.
8. The following points shall be inserted after point 50 (Commission Decision 2004/440/EC) in Part 6.2 of Chapter I of Annex I:
- ‘51. **32005 R 1688**: Commission Regulation (EC) No 1688/2005 of 14 October 2005 implementing Regulation (EC) No 853/2004 of the European Parliament and of the Council as regards special guarantees concerning salmonella for

consignments to Finland and Sweden of certain meat and eggs (OJ L 271, 15.10.2005, p. 17).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

This Regulation shall also apply to consignments intended for Norway.

52. **32005 R 2073:** Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs (OJ L 338, 22.12.2005, p. 1), as corrected by OJ L 278, 10.10.2006, p. 32 and OJ L 283, 14.10.2006, p. 62.
  53. **32005 R 2074:** Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 (OJ L 338, 22.12.2005, p. 27).
  54. **32005 R 2075:** Commission Regulation (EC) No 2075/2005 of 5 December 2005 laying down specific rules on official controls for *Trichinella* in meat (OJ L 338, 22.12.2005, p. 60), as amended by:
    - **32006 R 1665:** Commission Regulation (EC) No 1665/2006 of 6 November 2006 (OJ L 320, 18.11.2006, p. 46).
  55. **32005 R 2076:** Commission Regulation (EC) No 2076/2005 of 5 December 2005 laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 (OJ L 338, 22.12.2005, p. 83), as amended by:
    - **32006 R 1666:** Commission Regulation (EC) No 1666/2006 of 6 November 2006 (OJ L 320, 18.11.2006, p. 47).
  56. **32006 D 0765:** Commission Decision 2006/765/EC of 6 November 2006 repealing certain implementing acts concerning food hygiene and health conditions for the production and placing on the market of certain products of animal origin intended for human consumption (OJ L 320, 18.11.2006, p. 50).'
9. The text of point 84 (Commission Decision 98/470/EC) in Part 1.2 and points 1 (Commission Directive 83/201/EEC), 2 (Commission Decision 84/371/EEC), 4 (Commission Decision 87/266/EEC), 7 (Commission Decision 90/514/EEC), 10 (Commission Decision 92/92/EEC), 14 (Commission Decision 93/140/EEC), 18 (Commission Decision 94/14/EC), 21 (Commission Decision 94/356/EC), 22 (Council Decision 94/371/EC), 23 (Commission Decision 94/383/EC), 25 (Commission Decision 94/837/EC), 28 (Commission Decision 95/149/EC), 29 (Commission Decision 95/165/EC), 34 (Commission Decision 96/536/EC), 40

(Commission Decision 2001/471/EC), 42 (Commission Decision 2002/225/EC), 45 (Commission Decision 2003/380/EC) and 47 (Commission Decision 2003/774/EC) in part 6.2 of Chapter I of Annex I shall be deleted.

10. The text of points 30 (Commission Decision 95/168/EC), 31 (Council Decision 95/409/EC), 32 (Council Decision 95/411/EC) and 46 (Commission Decision 2003/470/EC) in Part 6.2 of Chapter I of Annex I shall be deleted.
11. The text of point 13 (Commission Decision 93/51/EEC) in Part 6.2 of Chapter I of Annex I shall be deleted.
12. The following shall be inserted after point 31i (Commission Directive 2003/126/EC) in Chapter II of Annex I:

‘31j. **32004 R 0882**: Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (OJ L 165, 30.4.2004, p. 1) , as corrected by OJ L 191, 28.5.2004, p. 1, as amended by:

- **32006 R 0776**: Commission Regulation (EC) No 776/2006 of 23 May 2006 (OJ L 136, 24.5.2006, p. 3).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

This Regulation, and acts adopted pursuant to this Regulation, shall apply to Iceland with a transitional period specified in paragraph 2 of the Introductory Part of Chapter I of Annex I.

31k. **32005 R 2074**: Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 (OJ L 338, 22.12.2005, p. 27), as amended by:

- **32006 R 1664**: Commission Regulation (EC) No 1664/2006 of 6 November 2006 (OJ L 320, 18.11.2006, p. 13).

31l. **32006 D 0677**: Commission Decision 2006/677/EC of 29 September 2006 setting out the guidelines laying down criteria for the conduct of audits under Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls to verify compliance with feed and food law, animal health and animal welfare rules (OJ L 278, 10.10.2006, p. 15).’

13. The text of points 18 (Council Directive 70/373/EEC), 31a (Council Directive 95/53/EC), 31e (Council Decision 98/728/EC) in Chapter II of Annex I shall be deleted.

14. The following shall be inserted after point 54zzzg (Council Decision 2006/478/EC) in Chapter XII of Annex II:

‘54zzzh. **32004 R 0852**: Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (OJ L 139, 30.4.2004, p. 1), as corrected by OJ L 226, 25.6.2004, p. 3.

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

This Regulation, and acts adopted pursuant to this Regulation, shall apply to Iceland with a transitional period specified in paragraph 2 of the Introductory Part of Chapter I of Annex I.

54zzzi. **32004 R 0882**: Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (OJ L 165, 30.4.2004, p. 1), as corrected by OJ L 191, 28.5.2004, p. 1, as amended by:

- **32006 R 0776**: Commission Regulation (EC) No 776/2006 of 23 May 2006 (OJ L 136, 24.5.2006, p. 3).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

This Regulation, and acts adopted pursuant to this Regulation, shall apply to Iceland with a transitional period specified in paragraph 2 of the Introductory Part of Chapter I of Annex I.

54zzzj. **32005 R 2073**: Commission Regulation (EC) No 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs (OJ L 338, 22.12.2005, p. 1), as corrected by OJ L 278, 10.10.2006, p. 32 and OJ L 283, 14.10.2006, p. 62.

54zzzk. **32005 R 2074**: Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 (OJ L 338, 22.12.2005, p. 27), as amended by:

- **32006 R 1664**: Commission Regulation (EC) No 1664/2006 of 6 November 2006 (OJ L 320, 18.11.2006, p. 13).

54zzzl. **32006 R 0401**: Commission Regulation (EC) No 401/2006 of 23 February 2006 laying down the methods of sampling and analysis for the official control of the levels of mycotoxins in foodstuffs (OJ L 70, 9.3.2006, p. 12).

54zzzm. **32006 D 0677**: Commission Decision 2006/677/EC of 29 September 2006 setting out the guidelines laying down criteria for the conduct of audits under Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls to



verify compliance with feed and food law, animal health and animal welfare rules (OJ L 278, 10.10.2006, p. 15).’

15. The text of points 37 (Council Directive 85/591/EEC), 50 (Council Directive 89/397/EEC), 54n (Council Directive 93/99/EEC), point 54j (Council Directive 93/43/EEC), 54s (Commission Directive 98/53/EC), 54zx (Commission Directive 2002/26/EC), 54zzj (Commission Directive 2003/78/EC) and 54zzv (Commission Directive 2005/38/EC) in Chapter XII of Annex II shall be deleted.

**DECLARATION  
BY THE GOVERNMENT OF ICELAND  
ON SALMONELLA GUARANTIES**

Iceland declares its intentions to establish a control program equivalent to that approved for Sweden, Finland and Norway in respect of food of animal origin, and to have it approved in accordance with Regulation (EC) No 2160/2003 by the time the transitional period expires.

**DECISION OF THE EEA JOINT COMMITTEE**  
**No 138/2007**

**of 26 October 2007**

**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 100/2007 of 28 September 2007<sup>1</sup>.
- (2) Regulation (EC) No 183/2005 of the European Parliament and of the Council of 12 January 2005 laying down requirements for feed hygiene<sup>2</sup> is to be incorporated into the Agreement.
- (3) Regulation (EC) No 183/2005 repeals Council Directive 95/69/EC<sup>3</sup> and Commission Directive 98/51/EC<sup>4</sup>, which are incorporated into the Agreement and which are consequently to be repealed under the Agreement,
- (4) This Decision is not to apply to Liechtenstein.

HAS DECIDED AS FOLLOWS:

*Article 1*

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

1. The following point shall be inserted after point 311 (Commission Decision 2006/667677/EC):

'31m.32005 R 0183: Regulation (EC) No 183/2005 of the European Parliament and of the Council of 12 January 2005 laying down requirements for feed hygiene (OJ L 35, 8.2.2005, p. 1).

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<sup>1</sup> OJ L 47, 21.2.2008, p. 12.

<sup>2</sup> OJ L 35, 8.2.2005, p. 1.

<sup>3</sup> OJ L 332, 30.12.1995, p. 15.

<sup>4</sup> OJ L 208, 24.7.1998, p. 43

The provisions of this Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

The following shall be added in Article 18:

“5. The date referred to in Article 18 (1) and (2) shall for the EFTA States be two months following the date of entry into force of the EEA Joint Committee Decision incorporating Regulation (EC) No 183/2005 into the EEA Agreement.”

2. The text of points 31b (Council Directive 95/69/EC) and 31ba (Commission Directive 98/51/EC) shall be deleted.

#### *Article 2*

The texts of Regulation (EC) No 183/2005 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 27 October 2007, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee\* or at the day of the entry into force of the Decision on the EEA Joint Committee No 137/2007 of 26 October 2007, whichever is the later.

#### *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, 26 October 2007.

*For the EEA Joint Committee  
The President*

*Stefán Haukur Jóhannesson*

*The Secretaries  
to the EEA Joint Committee*

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\* No constitutional requirements indicated.

*Bergdis Ellertsdóttir Matthias Brinkmann*