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III

(Other acts)

EUROPEAN ECONOMIC AREA

DECISION OF THE EEA JOINT COMMITTEE

No 38/2010

of 30 April 2010

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 19/2010 of 12 March 2010 ⁽¹⁾.
- (2) Commission Regulation (EC) No 123/2009 of 10 February 2009 amending Regulation (EC) No 1266/2007 as regards conditions for movements of animals within the same restricted zone and the conditions for exempting animals from the exit ban provided for in Council Directive 2000/75/EC ⁽²⁾ is to be incorporated into the Agreement.
- (3) Council Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Decision 2009/19/EC of 9 January 2009 amending Decision 2008/655/EC as regards the approval of the emergency vaccination plans against bluetongue of certain Member States and fixing the level of the Community's financial contribution for 2007 and 2008 ⁽⁴⁾ is to be incorporated into the Agreement.

- (5) Commission Decision 2009/248/EC of 18 March 2009 amending Decision 2008/185/EC as regards the animal health conditions for trade in pigs between Member States or regions thereof which are free of Aujeszky's disease ⁽⁵⁾ is to be incorporated into the Agreement.
- (6) Commission Decision 2009/255/EC of 20 March 2009 amending Decision 2003/135/EC as regards the eradication and emergency vaccination plans for classical swine fever in feral pigs in certain areas of the Federal States of North Rhine-Westphalia and Rhineland-Palatinate (Germany) ⁽⁶⁾ is to be incorporated into the Agreement.
- (7) Commission Decision 2009/342/EC of 23 April 2009 amending Decision 2003/467/EC as regards the declaration that certain administrative regions of Italy are officially free of bovine tuberculosis, bovine brucellosis and enzootic-bovine-leukosis, that certain administrative regions of Poland are officially free of enzootic-bovine-leukosis and that Poland and Slovenia are officially free of bovine tuberculosis ⁽⁷⁾ is to be incorporated into the Agreement.
- (8) Commission Decision 2009/422/EC of 26 May 2009 amending Decision 2003/135/EC as regards the eradication and emergency vaccination plans for classical swine fever in feral pigs in certain areas of Germany ⁽⁸⁾ is to be incorporated into the Agreement.
- (9) Council Directive 2008/120/EC repeals Council Directive 91/630/EEC ⁽⁹⁾ which is incorporated into the Agreement and is therefore to be repealed under the Agreement.

⁽¹⁾ OJ L 143, 10.6.2010, p. 8.⁽²⁾ OJ L 40, 11.2.2009, p. 3.⁽³⁾ OJ L 47, 18.2.2009, p. 5.⁽⁴⁾ OJ L 8, 13.1.2009, p. 31.⁽⁵⁾ OJ L 73, 19.3.2009, p. 22.⁽⁶⁾ OJ L 75, 21.3.2009, p. 24.⁽⁷⁾ OJ L 104, 24.4.2009, p. 51.⁽⁸⁾ OJ L 137, 3.6.2009, p. 42.⁽⁹⁾ OJ L 340, 11.12.1991, p. 33.

- (10) This Decision concerns legislation regarding live animals other than fish and aquaculture animals. Legislation concerning these matters does not apply to Iceland, as specified in paragraph 2 of the Introductory Part of Annex I of the Agreement.
- (11) This Decision is not to apply to Iceland and Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

Chapter I of Annex I to the Agreement shall be amended as specified in the Annex to this Decision.

Article 2

The texts of Regulation (EC) No 123/2009, Directive 2008/120/EC and Decisions 2009/19/EC, 2009/248/EC, 2009/255/EC, 2009/342/EC and 2009/422/EC in the

Norwegian language, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 30 April 2010.

For the EEA Joint Committee

The President

Alan SEATTER

(*) No constitutional requirements indicated.

ANNEX

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

1. the following indent shall be added in point 40 (Commission Regulation (EC) No 1266/2007) in Part 3.2:

‘— **32009 R 0123**: Commission Regulation (EC) No 123/2009 of 10 February 2009 (OJ L 40, 11.2.2009, p. 3).’;

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

‘— **32009 D 0255**: Commission Decision 2009/255/EC of 20 March 2009 (OJ L 75, 21.3.2009, p. 24),

— **32009 D 0422**: Commission Decision 2009/422/EC of 26 May 2009 (OJ L 137, 3.6.2009, p. 42).’;

3. under the heading ‘ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT’ the following shall be added in point 45 (Commission Decision 2008/655/EC) in Part 3.2:

‘, as amended by:

— **32009 D 0019**: Commission Decision 2009/19/EC of 9 January 2009 (OJ L 8, 13.1.2009, p. 31).’;

4. the following indent shall be added in point 70 (Commission Decision 2003/467/EC) in Part 4.2:

‘— **32009 D 0342**: Commission Decision 2009/342/EC of 23 April 2009 (OJ L 104, 24.4.2009, p. 51).’;

5. the following indent shall be added in point 84 (Commission Decision 2008/185/EC) in Part 4.2:

‘— **32009 D 0248**: Commission Decision 2009/248/EC of 18 March 2009 (OJ L 73, 19.3.2009, p. 22).’;

6. the text of point 5 (Council Directive 91/630/EEC) in Part 9.1 shall be deleted;

7. the following point shall be inserted after point 10 (Council Regulation (EC) No 1/2005) in Part 9.1:

‘11. **32008 L 0120**: Council Directive 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs (Codified version) (OJ L 47, 18.2.2009, p. 5).

This act shall not apply to Iceland.’.

DECISION OF THE EEA JOINT COMMITTEE

No 39/2010

of 30 April 2010

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 22/2010 of 12 March 2010 ⁽¹⁾.

(2) Commission Regulation (EC) No 1087/2009 of 12 November 2009 concerning the authorisation of an enzyme preparation of endo-1,4-beta-xylanase produced by *Trichoderma reesei* (ATCC PTA 5588), subtilisin produced by *Bacillus subtilis* (ATCC 2107) and alpha-amylase produced by *Bacillus amyloliquefaciens* (ATCC 3978) as a feed additive for chickens for fattening, for ducks and for turkeys for fattening (holder of authorisation Danisco Animal Nutrition, legal entity Finnfeeds International Limited) ⁽²⁾ is to be incorporated into the Agreement.

(3) Commission Regulation (EC) No 1088/2009 of 12 November 2009 concerning the authorisation of a new use of an enzyme preparation of 6-phytase produced by *Aspergillus oryzae* (DSM 17594) as a feed additive for weaned piglets, pigs for fattening, poultry for fattening and poultry for laying (holder of authorisation DSM Nutritional Products Ltd., represented by DSM Nutritional Products Sp. Z.o.o.) ⁽³⁾ is to be incorporated into the Agreement.

(4) Commission Regulation (EC) No 1091/2009 of 13 November 2009 concerning the authorisation of an enzyme preparation of endo-1,4-beta-xylanase produced by *Trichoderma reesei* (MUCL 49755) and endo-1,3(4)-beta-glucanase produced by *Trichoderma reesei* (MUCL 49754) as a feed additive for chickens for fattening (holder of authorisation Aveve NV) ⁽⁴⁾ is to be incorporated into the Agreement.

(5) Commission Regulation (EC) No 1096/2009 of 16 November 2009 concerning the authorisation of an

enzyme preparation of endo-1,4-beta-xylanase produced by *Aspergillus niger* (CBS 109.713) as a feed additive for chickens for fattening and the authorisation of a new use of this preparation as a feed additive for ducks (holder of authorisation BASF SE) and amending Regulation (EC) No 1458/2005 ⁽⁵⁾ is to be incorporated into the Agreement.

(6) Regulation (EC) No 1088/2009 repeals Commission Regulation (EC) No 270/2009 ⁽⁶⁾ which is incorporated into the Agreement and is therefore to be repealed under the Agreement.

(7) 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 shall be added in point 1zzo (Commission Regulation (EC) No 1458/2005):

‘, as amended by:

— **32009 R 1096:** Commission Regulation (EC) No 1096/2009 of 16 November 2009 (OJ L 301, 17.11.2009, p. 3).’;

2. the text of point 1zzzzv (Commission Regulation (EC) No 270/2009) shall be deleted;

3. the following points shall be inserted after point 1zzzzzq (Commission Regulation (EC) No 911/2009):

‘1zzzzzr. **32009 R 1087:** Commission Regulation (EC) No 1087/2009 of 12 November 2009 concerning the authorisation of an enzyme preparation of endo-1,4-beta-xylanase produced by *Trichoderma reesei* (ATCC PTA 5588), subtilisin produced by *Bacillus subtilis* (ATCC 2107) and alpha-amylase produced by *Bacillus amyloliquefaciens* (ATCC 3978) as a feed additive for chickens for fattening, for ducks and for turkeys for fattening (holder of authorisation Danisco Animal Nutrition, legal entity Finnfeeds International Limited) (OJ L 297, 13.11.2009, p. 4).

⁽¹⁾ OJ L 143, 10.6.2010, p. 13.

⁽²⁾ OJ L 297, 13.11.2009, p. 4.

⁽³⁾ OJ L 297, 13.11.2009, p. 6.

⁽⁴⁾ OJ L 299, 14.11.2009, p. 6.

⁽⁵⁾ OJ L 301, 17.11.2009, p. 3.

⁽⁶⁾ OJ L 91, 3.4.2009, p. 3.

1zzzzzs. **32009 R 1088**: Commission Regulation (EC) No 1088/2009 of 12 November 2009 concerning the authorisation of a new use of an enzyme preparation of 6-phytase produced by *Aspergillus oryzae* (DSM 17594) as a feed additive for weaned piglets, pigs for fattening, poultry for fattening and poultry for laying (holder of authorisation DSM Nutritional Products Ltd., represented by DSM Nutritional Products Sp. Z.o.o.) (OJ L 297, 13.11.2009, p. 6).

1zzzzzt. **32009 R 1091**: Commission Regulation (EC) No 1091/2009 of 13 November 2009 concerning the authorisation of an enzyme preparation of endo-1,4-beta-xylanase produced by *Trichoderma reesei* (MUCL 49755) and endo-1,3(4)-beta-glucanase produced by *Trichoderma reesei* (MUCL 49754) as a feed additive for chickens for fattening (holder of authorisation Aveve NV) (OJ L 299, 14.11.2009, p. 6).

1zzzzzu. **32009 R 1096**: Commission Regulation (EC) No 1096/2009 of 16 November 2009 concerning the authorisation of an enzyme preparation of endo-1,4-beta-xylanase produced by *Aspergillus niger* (CBS 109.713) as a feed additive for chickens for fattening and the authorisation of a new use of this preparation as a feed additive for ducks

(holder of authorisation BASF SE) and amending Regulation (EC) No 1458/2005 (OJ L 301, 17.11.2009, p. 3).’.

Article 2

The texts of Regulations (EC) No 1087/2009, (EC) No 1088/2009, (EC) No 1091/2009 and (EC) No 1096/2009 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 30 April 2010.

For the EEA Joint Committee
The President
Alan SEATTER

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 40/2010

of 30 April 2010

amending 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 II to the Agreement was amended by Decision of the EEA Joint Committee No 24/2010 of 12 March 2010 ⁽¹⁾.
- (2) Commission Directive 2007/68/EC of 27 November 2007 amending Annex IIIa to Directive 2000/13/EC of the European Parliament and of the Council as regards certain food ingredients ⁽²⁾ is to be incorporated into the Agreement.
- (3) Directive 2007/68/EC repeals Commission Directive 2005/26/EC ⁽³⁾ which is incorporated into the Agreement and is therefore to be repealed under the Agreement.
- (4) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

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

1. the following indent shall be added in point 18 (Directive 2000/13/EC of the European Parliament and of the Council):

— **32007 L 0068**: Commission Directive 2007/68/EC of 27 November 2007 (OJ L 310, 28.11.2007, p. 11).;

2. the text of point 54zzu (Commission Directive 2005/26/EC) shall be deleted.

Article 2

The texts of Directive 2007/68/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 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 30 April 2010.

For EEA the Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 143, 10.6.2010, p. 17.

⁽²⁾ OJ L 310, 28.11.2007, p. 11.

⁽³⁾ OJ L 75, 22.3.2005, p. 33.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 41/2010

of 30 April 2010

amending Annex I (Veterinary and phytosanitary matters) and Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

purity criteria on food additives other than colours and sweeteners ⁽⁶⁾ is to be incorporated into the Agreement.

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,

(7) Directive 2009/32/EC of the European Parliament and of the Council of 23 April 2009 on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients ⁽⁷⁾ is to be incorporated into the Agreement.

Whereas:

(8) Commission Directive 2009/106/EC of 14 August 2009 amending Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption ⁽⁸⁾ is to be incorporated into the Agreement.

(1) Annex I to the Agreement was amended by Decision of the EEA Joint Committee No 22/2010 of 12 March 2010 ⁽¹⁾.

(9) Directive 2008/128/EC repeals Commission Directive 95/45/EC ⁽⁹⁾ which is incorporated into the Agreement and is therefore to be repealed under the Agreement.

(2) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 24/2010 of 12 March 2010 ⁽²⁾.

(10) Directive 2009/32/EC repeals Council Directive 88/344/EEC ⁽¹⁰⁾ which is incorporated into the Agreement and is therefore to be repealed under the Agreement.

(3) Commission Regulation (EC) No 415/2009 of 20 May 2009 amending Directive 2007/68/EC amending Annex IIIa to Directive 2000/13/EC of the European Parliament and of the Council as regards certain food ingredients ⁽³⁾ is to be incorporated into the Agreement.

(11) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 40 (Regulation (EC) No 396/2005 of the European Parliament and of the Council) of Chapter II of Annex I to the Agreement:

— **32009 R 0822:** Commission Regulation (EC) No 822/2009 of 27 August 2009 (OJ L 239, 10.9.2009, p. 5), as corrected by OJ L 60, 10.3.2010, p. 26.'

Article 2

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

(4) Commission Regulation (EC) No 822/2009 of 27 August 2009 amending Annexes II, III and IV to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for azoxystrobin, atrazine, chlormequat, cyprodinil, dithiocarbamates, fludioxonil, fluroxypyr, indoxacarb, mandipropamid, potassium tri-iodide, spirotetramat, tetraconazole, and thiram in or on certain products ⁽⁴⁾, as corrected by OJ L 60, 10.3.2010, p. 26, is to be incorporated into the Agreement.

1. the texts of points 43 (Council Directive 88/344/EEC) and 46b (Commission Directive 95/45/EC) shall be deleted;

(5) Commission Directive 2008/128/EC of 22 December 2008 laying down specific purity criteria concerning colours for use in foodstuffs ⁽⁵⁾ is to be incorporated into the Agreement.

(6) Commission Directive 2009/10/EC of 13 February 2009 amending Directive 2008/84/EC laying down specific

⁽¹⁾ OJ L 143, 10.6.2010, p. 13.

⁽²⁾ OJ L 143, 10.6.2010, p. 17.

⁽³⁾ OJ L 125, 21.5.2009, p. 52.

⁽⁴⁾ OJ L 239, 10.9.2009, p. 5.

⁽⁵⁾ OJ L 6, 10.1.2009, p. 20.

⁽⁶⁾ OJ L 44, 14.2.2009, p. 62.

⁽⁷⁾ OJ L 141, 6.6.2009, p. 3.

⁽⁸⁾ OJ L 212, 15.8.2009, p. 42.

⁽⁹⁾ OJ L 226, 22.9.1995, p. 1.

⁽¹⁰⁾ OJ L 157, 24.6.1988, p. 28.

2. the following shall be added in point 54zq (Council Directive 2001/112/EC):

‘, as amended by:

— **32009 L 0106:** Commission Directive 2009/106/EC of 14 August 2009 (OJ L 212, 15.8.2009, p. 42).’;

3. the following indent shall be added in point 54zzy (Regulation (EC) No 396/2005 of the European Parliament and of the Council):

‘— **32009 R 0822:** Commission Regulation (EC) No 822/2009 of 27 August 2009 (OJ L 239, 10.9.2009, p. 5), as corrected by OJ L 60, 10.3.2010, p. 26.’;

4. the following shall be added in the 6th indent (Commission Directive 2007/68/EC) of point 18 (Directive 2000/13/EC of the European Parliament and of the Council):

‘, as amended by:

— **32009 R 0415:** Commission Regulation (EC) No 415/2009 of 20 May 2009 (OJ L 125, 21.5.2009, p. 52).’;

5. the following shall be added in point 54zzzzg (Commission Directive 2008/84/EC):

‘, as amended by:

— **32009 L 0010:** Commission Directive 2009/10/EC of 13 February 2009 (OJ L 44, 14.2.2009, p. 62).’;

6. the following points shall be inserted after point 54zzzzg (Commission Directive 2008/84/EC):

‘54zzzzh. **32008 L 0128:** Commission Directive 2008/128/EC of 22 December 2008 laying down specific purity criteria concerning colours for use in foodstuffs (Codified version) (OJ L 6, 10.1.2009, p. 20).

54zzzzi. **32009 L 0032:** Directive 2009/32/EC of the European Parliament and of the Council of 23 April 2009 on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients (Recast) (OJ L 141, 6.6.2009, p. 3).’.

Article 3

The texts of Regulations (EC) No 415/2009 and (EC) No 822/2009, as corrected by OJ L 60, 10.3.2010, p. 26, and Directives 2008/128/EC, 2009/10/EC, 2009/32/EC and 2009/106/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 4

This Decision shall enter into force on 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 5

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 30 April 2010.

For the EEA Joint Committee

The President

Alan SEATTER

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 42/2010

of 30 April 2010

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 22/2010 of 12 March 2010 ⁽¹⁾.

(2) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 24/2010 of 12 March 2010 ⁽²⁾.

(3) Commission Regulation (EC) No 450/2009 of 29 May 2009 on active and intelligent materials and articles intended to come into contact with food ⁽³⁾ is to be incorporated into the Agreement.

(4) Commission Regulation (EC) No 953/2009 of 13 October 2009 on substances that may be added for specific nutritional purposes in foods for particular nutritional uses ⁽⁴⁾ is to be incorporated into the Agreement.

(5) Commission Regulation (EC) No 975/2009 of 19 October 2009 amending Directive 2002/72/EC relating to plastic materials and articles intended to come into contact with foodstuffs ⁽⁵⁾ is to be incorporated into the Agreement.

(6) Commission Regulation (EC) No 1050/2009 of 28 October 2009 amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for azoxystrobin, acetamiprid, clomazone, cyflufenamid, emamectin benzoate, famoxadone, fenbutatin oxide,

flufenoxuron, fluopicolide, indoxacarb, ioxynil, mepanipyrim, prothioconazole, pyridalyl, thiacloprid and trifloxystrobin in or on certain products ⁽⁶⁾, as corrected by OJ L 338, 19.12.2009, p. 105, is to be incorporated into the Agreement.

(7) Directive 2009/39/EC of the European Parliament and of the Council of 6 May 2009 on foodstuffs intended for particular nutritional uses (recast) ⁽⁷⁾ is to be incorporated into the Agreement.

(8) Regulation (EC) No 953/2009 repeals Commission Directives 2001/15/EC ⁽⁸⁾ and 2004/6/EC ⁽⁹⁾ which are incorporated into the Agreement and are therefore to be repealed under the Agreement.

(9) Directive 2009/39/EC repeals Council Directive 89/398/EEC ⁽¹⁰⁾ which is incorporated into the Agreement and is therefore to be repealed under the Agreement.

(10) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 40 (Regulation (EC) No 396/2005 of the European Parliament and of the Council) of Chapter II of Annex I to the Agreement:

— **32009 R 1050:** Commission Regulation (EC) No 1050/2009 of 28 October 2009 (OJ L 290, 6.11.2009, p. 7), as corrected by OJ L 338, 19.12.2009, p. 105.'

Article 2

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

1. the texts of points 51 (Council Directive 89/398/EEC), 54zi (Commission Directive 2001/15/EC) and 54zzm (Commission Directive 2004/6/EC) shall be deleted;

⁽¹⁾ OJ L 143, 10.6.2010, p. 13.

⁽²⁾ OJ L 143, 10.6.2010, p. 17.

⁽³⁾ OJ L 135, 30.5.2009, p. 3.

⁽⁴⁾ OJ L 269, 14.10.2009, p. 9.

⁽⁵⁾ OJ L 274, 20.10.2009, p. 3.

⁽⁶⁾ OJ L 290, 6.11.2009, p. 7.

⁽⁷⁾ OJ L 124, 20.5.2009, p. 21.

⁽⁸⁾ OJ L 52, 22.2.2001, p. 19.

⁽⁹⁾ OJ L 15, 22.1.2004, p. 31.

⁽¹⁰⁾ OJ L 186, 30.6.1989, p. 27.

2. the following indent shall be added in point 54zzb (Commission Directive 2002/72/EC):

‘— **32009 R 0975**: Commission Regulation (EC) No 975/2009 of 19 October 2009 (OJ L 274, 20.10.2009, p. 3).’;

3. the following indent shall be added in point 54zzy (Regulation (EC) No 396/2005 of the European Parliament and of the Council):

‘— **32009 R 1050**: Commission Regulation (EC) No 1050/2009 of 28 October 2009 (OJ L 290, 6.11.2009, p. 7), as corrected by OJ L 338, 19.12.2009, p. 105.’;

4. the following points shall be inserted after point 54zzzzj (Directive 2009/32/EC of the European Parliament and of the Council):

‘54zzzzj. **32009 L 0039**: Directive 2009/39/EC of the European Parliament and of the Council of 6 May 2009 on foodstuffs intended for particular nutritional uses (recast) (OJ L 124, 20.5.2009, p. 21).

54zzzzk. **32009 R 0450**: Commission Regulation (EC) No 450/2009 of 29 May 2009 on active and intelligent materials and articles intended to come into contact with food (OJ L 135, 30.5.2009, p. 3).

54zzzzl. **32009 R 0953**: Commission Regulation (EC) No 953/2009 of 13 October 2009 on substances that may be added for specific nutritional purposes in foods for particular nutritional uses (OJ L 269, 14.10.2009, p. 9).’.

Article 3

The texts of Regulations (EC) No 450/2009, (EC) No 953/2009, (EC) No 975/2009 and (EC) No 1050/2009, as corrected by OJ L 338, 19.12.2009, p. 105, and Directive 2009/39/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 4

This Decision shall enter into force on 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 5

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 30 April 2010.

For the EEA Joint Committee

The President

Alan SEATTER

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 43/2010

of 30 April 2010

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 3/2010 of 29 January 2010 ⁽¹⁾.
- (2) Commission Decision 2009/786/EC of 26 October 2009 releasing the United Kingdom from certain obligations to apply Council Directive 66/402/EEC in respect of *Avena strigosa* Schreb. ⁽²⁾ is to be incorporated into the Agreement.
- (3) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 78 (Commission Decision 2008/462/EC) under the heading 'ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT' in Chapter III of Annex I to the Agreement:

- '79. **32009 D 0786:** Commission Decision 2009/786/EC of 26 October 2009 releasing the United Kingdom

from certain obligations to apply Council Directive 66/402/EEC in respect of *Avena strigosa* Schreb. (OJ L 281, 28.10.2009, p. 5).'

Article 2

The text of Decision 2009/786/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 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 30 April 2010.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 101, 22.4.2010, p. 9.

⁽²⁾ OJ L 281, 28.10.2009, p. 5.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 44/2010

of 30 April 2010

amending 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 II to the Agreement was amended by Decision of the EEA Joint Committee No 97/2008 of 26 September 2008 ⁽¹⁾.
- (2) Directive 2009/64/EC of the European Parliament and of the Council of 13 July 2009 on the suppression of radio interference produced by agricultural or forestry tractors (electromagnetic compatibility) ⁽²⁾ is to be incorporated into the Agreement.
- (3) Directive 2009/64/EC repeals Council Directive 75/322/EEC ⁽³⁾ which is incorporated into the Agreement and is therefore to be repealed under the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

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

1. the text of point 7 (Council Directive 75/322/EEC) shall be deleted;
2. the following shall be inserted after point 30 (Directive 2008/2/EC of the European Parliament and of the Council):

'31. **32009 L 0064:** Directive 2009/64/EC of the European Parliament and of the Council of 13 July 2009 on

the suppression of radio interference produced by agricultural or forestry tractors (electromagnetic compatibility) (OJ L 216, 20.8.2009, p. 1).

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

in the second paragraph of point 5.2 of Annex I, the following shall be added:

"IS for Iceland; FL for Liechtenstein; 16 for Norway."

Article 2

The text of Directive 2009/64/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 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 30 April 2010.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 309, 20.11.2008, p. 17.

⁽²⁾ OJ L 216, 20.8.2009, p. 1.

⁽³⁾ OJ L 147, 9.6.1975, p. 28.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 45/2010

of 30 April 2010

amending 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 II to the Agreement was amended by Decision of the EEA Joint Committee No 132/2007 of 26 October 2007 ⁽¹⁾.
- (2) Commission Regulation (EC) No 1107/2008 of 7 November 2008 amending Regulation (EC) No 2003/2003 of the European Parliament and of the Council relating to fertilisers for the purposes of adapting Annexes I and IV thereto to technical progress ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 1 (Regulation (EC) No 2003/2003 of the European Parliament and of the Council) of Chapter XIV of Annex II to the Agreement:

— **32008 R 1107**: Commission Regulation (EC) No 1107/2008 of 7 November 2008 (OJ L 299, 8.11.2008, p. 13).'

Article 2

The text of Regulation (EC) No 1107/2008 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 30 April 2010.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 100, 10.4.2008, p. 1.

⁽²⁾ OJ L 299, 8.11.2008, p. 13.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 46/2010

of 30 April 2010

amending 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 II to the Agreement was amended by Decision of the EEA Joint Committee No 26/2010 of 12 March 2010 ⁽¹⁾.
- (2) Commission Decision 2009/603/EC of 5 August 2009 establishing requirements for registration of producers of batteries and accumulators in accordance with Directive 2006/66/EC of the European Parliament and of the Council ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 12zs (Commission Regulation (EC) No 771/2008) of Chapter XV of Annex II to the Agreement:

'12zt. **32009 D 0603**: Commission Decision 2009/603/EC of 5 August 2009 establishing requirements for registration of producers of batteries and accumulators in accordance with Directive 2006/66/EC of the European Parliament and of the Council (OJ L 206, 8.8.2009, p. 13).'

Article 2

The texts of Decision 2009/603/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 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 30 April 2010.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 143, 10.6.2010, p. 19.

⁽²⁾ OJ L 206, 8.8.2009, p. 13.

(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 47/2010

of 30 April 2010

amending 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 II to the Agreement was amended by Decision of the EEA Joint Committee No 9/2010 of 29 January 2010 ⁽¹⁾.
- (2) Commission Directive 2006/78/EC of 29 September 2006 amending Council Directive 76/768/EEC, concerning cosmetic products, for the purposes of adapting Annex II thereto to technical progress ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 1 (Council Directive 76/768/EEC) of Chapter XVI of Annex II to the Agreement:

‘— **32006 L 0078**: Commission Directive 2006/78/EC of 29 September 2006 (OJ L 271, 30.9.2006, p. 56).’

Article 2

The text of Directive 2006/78/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 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 30 April 2010.

*For the EEA Joint Committee**The President*

Alan SEATTER

⁽¹⁾ OJ L 101, 22.4.2010, p. 18.

⁽²⁾ OJ L 271, 30.9.2006, p. 56.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 48/2010

of 30 April 2010

amending 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 II to the Agreement was amended by Decision of the EEA Joint Committee No 9/2010 of 29 January 2010 ⁽¹⁾.
- (2) Commission Directive 2009/129/EC of 9 October 2009 amending Council Directive 76/768/EEC concerning cosmetic products for the purposes of adapting Annex III thereto to technical progress ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Directive 2009/130/EC of 12 October 2009 amending Council Directive 76/768/EEC, concerning cosmetic products, for the purpose of adapting Annex III thereto to technical progress ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Directive 2009/134/EC of 28 October 2009 amending Council Directive 76/768/EEC concerning cosmetic products for the purposes of adapting Annex III thereto to technical progress ⁽⁴⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indents shall be added in point 1 (Council Directive 76/768/EEC) of Chapter XVI of Annex II to the Agreement:

— **32009 L 0129:** Commission Directive 2009/129/EC of 9 October 2009 (OJ L 267, 10.10.2009, p. 18),

— **32009 L 0130:** Commission Directive 2009/130/EC of 12 October 2009 (OJ L 268, 13.10.2009, p. 5),

— **32009 L 0134:** Commission Directive 2009/134/EC of 28 October 2009 (OJ L 282, 29.10.2009, p. 15).'

Article 2

The texts of Directives 2009/129/EC, 2009/130/EC and 2009/134/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 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 30 April 2010.

For the EEA Joint Committee
The President
Alan SEATTER

⁽¹⁾ OJ L 101, 22.4.2010, p. 18.

⁽²⁾ OJ L 267, 10.10.2009, p. 18.

⁽³⁾ OJ L 268, 13.10.2009, p. 5.

⁽⁴⁾ OJ L 282, 29.10.2009, p. 15.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 49/2010

of 30 April 2010

amending 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 II to the Agreement was amended by Decision of the EEA Joint Committee No 71/2004 of 8 June 2004 ⁽¹⁾.
- (2) Commission Recommendation 2009/524/EC of 29 June 2009 on measures to improve the functioning of the single market ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Under the heading 'ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE' of Chapter XX of Annex II to the Agreement, the following point shall be inserted after point 6 (Resolution of the Council and the representatives of the governments of the Member States, meeting with the Council of 7 December 1998 on the free movement of goods):

'7. **32009 H 0524:** Commission Recommendation 2009/524/EC of 29 June 2009 on measures to improve the functioning of the single market (OJ L 176, 7.7.2009, p. 17).'

Article 2

The text of Recommendation 2009/524/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 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 30 April 2010.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 349, 25.11.2004, p. 26.

⁽²⁾ OJ L 176, 7.7.2009, p. 17.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 50/2010

of 30 April 2010

amending Annex IX (Financial services) and Annex XII (Free movement of capital) 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 IX to the Agreement was amended by Decision of the EEA Joint Committee No 10/2010 of 29 January 2010 ⁽¹⁾.
- (2) Annex XII to the Agreement was amended by Decision of the EEA Joint Committee No 43/2005 of 11 March 2005 ⁽²⁾.
- (3) Directive 2009/44/EC of the European Parliament and of the Council of 6 May 2009 amending Directive 98/26/EC on settlement finality in payment and securities settlement systems and Directive 2002/47/EC on financial collateral arrangements as regards linked systems and credit claims ⁽³⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in point 16b (Directive 98/26/EC of the European Parliament and of the Council) of Annex IX to the Agreement:

‘, as amended by:

- **32009 L 0044**: Directive 2009/44/EC of the European Parliament and of the Council of 6 May 2009 (OJ L 146, 10.6.2009, p. 37).’

Article 2

The following shall be added in point 4 (Directive 2002/47/EC of the European Parliament and of the Council) of Annex XII to the Agreement:

‘, as amended by:

- **32009 L 0044**: Directive 2009/44/EC of the European Parliament and of the Council of 6 May 2009 (OJ L 146, 10.6.2009, p. 37).

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

In Article 1(4)(c), the words “as defined in Article 1 and Article 2(2) and (3) of the Annex to Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises” shall not apply.’.

Article 3

The text of Directive 2009/44/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 4

This Decision shall enter into force on 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 5

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 30 April 2010.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 101, 22.4.2010, p. 19.⁽²⁾ OJ L 198, 28.7.2005, p. 45.⁽³⁾ OJ L 146, 10.6.2009, p. 37.

(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 51/2010

of 30 April 2010

amending Annex XIII (Transport) and Annex XIV (Competition) 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 XIII to the Agreement was amended by Decision of the EEA Joint Committee No 33/2010 of 12 March 2010 ⁽¹⁾.
- (2) Annex XIV to the Agreement was amended by Decision of the EEA Joint Committee No 156/2006 of 8 December 2006 ⁽²⁾.
- (3) Commission Regulation (EC) No 906/2009 of 28 September 2009 on the application of Article 81(3) of the Treaty to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia) ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Regulation (EC) No 823/2000 ⁽⁴⁾, which has been incorporated into the Agreement, expired on 25 April 2010 and is therefore to be repealed under the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 10 (Council Regulation (EEC) No 2988/74) of Annex XIII to the Agreement:

- '10a. **32009 R 0906:** Commission Regulation (EC) No 906/2009 of 28 September 2009 on the application of Article 81(3) of the Treaty to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia) (OJ L 256, 29.9.2009, p. 31) ⁽¹⁾.

⁽¹⁾ Listed here for purposes of information only. For application, see Annex XIV on Competition.'

Article 2

Annex XIV to the Agreement shall be amended as follows:

the text of point 11c (Commission Regulation (EC) No 823/2000) shall be replaced by the following:

'**32009 R 0906:** Commission Regulation (EC) No 906/2009 of 28 September 2009 on the application of Article 81(3) of the Treaty to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia) (OJ L 256, 29.9.2009, p. 31).

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

In Article 1 the words "Community ports" shall read "ports in the territory covered by the EEA Agreement".'

Article 3

The text of Regulation (EC) No 906/2009 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 4

This Decision shall enter into force on 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*). It shall apply from 26 April 2010.

Article 5

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 30 April 2010.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 143, 10.6.2010, p. 28.

⁽²⁾ OJ L 89, 29.3.2007, p. 31.

⁽³⁾ OJ L 256, 29.9.2009, p. 31.

⁽⁴⁾ OJ L 100, 20.4.2000, p. 24.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 52/2010

of 30 April 2010

amending Annex XIV (Competition) 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 XIV to the Agreement was amended by Decision of the EEA Joint Committee No 156/2006 of 8 December 2006 ⁽¹⁾.
- (2) Commission Regulation (EU) No 267/2010 of 24 March 2010 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to certain categories of agreements, decisions and concerted practices in the insurance sector ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 358/2003 ⁽³⁾, which has been incorporated into the Agreement, expired on 31 March 2010 and is therefore to be repealed under the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The text of point 15b (Commission Regulation (EC) No 358/2003) of Annex XIV to the Agreement shall be replaced by the following:

'32010 R 0267: Commission Regulation (EU) No 267/2010 of 24 March 2010 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to certain categories of agreements, decisions and concerted practices in the insurance sector (OJ L 83, 30.3.2010, p. 1).'

Article 2

The texts of Regulation (EU) No 267/2010 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*). It shall apply from 1 April 2010.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 30 April 2010.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 89, 29.3.2007, p. 31.

⁽²⁾ OJ L 83, 30.3.2010, p. 1.

⁽³⁾ OJ L 53, 28.2.2003, p. 8.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 53/2010

of 30 April 2010

amending Annex XVIII (Health and safety at work, labour law, and equal treatment for men and women) 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 XVIII to the Agreement was amended by Decision of the EEA Joint Committee No 147/2009 of 4 December 2009 ⁽¹⁾.
- (2) Directive 2009/104/EC of the European Parliament and of the Council of 16 September 2009 concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (codified version) ⁽²⁾ is to be incorporated into the Agreement.
- (3) Directive 2009/104/EC repeals Council Directive 89/655/EEC ⁽³⁾, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The text of point 10 (Council Directive 89/655/EEC) of Annex XVIII to the Agreement shall be replaced by the following:

'32009 L 0104: Directive 2009/104/EC of the European Parliament and of the Council of 16 September 2009 concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (codified version) (OJ L 260, 3.10.2009, p. 5).'

Article 2

The text of Directive 2009/104/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 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 30 April 2010.

*For the EEA Joint Committee**The President*

Alan SEATTER

⁽¹⁾ OJ L 62, 11.3.2010, p. 45.⁽²⁾ OJ L 260, 3.10.2009, p. 5.⁽³⁾ OJ L 393, 30.12.1989, p. 13.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 54/2010

of 30 April 2010

amending Annex XVIII (Health and safety at work, labour law, and equal treatment for men and women) 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 XVIII to the Agreement was amended by Decision of the EEA Joint Committee No 147/2009 of 4 December 2009 ⁽¹⁾.
- (2) Directive 2009/38/EC of the European Parliament and of the Council of 6 May 2009 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees (Recast) ⁽²⁾ is to be incorporated into the Agreement.
- (3) Directive 2009/38/EC repeals, with effect from 6 June 2011, Council Directive 94/45/EC ⁽³⁾, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement with effect from 6 June 2011,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XVIII to the Agreement shall be amended as follows:

1. the current point 27 (Council Directive 94/45/EC) shall be renumbered as point 27a;
2. the following point shall be inserted after point 26 (Council Directive 92/56/EEC deleted):

'27. **32009 L 0038**: Directive 2009/38/EC of the European Parliament and of the Council of 6 May 2009 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees (Recast) (OJ L 122, 16.5.2009, p. 28).';

3. the text of new point 27a (Council Directive 94/45/EC) shall be deleted with effect from 6 June 2011.

Article 2

The texts of Directive 2009/38/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 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 30 April 2010.

*For the EEA Joint Committee**The President*

Alan SEATTER

⁽¹⁾ OJ L 62, 11.3.2010, p. 45.

⁽²⁾ OJ L 122, 16.5.2009, p. 28.

⁽³⁾ OJ L 254, 30.9.1994, p. 64.

(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 55/2010

of 30 April 2010

amending Annex XX (Environment) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XX to the Agreement was amended by Decision of the EEA Joint Committee No 27/2010 of 12 March 2010 ⁽¹⁾.
- (2) Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) ⁽²⁾ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 1i (Directive 2004/35/EC of the European Parliament and of the Council) of Annex XX to the Agreement:

- '1j. **32007 L 0002:** Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).

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

- (a) With regard to the EFTA States, the time limits mentioned in Articles 6(a), 6(b) and 7(3) shall be understood to run from the date of entry into force of the Decision(s) of the EEA Joint Committee incor-

porating the implementing rules referred to in those Articles into the EEA Agreement.

- (b) With regard to the EFTA States, the time limits mentioned in Articles 21(2), 21(3) and 24(1), which run from the date of entry into force of the Directive, shall be understood to run from the date of entry into force of the Decision of the EEA Joint Committee No 55/2010 of 30 April 2010 incorporating this Directive into the EEA Agreement.'

Article 2

The text of Directive 2007/2/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 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 30 April 2010.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 143, 10.6.2010, p. 20.

⁽²⁾ OJ L 108, 25.4.2007, p. 1.

(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 56/2010

of 30 April 2010

amending Annex XXII (Company law) 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 XXII to the Agreement was amended by Decision of the EEA Joint Committee No 37/2010 of 12 March 2010 ⁽¹⁾.
- (2) Directive 2009/101/EC of the European Parliament and of the Council of 16 September 2009 on coordination of safeguards which, for the protection of the interests of members and third parties, are required by Member States of companies within the meaning of the second paragraph of Article 48 of the Treaty, with a view to making such safeguards equivalent (codified version) ⁽²⁾ is to be incorporated into the Agreement.
- (3) Directive 2009/102/EC of the European Parliament and of the Council of 16 September 2009 in the area of company law on single-member private limited liability companies (codified version) ⁽³⁾ is to be incorporated into the Agreement.
- (4) Directive 2009/101/EC repeals First Council Directive 68/151/EEC ⁽⁴⁾, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.
- (5) Directive 2009/102/EC repeals Twelfth Council Company Law Directive 89/667/EEC ⁽⁵⁾, which is incorporated into the Agreement and which is consequently to be repealed under the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Annex XXII to the Agreement shall be amended as follows:

1. the text of point 1 (First Council Directive 68/151/EEC) shall be replaced by the following:

'32009 L 0101: Directive 2009/101/EC of the European Parliament and of the Council of 16 September 2009 on coordination of safeguards which, for the protection of the interests of members and third parties, are required by Member States of companies within the meaning of the

second paragraph of Article 48 of the Treaty, with a view to making such safeguards equivalent (OJ L 258, 1.10.2009, p. 11).

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

The following shall be added in Article 1:

— Iceland:

hlutafélag, einkahlutafélag, samlagsfélag;

— Liechtenstein:

die Aktiengesellschaft, die Gesellschaft mit beschränkter Haftung, die Kommandit-aktiengesellschaft;

— Norway:

aksjeselskap, allmennaksjeselskap.”;

2. the text of point 9 (Twelfth Council Directive 89/667/EEC) shall be replaced by the following:

'32009 L 0102: Directive 2009/102/EC of the European Parliament and of the Council of 16 September 2009 in the area of company law on single-member private limited liability companies (OJ L 258, 1.10.2009, p. 20).

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

The following shall be added in Annex I:

— Iceland:

einkahlutafélag;

— Liechtenstein:

die Gesellschaft mit beschränkter Haftung;

— Norway:

aksjeselskap.”.

Article 2

The texts of Directives 2009/101/EC and 2009/102/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.

⁽¹⁾ OJ L 143, 10.6.2010, p. 33.

⁽²⁾ OJ L 258, 1.10.2009, p. 11.

⁽³⁾ OJ L 258, 1.10.2009, p. 20.

⁽⁴⁾ OJ L 65, 14.3.1968, p. 8.

⁽⁵⁾ OJ L 395, 30.12.1989, p. 40.

Article 3

This Decision shall enter into force on 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 30 April 2010.

For the EEA Joint Committee

The President

Alan SEATTER

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 57/2010

of 30 April 2010

amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

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 Articles 86 and 98 thereof,

Whereas:

- (1) Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No 16/2010 of 29 January 2010 ⁽¹⁾.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Recommendation of the European Parliament and of the Council 2009/C 155/01 of 18 June 2009 on the establishment of a European Quality Assurance Reference Framework for Vocational Education and Training ⁽²⁾.
- (3) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Recommendation of the European Parliament and of the Council 2009/C 155/02 of 18 June 2009 on the establishment of a European Credit System for Vocational Education and Training (ECVET) ⁽³⁾,

HAS DECIDED AS FOLLOWS:

Article 1

The following indents shall be added in paragraph 8 of Article 4 of Protocol 31 to the Agreement:

— **32009 H 0708(01)**: Recommendation of the European Parliament and of the Council 2009/C 155/01 of 18 June 2009 on the establishment of a European Quality Assurance Reference Framework for Vocational Education and Training (OJ C 155, 8.7.2009, p. 1),

— **32009 H 0708(02)**: Recommendation of the European Parliament and of the Council 2009/C 155/02 of 18 June 2009 on the establishment of a European Credit System for Vocational Education and Training (ECVET) (OJ C 155, 8.7.2009, p. 11).^{*}

Article 2

This Decision shall enter into force on the day following the last notification to the EEA Joint Committee under Article 103(1) of the Agreement (*).

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, 30 April 2010.

*For the EEA Joint Committee**The President*

Alan SEATTER

⁽¹⁾ OJ L 101, 22.4.2010, p. 26.

⁽²⁾ OJ C 155, 8.7.2009, p. 1.

⁽³⁾ OJ C 155, 8.7.2009, p. 11.

^(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 58/2010

of 30 April 2010

amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

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 Articles 86 and 98 thereof,

Whereas:

- (1) Protocol 31 to the Agreement was amended by Decision of the EEA Joint Committee No 70/2007 of 29 June 2007 ⁽¹⁾.
- (2) Regulation (EC) No 1692/2006 of the European Parliament and of the Council of 24 October 2006 establishing the second 'Marco Polo' programme for the granting of Community financial assistance to improve the environmental performance of the freight transport system (Marco Polo II) and repealing Regulation (EC) No 1382/2003 ⁽²⁾, as corrected by OJ L 65, 3.3.2007, p. 12, was included in Protocol 31 to the Agreement by Decision of the EEA Joint Committee No 70/2007 of 29 June 2007 ⁽³⁾.
- (3) It is appropriate to extend the cooperation of the Contracting Parties to the Agreement to include Regulation (EC) No 923/2009 of the European Parliament and of the Council of 16 September 2009 amending Regulation (EC) No 1692/2006 establishing the second 'Marco Polo' programme for the granting of Community financial assistance to improve the environmental performance of the freight transport system (Marco Polo II) ⁽⁴⁾.
- (4) Protocol 31 to the Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2010,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be added in the indent (Regulation (EC) No 1692/2006 of the European Parliament and of the Council) of Article 12(3) of Protocol 31 to the Agreement:

‘, as amended by:

- **32009 R 0923**: Regulation (EC) No 923/2009 of the European Parliament and of the Council of 16 September 2009 (OJ L 266, 9.10.2009, p. 1).’.

Article 2

This Decision shall enter into force on the day following the last notification to the EEA Joint Committee under Article 103(1) of the Agreement (*).

It shall apply from 1 January 2010.

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, 30 April 2010.

For the EEA Joint Committee

The President

Alan SEATTER

⁽¹⁾ OJ L 304, 22.11.2007, p. 54.

⁽²⁾ OJ L 328, 24.11.2006, p. 1.

⁽³⁾ OJ L 304, 22.11.2007, p. 54.

⁽⁴⁾ OJ L 266, 9.10.2009, p. 1.

(*) No constitutional requirements indicated.

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