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III

(Other acts)

EUROPEAN ECONOMIC AREA

DECISION OF THE EEA JOINT COMMITTEE

No 68/2017

of 5 May 2017

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement [2019/180]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Decision (EU) 2016/2008 of 15 November 2016 concerning animal health control measures relating to lumpy skin disease in certain Member States ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) This Decision concerns legislation regarding live animals other than fish and aquaculture animals and animal products such as ova, embryo and semen. Legislation concerning these matters shall not apply to Iceland, as specified in paragraph 2 of the Introductory Part of Chapter I of Annex I to the EEA Agreement. This Decision is therefore not to apply to Iceland.
- (3) This Decision concerns legislation regarding veterinary matters. Legislation regarding veterinary matters shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (4) Annex I to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following point is inserted after point 151 (Commission Implementing Regulation (EU) No 636/2014) in Part 1.2 of Chapter I of Annex I to the EEA Agreement:

'152. **32016 D 2008:** Commission Implementing Decision (EU) 2016/2008 of 15 November 2016 concerning animal health control measures relating to lumpy skin disease in certain Member States (OJ L 310, 17.11.2016, p. 51).

This act shall not apply to Iceland.'

Article 2

The text of Implementing Decision (EU) 2016/2008 in the Norwegian language, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

⁽¹⁾ OJ L 310, 17.11.2016, p. 51.

Article 3

This Decision shall enter into force on 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 69/2017

of 5 May 2017

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement [2019/181]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Decision (EU) 2016/2002 of 8 November 2016 amending Annex E to Council Directive 91/68/EEC, Annex III to Commission Decision 2010/470/EU and Annex II to Commission Decision 2010/472/EU concerning trade in and imports into the Union of ovine and caprine animals and semen of animals of the ovine and caprine species in relation to the rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) This Decision concerns legislation regarding live animals other than fish and aquaculture animals and animal products such as ova, embryo and semen. Legislation concerning these matters shall not apply to Iceland, as specified in paragraph 2 of the Introductory Part of Chapter I of Annex I to the EEA Agreement. This Decision is therefore not to apply to Iceland.
- (3) This Decision concerns legislation regarding veterinary matters. Legislation regarding veterinary matters shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (4) Annex I to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following indent is added in point 2 (Council Directive 91/68/EEC) in Part 4.1:

‘— **32016 D 2002:** Commission Implementing Decision (EU) 2016/2002 of 8 November 2016 (OJ L 308, 16.11.2016, p. 29).’

2. The following indent is added in point 93 (Commission Decision 2010/470/EU) in Part 4.2:

‘— **32016 D 2002:** Commission Implementing Decision (EU) 2016/2002 of 8 November 2016 (OJ L 308, 16.11.2016, p. 29).’

Article 2

The text of Implementing Decision (EU) 2016/2002 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

⁽¹⁾ OJ L 308, 16.11.2016, p. 29.

(*) No constitutional requirements indicated.

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

DECISION OF THE EEA JOINT COMMITTEE

No 70/2017

of 5 May 2017

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement [2019/182]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Decision (EU) 2016/1840 of 14 October 2016 amending Annex IV to Council Directive 2009/156/EC as regards methods for African horse sickness diagnosis ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Decision (EU) 2017/9 of 4 January 2017 authorising certain laboratories in Morocco and Taiwan to carry out serological tests to monitor the effectiveness of rabies vaccines in dogs, cats and ferrets ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) This Decision concerns legislation regarding live animals other than fish and aquaculture animals. Legislation concerning these matters shall not apply to Iceland, as specified in paragraph 2 of the Introductory Part of Chapter I of Annex I to the EEA Agreement. This Decision is therefore not to apply to Iceland.
- (4) This Decision concerns legislation regarding veterinary matters. Legislation regarding veterinary matters shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (5) Annex I to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following is added in point 3 (Council Directive 2009/156/EC) in Part 4.1:

‘as amended by:

— **32016 D 1840:** Commission Implementing Decision (EU) 2016/1840 of 14 October 2016 (OJ L 280, 18.10.2016, p. 33).’

2. The following indent is added in point 2 (Council Directive 2009/156/EC) in Part 8.1:

‘— **32016 D 1840:** Commission Implementing Decision (EU) 2016/1840 of 14 October 2016 (OJ L 280, 18.10.2016, p. 33).’

3. The following point is inserted after point 102 (Commission Implementing Decision (EU) 2016/1235) in Part 4.2:

‘103. **32017 D 0009:** Commission Implementing Decision (EU) 2017/9 of 4 January 2017 authorising certain laboratories in Morocco and Taiwan to carry out serological tests to monitor the effectiveness of rabies vaccines in dogs, cats and ferrets (OJ L 3, 6.1.2017, p. 32).

This act shall not apply to Iceland.’

Article 2

The texts of Implementing Decisions (EU) 2016/1840 and (EU) 2017/9 in the Norwegian language, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

⁽¹⁾ OJ L 280, 18.10.2016, p. 33.

⁽²⁾ OJ L 3, 6.1.2017, p. 32.

Article 3

This Decision shall enter into force on 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 71/2017

of 5 May 2017

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement [2019/183]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Regulation (EU) 2017/110 of 23 January 2017 amending Annexes IV and X to Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) This Decision concerns legislation regarding veterinary matters. Legislation regarding veterinary matters shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (3) Annex I to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent is added in 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 EEA Agreement:

‘— **32017 R 0110**: Commission Regulation (EU) 2017/110 of 23 January 2017 (OJ L 18, 24.1.2017, p. 42).’

Article 2

The text of Regulation (EU) 2017/110 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 18, 24.1.2017, p. 42.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 72/2017

of 5 May 2017

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement [2019/184]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Regulation (EU) 2016/1396 of 18 August 2016 amending certain Annexes to Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) This Decision concerns legislation regarding veterinary matters. Legislation regarding veterinary matters shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (3) Annex I to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following indent is added in point 12 (Regulation (EC) No 999/2001 of the European Parliament and of the Council) in Part 7.1:
'— **32016 R 1396:** Commission Regulation (EU) 2016/1396 of 18 August 2016 (OJ L 225, 19.8.2016, p. 76).'
2. The text of adaptation H. in point 12 (Regulation (EC) No 999/2001 of the European Parliament and of the Council) in Part 7.1 is deleted.

Article 2

The text of Commission Regulation (EU) 2016/1396 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee
The President
Claude MAERTEN

⁽¹⁾ OJ L 225, 19.8.2016, p. 76.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 73/2017

of 5 May 2017

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement [2019/185]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Decision (EU) 2016/851 of 26 May 2016 amending the Annex to Decision 2009/719/EC as regards the authorisation for Croatia to revise its BSE annual monitoring programme ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) This Decision concerns legislation regarding veterinary matters. Legislation regarding veterinary matters shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (3) The Agreement on the participation of the Republic of Croatia in the European Economic Area ⁽²⁾ ('the 2014 EEA Enlargement Agreement') signed on 11 April 2014 in Brussels, has been provisionally applicable to its signatories since 12 April 2014, and this Decision shall therefore apply provisionally pending the entry into force of the 2014 EEA Enlargement Agreement.
- (4) Annex I to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Under the heading 'ACTS OF WHICH THE EFTA STATES AND THE EFTA SURVEILLANCE AUTHORITY SHALL TAKE DUE ACCOUNT' in Part 7.2 of Chapter I of Annex I to the EEA Agreement, point 41b (Commission Decision 2009/719/EC) shall be amended as follows:

1. The following indent is added:

— **32016 D 0851**: Commission Implementing Decision (EU) 2016/851 of 26 May 2016 (OJ L 141, 28.5.2016, p. 131).'

2. The following is added at the end of the adaptation text:

— Iceland'.

Article 2

The text of Implementing Decision (EU) 2016/851 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made ^(*) or on day of the entry into force of the 2014 EEA Enlargement Agreement, whichever is the later.

Pending the entry into force of the 2014 EEA Enlargement Agreement, this Decision shall apply provisionally from 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made.

⁽¹⁾ OJ L 141, 28.5.2016, p. 131.

⁽²⁾ OJ L 170, 11.6.2014, p. 5.

^(*) No constitutional requirements indicated.

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

DECISION OF THE EEA JOINT COMMITTEE

No 74/2017

of 5 May 2017

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement [2019/186]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2016/2023 of 18 November 2016 concerning the authorisation of sodium benzoate, potassium sorbate, formic acid and sodium formate as feed additives for all animal species ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) This Decision concerns legislation regarding feedingstuffs. Legislation regarding feedingstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (3) Annex I to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following point is inserted after point 177 (Commission Implementing Regulation (EU) 2016/1964) of Chapter II of Annex I to the EEA Agreement:

- '178. **32016 R 2023:** Commission Implementing Regulation (EU) 2016/2023 of 18 November 2016 concerning the authorisation of sodium benzoate, potassium sorbate, formic acid and sodium formate as feed additives for all animal species (OJ L 313, 19.11.2016, p. 14).'

Article 2

The text of Implementing Regulation (EU) 2016/2023 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 313, 19.11.2016, p. 14.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 75/2017

of 5 May 2017

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement [2019/187]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2016/2150 of 7 December 2016 concerning the authorisation of the preparations of *Lactobacillus plantarum* DSM 29025 and *Lactobacillus plantarum* NCIMB 42150 as feed additives for all animal species ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2016/2260 of 15 December 2016 amending Regulations (EC) No 226/2007, (EC) No 1293/2008, (EC) No 910/2009, (EC) No 911/2009, (EU) No 1120/2010, (EU) No 212/2011 and Implementing Regulations (EU) No 95/2013 and (EU) No 413/2013 as regards the name of the holder of the authorisation of *Pediococcus acidilactici* CNCM MA 18/5M and *Saccharomyces cerevisiae* CNCM I-1077 ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2016/2261 of 15 December 2016 concerning the authorisation of copper(I) oxide as a feed additive for all animal species ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) This Decision concerns legislation regarding feedingstuffs. Legislation regarding feedingstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (5) Annex I to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

- (1) The following indent is added in points 1zzzl (Commission Regulation (EC) No 226/2007) and 1zzzzzf (Commission Regulation (EC) No 1293/2008):
‘— **32016 R 2260:** Commission Implementing Regulation (EU) 2016/2260 of 15 December 2016 (OJ L 342, 16.12.2016, p. 14).’
- (2) The following is added in points 1zzzzzp (Commission Regulation (EC) No 910/2009), 1zzzzzq (Commission Regulation (EC) No 911/2009), 2s (Commission Regulation (EU) No 1120/2010), 2w (Commission Regulation (EU) No 212/2011), 75 (Commission Implementing Regulation (EU) No 95/2013) and 83 (Commission Implementing Regulation (EU) No 413/2013):
‘, as amended by:
— **32016 R 2260:** Commission Implementing Regulation (EU) 2016/2260 of 15 December 2016 (OJ L 342, 16.12.2016, p. 14).’
- (3) The following points are inserted after point 178 (Commission Implementing Regulation (EU) 2016/2023):
‘179. **32016 R 2150:** Commission Implementing Regulation (EU) 2016/2150 of 7 December 2016 concerning the authorisation of the preparations of *Lactobacillus plantarum* DSM 29025 and *Lactobacillus plantarum* NCIMB 42150 as feed additives for all animal species (OJ L 333, 8.12.2016, p. 44).
180. **32016 R 2261:** Commission Implementing Regulation (EU) 2016/2261 of 15 December 2016 concerning the authorisation of copper(I) oxide as a feed additive for all animal species (OJ L 342, 16.12.2016, p. 18).’

⁽¹⁾ OJ L 333, 8.12.2016, p. 44.

⁽²⁾ OJ L 342, 16.12.2016, p. 14.

⁽³⁾ OJ L 342, 16.12.2016, p. 18.

Article 2

The texts of Implementing Regulations (EU) 2016/2150, (EU) 2016/2260 and (EU) 2016/2261 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 76/2017

of 5 May 2017

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement [2019/188]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2017/55 of 14 December 2016 concerning the authorisation of octan-2-ol, isopropanol, pentan-2-ol, octan-3-ol, heptan-2-one, pentan-2-one, 6-methyl-hepta-3,5-dien-2-one, nonan-3-one, decan-2-one and isopropyl tetradecanoate as feed additives for all animal species ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2017/57 of 14 December 2016 concerning the authorisation of 1,8-cineole, 3,4-dihydrocoumarin and 2-(2-methylprop-1-enyl)-4-methyltetrahydropyran as feed additives for all animal species ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2017/58 of 14 December 2016 concerning the authorisation of alpha-terpineol, nerolidol, 2-(4-methylphenyl) propan-2-ol, terpineol and linalyl acetate as feed additives for all animal species ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Regulation (EU) 2017/59 of 14 December 2016 concerning the authorisation of 1,1-dimethoxy-2-phenylethane, phenethyl formate, phenethyl octanoate, phenethyl isobutyrate, phenethyl 2-methyl-butyrate and phenethyl benzoate as feed additives for all animal species ⁽⁴⁾ is to be incorporated into the EEA Agreement.
- (5) Commission Implementing Regulation (EU) 2017/60 of 14 December 2016 concerning the authorisation of isoeugenol as a feed additive for pigs, ruminants and horses except those producing milk for human consumption and pets ⁽⁵⁾ is to be incorporated into the EEA Agreement.
- (6) Commission Implementing Regulation (EU) 2017/61 of 14 December 2016 concerning the authorisation of 4-allyl-2,6-dimethoxyphenol and eugenyl acetate as feed additives for all animal species except for fish and poultry ⁽⁶⁾ is to be incorporated into the EEA Agreement.
- (7) Commission Implementing Regulation (EU) 2017/64 of 14 December 2016 concerning the authorisation of glycyrrhizic acid ammoniated as a feed additive for all animal species ⁽⁷⁾ is to be incorporated into the EEA Agreement.
- (8) Commission Implementing Regulation (EU) 2017/65 of 14 December 2016 concerning the authorisation of 1-isopropyl-4-methylbenzene, pin-2(10)-ene, pin-2(3)-ene, beta-caryophyllene, camphene, 1-isopropenyl-4-methylbenzene, delta-3-carene and d-limonene as feed additives for all animal species ⁽⁸⁾ is to be incorporated into the EEA Agreement.
- (9) Commission Implementing Regulation (EU) 2017/66 of 14 December 2016 concerning the authorisation of tannic acid as a feed additive for all animal species ⁽⁹⁾ is to be incorporated into the EEA Agreement.
- (10) This Decision concerns legislation regarding feedingstuffs. Legislation regarding feedingstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.

⁽¹⁾ OJ L 13, 17.1.2017, p. 112.

⁽²⁾ OJ L 13, 17.1.2017, p. 153.

⁽³⁾ OJ L 13, 17.1.2017, p. 159.

⁽⁴⁾ OJ L 13, 17.1.2017, p. 167.

⁽⁵⁾ OJ L 13, 17.1.2017, p. 177.

⁽⁶⁾ OJ L 13, 17.1.2017, p. 181.

⁽⁷⁾ OJ L 13, 17.1.2017, p. 242.

⁽⁸⁾ OJ L 13, 17.1.2017, p. 246.

⁽⁹⁾ OJ L 13, 17.1.2017, p. 259.

(11) Annex I to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following points are inserted after point 180 (Commission Implementing Regulation (EU) 2016/2261) of Chapter II of Annex I to the EEA Agreement:

- ‘181. **32017 R 0055**: Commission Implementing Regulation (EU) 2017/55 of 14 December 2016 concerning the authorisation of octan-2-ol, isopropanol, pentan-2-ol, octan-3-ol, heptan-2-one, pentan-2-one, 6-methyl-hepta-3,5-dien-2-one, nonan-3-one, decan-2-one and isopropyl tetradecanoate as feed additives for all animal species (OJ L 13, 17.1.2017, p. 112).
- 182. **32017 R 0057**: Commission Implementing Regulation (EU) 2017/57 of 14 December 2016 concerning the authorisation of 1,8-cineole, 3,4-dihydrocoumarin and 2-(2-methylprop-1-enyl)-4-methyltetrahydropyran as feed additives for all animal species (OJ L 13, 17.1.2017, p. 153).
- 183. **32017 R 0058**: Commission Implementing Regulation (EU) 2017/58 of 14 December 2016 concerning the authorisation of alpha-terpineol, nerolidol, 2-(4-methylphenyl) propan-2-ol, terpineol and linalyl acetate as feed additives for all animal species (OJ L 13, 17.1.2017, p. 159).
- 184. **32017 R 0059**: Commission Implementing Regulation (EU) 2017/59 of 14 December 2016 concerning the authorisation of 1,1-dimethoxy-2-phenylethane, phenethyl formate, phenethyl octanoate, phenethyl isobutyrate, phenethyl 2-methyl-butyrate and phenethyl benzoate as feed additives for all animal species (OJ L 13, 17.1.2017, p. 167).
- 185. **32017 R 0060**: Commission Implementing Regulation (EU) 2017/60 of 14 December 2016 concerning the authorisation of isoeugenol as a feed additive for pigs, ruminants and horses except those producing milk for human consumption and pets (OJ L 13, 17.1.2017, p. 177).
- 186. **32017 R 0061**: Commission Implementing Regulation (EU) 2017/61 of 14 December 2016 concerning the authorisation of 4-allyl-2,6-dimethoxyphenol and eugenyl acetate as feed additives for all animal species except for fish and poultry (OJ L 13, 17.1.2017, p. 181).
- 187. **32017 R 0064**: Commission Implementing Regulation (EU) 2017/64 of 14 December 2016 concerning the authorisation of glycyrrhizic acid ammoniated as a feed additive for all animal species (OJ L 13, 17.1.2017, p. 242).
- 188. **32017 R 0065**: Commission Implementing Regulation (EU) 2017/65 of 14 December 2016 concerning the authorisation of 1-isopropyl-4-methylbenzene, pin-2(10)-ene, pin-2(3)-ene, beta-caryophyllene, camphene, 1-isopropenyl-4-methylbenzene, delta-3-carene and d-limonene as feed additives for all animal species (OJ L 13, 17.1.2017, p. 246).
- 189. **32017 R 0066**: Commission Implementing Regulation (EU) 2017/66 of 14 December 2016 concerning the authorisation of tannic acid as a feed additive for all animal species (OJ L 13, 17.1.2017, p. 259).’

Article 2

The texts of Implementing Regulations (EU) 2017/55, (EU) 2017/57, (EU) 2017/58, (EU) 2017/59, (EU) 2017/60, (EU) 2017/61, (EU) 2017/64, (EU) 2017/65 and (EU) 2017/66 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

(*) No constitutional requirements indicated.

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

DECISION OF THE EEA JOINT COMMITTEE

No 77/2017

of 5 May 2017

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement [2019/189]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2017/173 of 1 February 2017 amending Regulation (EC) No 1292/2008 and Implementing Regulation (EU) No 887/2011, as regards the name of the holder of the authorisation of *Bacillus amyloliquefaciens* CECT 5940 and *Enterococcus faecium* CECT 4515 ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2017/187 of 2 February 2017 concerning the authorisation of a preparation of *Bacillus subtilis* (DSM 28343) as a feed additive for chickens for fattening (holder of authorisation Lactosan GmbH & Co. KG) ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2017/194 of 3 February 2017 concerning the authorisation of the preparation of *Lactobacillus diolivorans* DSM 32074 as a feed additive for all animal species ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Regulation (EU) 2017/210 of 7 February 2017 concerning the authorisation of a preparation of endo-1,4-beta-xylanase and endo-1,3(4)-beta-glucanase produced by *Talaromyces versatilis* sp. nov. IMI CC 378536 and *Talaromyces versatilis* sp. nov. DSM 26702 as a feed additive for laying hens (holder of the authorisation Adisseo France S.A.S.) ⁽⁴⁾ is to be incorporated into the EEA Agreement.
- (5) Commission Implementing Regulation (EU) 2017/211 of 7 February 2017 concerning the authorisation of a preparation of endo-1,4-beta-xylanase (EC 3.2.1.8) produced by *Bacillus subtilis* (LMG-S 15136) as a feed additive for poultry, weaned piglets and pigs for fattening, and amending Regulations (EC) No 1259/2004, (EC) No 1206/2005, and (EC) No 322/2009 and repealing Regulation (EC) No 516/2007 (holder of authorisation Beldem, a division of Puratos NV) ⁽⁵⁾ is to be incorporated into the EEA Agreement.
- (6) Commission Implementing Regulation (EU) 2017/219 of 8 February 2017 concerning the authorisation of a preparation of *Bacillus subtilis* (DSM 27273) as a feed additive for weaned piglets and weaned minor porcine species (holder of authorisation Chr. Hansen A/S) ⁽⁶⁾ is to be incorporated into the EEA Agreement.
- (7) Implementing Regulation (EU) 2017/211 repeals Regulation (EC) No 516/2007 ⁽⁷⁾ which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (8) This Decision concerns legislation regarding feedingstuffs. Legislation regarding feedingstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (9) Annex I to the EEA Agreement should therefore be amended accordingly,

⁽¹⁾ OJ L 28, 2.2.2017, p. 5.

⁽²⁾ OJ L 29, 3.2.2017, p. 35.

⁽³⁾ OJ L 31, 4.2.2017, p. 18.

⁽⁴⁾ OJ L 33, 8.2.2017, p. 19.

⁽⁵⁾ OJ L 33, 8.2.2017, p. 23.

⁽⁶⁾ OJ L 34, 9.2.2017, p. 18.

⁽⁷⁾ OJ L 122, 11.5.2007, p. 22.

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following indent is added in points 1zs (Commission Regulation (EC) No 1259/2004), 1zzn (Commission Regulation (EC) No 1206/2005) and 1zzzzx (Commission Regulation (EC) No 322/2009):

‘— **32017 R 0211**: Commission Implementing Regulation (EU) 2017/211 of 7 February 2017 (OJ L 33, 8.2.2017, p. 23).’

2. The following points are inserted after point 189 (Commission Implementing Regulation (EU) 2017/66):

‘190. **32017 R 0173**: Commission Implementing Regulation (EU) 2017/173 of 1 February 2017 amending Regulation (EC) No 1292/2008 and Implementing Regulation (EU) No 887/2011, as regards the name of the holder of the authorisation of *Bacillus amyloliquefaciens* CECT 5940 and *Enterococcus faecium* CECT 4515 (OJ L 28, 2.2.2017, p. 5).

191. **32017 R 0187**: Commission Implementing Regulation (EU) 2017/187 of 2 February 2017 concerning the authorisation of a preparation of *Bacillus subtilis* (DSM 28343) as a feed additive for chickens for fattening (holder of authorisation Lactosan GmbH & Co. KG) (OJ L 29, 3.2.2017, p. 35).

192. **32017 R 0194**: Commission Implementing Regulation (EU) 2017/194 of 3 February 2017 concerning the authorisation of the preparation of *Lactobacillus diolivorans* DSM 32074 as a feed additive for all animal species (OJ L 31, 4.2.2017, p. 18).

193. **32017 R 0210**: Commission Implementing Regulation (EU) 2017/210 of 7 February 2017 concerning the authorisation of a preparation of endo-1,4-beta-xylanase and endo-1,3(4)-beta-glucanase produced by *Talaromyces versatilis* sp. nov. IMI CC 378536 and *Talaromyces versatilis* sp. nov. DSM 26702 as a feed additive for laying hens (holder of the authorisation Adisseo France S.A.S.) (OJ L 33, 8.2.2017, p. 19).

194. **32017 R 0211**: Commission Implementing Regulation (EU) 2017/211 of 7 February 2017 concerning the authorisation of a preparation of endo-1,4-beta-xylanase (EC 3.2.1.8) produced by *Bacillus subtilis* (LMG-S 15136) as a feed additive for poultry, weaned piglets and pigs for fattening, and amending Regulations (EC) No 1259/2004, (EC) No 1206/2005, and (EC) No 322/2009 and repealing Regulation (EC) No 516/2007 (holder of authorisation Beldem, a division of Puratos NV) (OJ L 33, 8.2.2017, p. 23).

195. **32017 R 0219**: Commission Implementing Regulation (EU) 2017/219 of 8 February 2017 concerning the authorisation of a preparation of *Bacillus subtilis* (DSM 27273) as a feed additive for weaned piglets and weaned minor porcine species (holder of authorisation Chr. Hansen A/S) (OJ L 34, 9.2.2017, p. 18).’

3. The text of point 1zzzzq (Commission Regulation (EC) No 516/2007) is deleted.

Article 2

The texts of Implementing Regulations (EU) 2017/173, (EU) No 2017/187, (EU) 2017/194, (EU) 2017/210, (EU) 2017/211 and (EU) 2017/219 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

(*) No constitutional requirements indicated.

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

DECISION OF THE EEA JOINT COMMITTEE

No 78/2017

of 5 May 2017

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement [2019/190]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Directive (EU) 2016/2109 of 1 December 2016 amending Council Directive 66/401/EEC as regards the inclusion of new species and the botanical name of the species *Lolium x boucheanum* Kunth ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) This Decision concerns legislation regarding phytosanitary matters. Legislation regarding phytosanitary matters shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (3) Annex I to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent is added in point 2 (Council Directive 66/401/EEC) in Part 1 of Chapter III of Annex I to the EEA Agreement:

‘— **32016 L 2109**: Commission Implementing Directive (EU) 2016/2109 of 1 December 2016 (OJ L 327, 2.12.2016, p. 59).’

Article 2

The text of Implementing Directive (EU) 2016/2109 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 327, 2.12.2016, p. 59.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 79/2017

of 5 May 2017

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement [2019/191]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Directive (EU) 2016/1914 of 31 October 2016 amending Directives 2003/90/EC and 2003/91/EC setting out implementing measures for the purposes of Article 7 of Council Directive 2002/53/EC and Article 7 of Council Directive 2002/55/EC respectively, as regards the characteristics to be covered as a minimum by the examination and the minimum conditions for examining certain varieties of agricultural plant species and vegetable species ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) This Decision concerns legislation regarding phytosanitary matters. Legislation regarding phytosanitary matters shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (3) Annex I to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent is added in points 14 (Commission Directive 2003/90/EC) and 15 (Commission Directive 2003/91/EC) in Part 1 of Chapter III of Annex I to the EEA Agreement:

‘— **32016 L 1914:** Commission Implementing Directive (EU) 2016/1914 of 31 October 2016 (OJ L 296, 1.11.2016, p. 7).’

Article 2

The text of Implementing Directive (EU) 2016/1914 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 296, 1.11.2016, p. 7.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 80/2017

of 5 May 2017

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement [2019/192]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Decision (EU) 2016/2241 of 9 December 2016 providing for the temporary marketing of seed of certain varieties of the species *Beta vulgaris* L., not satisfying the requirements of Council Directive 2002/54/EC ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Decision (EU) 2016/2242 of 9 December 2016 providing for the temporary marketing of seed of *Hordeum vulgare* L. variety Scrabble, not satisfying the requirements of Council Directive 66/402/EEC ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) This Decision concerns legislation regarding phytosanitary matters. Legislation regarding phytosanitary matters shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (4) Annex I to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following points are inserted after point 59 (Commission Implementing Decision 2014/150/EU) in Part 2 of Chapter III of Annex I to the EEA Agreement:

- '60. **32016 D 2241:** Commission Implementing Decision (EU) 2016/2241 of 9 December 2016 providing for the temporary marketing of seed of certain varieties of the species *Beta vulgaris* L., not satisfying the requirements of Council Directive 2002/54/EC (OJ L 337, 13.12.2016, p. 20).
61. **32016 D 2242:** Commission Implementing Decision (EU) 2016/2242 of 9 December 2016 providing for the temporary marketing of seed of *Hordeum vulgare* L. variety Scrabble, not satisfying the requirements of Council Directive 66/402/EEC (OJ L 337, 13.12.2016, p. 22).'

Article 2

The texts of Implementing Decisions (EU) 2016/2241 and (EU) 2016/2242 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

⁽¹⁾ OJ L 337, 13.12.2016, p. 20.

⁽²⁾ OJ L 337, 13.12.2016, p. 22.

(*) No constitutional requirements indicated.

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

DECISION OF THE EEA JOINT COMMITTEE

No 81/2017

of 5 May 2017

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement [2019/193]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2017/78 of 15 July 2016 establishing administrative provisions for the EC type-approval of motor vehicles with respect to their 112-based eCall in-vehicle systems and uniform conditions for the implementation of Regulation (EU) 2015/758 of the European Parliament and of the Council with regard to the privacy and data protection of users of such systems ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Delegated Regulation (EU) 2017/79 of 12 September 2016 establishing detailed technical requirements and test procedures for the EC type-approval of motor vehicles with respect to their 112-based eCall in-vehicles systems, of 112-based eCall in-vehicle separate technical units and components and supplementing and amending Regulation (EU) 2015/758 of the European Parliament and of the Council with regard to the exemptions and applicable standards ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following is added in point 47 (Regulation (EU) 2015/758 of the European Parliament and of the Council):
'as amended by:
32017 R 0079: Commission Delegated Regulation (EU) 2017/79 of 12 September 2016 (OJ L 12, 17.1.2017, p. 44)'
2. The following points are inserted after point 47 (Regulation (EU) 2015/758 of the European Parliament and of the Council):
'48. **32017 R 0078:** Commission Implementing Regulation (EU) 2017/78 of 15 July 2016 establishing administrative provisions for the EC type-approval of motor vehicles with respect to their 112-based eCall in-vehicle systems and uniform conditions for the implementation of Regulation (EU) 2015/758 of the European Parliament and of the Council with regard to the privacy and data protection of users of such systems (OJ L 12, 17.1.2017, p. 26).
49. **32017 R 0079:** Commission Delegated Regulation (EU) 2017/79 of 12 September 2016 establishing detailed technical requirements and test procedures for the EC type-approval of motor vehicles with respect to their 112-based eCall in-vehicles systems, of 112-based eCall in-vehicle separate technical units and components and supplementing and amending Regulation (EU) 2015/758 of the European Parliament and of the Council with regard to the exemptions and applicable standards (OJ L 12, 17.1.2017, p. 44).'

Article 2

The texts of Implementing Regulation (EU) 2017/78 and Delegated Regulation (EU) 2017/79 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 12, 17.1.2017, p. 26.

⁽²⁾ OJ L 12, 17.1.2017, p. 44.

Article 3

This Decision shall enter into force on 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 82/2017

of 5 May 2017

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement [2019/194]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Regulation (EU) 2016/1776 of 6 October 2016 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of sucralose (E 955) as a flavour enhancer in chewing gum with added sugars or polyols ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) This Decision concerns legislation regarding foodstuffs. Legislation regarding foodstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the introduction to Chapter XII of Annex II to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (3) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent is added in point 54zzzzr (Regulation (EC) No 1333/2008 of the European Parliament and of the Council) of Chapter XII of Annex II to the EEA Agreement:

‘— **32016 R 1776**: Commission Regulation (EU) 2016/1776 of 6 October 2016 (OJ L 272, 7.10.2016, p. 2).’

Article 2

The text of Regulation (EU) 2016/1776 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 272, 7.10.2016, p. 2.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 83/2017

of 5 May 2017

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement [2019/195]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 1337/2013 of 13 December 2013 laying down rules for the application of Regulation (EU) No 1169/2011 of the European Parliament and of the Council as regards the indication of the country of origin or place of provenance for fresh, chilled and frozen meat of swine, sheep, goats and poultry ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Directive 2014/63/EU of the European Parliament and of the Council of 15 May 2014 amending Council Directive 2001/110/EC relating to honey ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) This Decision concerns legislation regarding foodstuffs. Legislation regarding foodstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the introduction to Chapter XII of Annex II to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (4) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following point is inserted after point 86 (Regulation (EU) No 1169/2011 of the European Parliament and of the Council):

'86a. **32013 R 1337**: Commission Implementing Regulation (EU) No 1337/2013 of 13 December 2013 laying down rules for the application of Regulation (EU) No 1169/2011 of the European Parliament and of the Council as regards the indication of the country of origin or place of provenance for fresh, chilled and frozen meat of swine, sheep, goats and poultry (OJ L 335, 14.12.2013, p. 19).'
2. The following is added in point 54zo (Council Directive 2001/110/EC):

'as amended by:

— **32014 L 0063**: Directive 2014/63/EU of the European Parliament and of the Council of 15 May 2014 (OJ L 164, 3.6.2014, p. 1).'

Article 2

The texts of Implementing Regulation (EU) No 1337/2013 and Directive 2014/63/EU 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

⁽¹⁾ OJ L 335, 14.12.2013, p. 19.

⁽²⁾ OJ L 164, 3.6.2014, p. 1.

(*) No constitutional requirements indicated.

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

DECISION OF THE EEA JOINT COMMITTEE

No 84/2017

of 5 May 2017

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement [2019/196]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2016/662 of 1 April 2016 concerning a coordinated multiannual control programme of the Union for 2017, 2018 and 2019 to ensure compliance with maximum residue levels of pesticides and to assess the consumer exposure to pesticide residues in and on food of plant and animal origin ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Implementing Regulation (EU) 2016/662 repeals Commission Implementing Regulation (EU) 2015/595 ⁽²⁾, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement
- (3) This Decision concerns legislation regarding foodstuffs. Legislation regarding foodstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the introduction to Chapter XII of Annex II to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (4) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

- (1) The following is inserted after point 120 (Commission Regulation (EU) 2016/1412) of Chapter XII of Annex II to the EEA Agreement:

'121. **32016 R 0662:** Commission Implementing Regulation (EU) 2016/662 of 1 April 2016 concerning a coordinated multiannual control programme of the Union for 2017, 2018 and 2019 to ensure compliance with maximum residue levels of pesticides and to assess the consumer exposure to pesticide residues in and on food of plant and animal origin (OJ L 115, 29.4.2016, p. 2).

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

In the table in point (5) in annex II, the following shall be added:

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NO	12'

- (2) The text of point 102 (Commission Implementing Regulation (EU) 2015/595) is deleted.

Article 2

The text of Implementing Regulation (EU) 2016/662 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

⁽¹⁾ OJ L 115, 29.4.2016, p. 2.

⁽²⁾ OJ L 99, 16.4.2015, p. 7.

(*) No constitutional requirements indicated.

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

DECISION OF THE EEA JOINT COMMITTEE**No 85/2017****of 5 May 2017****amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement [2019/197]**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Directive (EU) 2015/2203 of the European Parliament and of the Council of 25 November 2015 on the approximation of the laws of the Member States relating to caseins and caseinates intended for human consumption and repealing Council Directive 83/417/EEC ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Directive (EU) 2015/2203 repeals Council Directive 83/417/EEC ⁽²⁾ which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (3) This Decision concerns legislation regarding foodstuffs. Legislation regarding foodstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the introduction to Chapter XII of Annex II to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (4) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following point is inserted after point 121 (Commission Implementing Regulation (EU) 2016/662):

'122. **32015 L 2203**: Directive (EU) 2015/2203 of the European Parliament and of the Council of 25 November 2015 on the approximation of the laws of the Member States relating to caseins and caseinates intended for human consumption and repealing Council Directive 83/417/EEC (OJ L 314, 1.12.2015, p. 1).'
2. The text of point 32 (Council Directive 83/417/EEC) is deleted.

Article 2

The text of Directive (EU) 2015/2203 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

⁽¹⁾ OJ L 314, 1.12.2015, p. 1.

⁽²⁾ OJ L 237, 26.8.1983, p. 25.

(*) No constitutional requirements indicated.

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

DECISION OF THE EEA JOINT COMMITTEE**No 86/2017****of 5 May 2017****amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement [2019/198]**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Regulation (EU) 2017/236 of 10 February 2017 refusing to authorise a health claim made on foods and referring to the reduction of disease risk ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) This Decision concerns legislation regarding foodstuffs. Legislation regarding foodstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the introduction to Chapter XII of Annex II to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (3) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following point is inserted after point 122 (Directive (EU) 2015/2203 of the European Parliament and of the Council) of Chapter XII of Annex II to the EEA Agreement:

‘123. **32017 R 0236**: Commission Regulation (EU) 2017/236 of 10 February 2017 refusing to authorise a health claim made on foods and referring to the reduction of disease risk (OJ L 36, 11.2.2017, p. 9).’*Article 2*The text of Regulation (EU) 2017/236 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

*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, 5 May 2017.

*For the EEA Joint Committee**The President*

Claude MAERTEN

⁽¹⁾ OJ L 36, 11.2.2017, p. 9.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 87/2017

of 5 May 2017

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement [2019/199]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2016/2045 of 23 November 2016 amending Regulation (EU) No 37/2010 as regards the substance gamithromycin ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2016/2074 of 25 November 2016 amending Regulation (EU) No 37/2010 as regards the substance aluminium salicylate, basic ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indents are added in point 13 (Commission Regulation (EU) No 37/2010) of Chapter XIII of Annex II to the EEA Agreement:

- **32016 R 2045:** Commission Implementing Regulation (EU) 2016/2045 of 23 November 2016 (OJ L 318, 24.11.2016, p. 3),
- **32016 R 2074:** Commission Implementing Regulation (EU) 2016/2074 of 25 November 2016 (OJ L 320, 26.11.2016, p. 29).'

Article 2

The texts of Implementing Regulations (EU) 2016/2045 and (EU) 2016/2074 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 318, 24.11.2016, p. 3.

⁽²⁾ OJ L 320, 26.11.2016, p. 29.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 88/2017

of 5 May 2017

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement [2019/200]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Decision (EU) 2016/1658 of 13 September 2016 amending Decision 2008/911/EC establishing a list of herbal substances, preparations and combinations thereof for use in traditional herbal medicinal products ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Decision (EU) 2016/1659 of 13 September 2016 amending Decision 2008/911/EC establishing a list of herbal substances, preparations and combinations thereof for use in traditional herbal medicinal products ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indents are added in point 15zl (Commission Decision 2008/911/EC) of Chapter XIII of Annex II to the EEA Agreement:

- **32016 D 1658:** Commission Implementing Decision (EU) 2016/1658 of 13 September 2016 (OJ L 247, 15.9.2016, p. 19),
- **32016 D 1659:** Commission Implementing Decision (EU) 2016/1659 of 13 September 2016 (OJ L 247, 15.9.2016, p. 22).'

Article 2

The texts of Implementing Decisions (EU) 2016/1658 and (EU) 2016/1659 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 247, 15.9.2016, p. 19.

⁽²⁾ OJ L 247, 15.9.2016, p. 22.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 89/2017****of 5 May 2017****amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement [2019/201]**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Regulation (EU) 2017/227 of 9 February 2017 amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards bis(pentabromophenyl)ether ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent is added in point 12zc (Regulation (EC) No 1907/2006 of the European Parliament and of the Council) of Chapter XV of Annex II to the EEA Agreement:

‘— **32017 R 0227**: Commission Regulation (EU) 2017/227 of 9 February 2017 (OJ L 35, 10.2.2017, p. 6).’*Article 2*The text of Regulation (EU) 2017/227 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

*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, 5 May 2017.

*For the EEA Joint Committee**The President*

Claude MAERTEN

⁽¹⁾ OJ L 35, 10.2.2017, p. 6.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 90/2017

of 5 May 2017

amending Annex I (Veterinary and phytosanitary matters) and Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement [2019/202]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Regulation (EU) 2016/1726 of 27 September 2016 amending Annex IV to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards carvone, diammonium phosphate, *Saccharomyces cerevisiae* strain LAS02 and whey ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) This Decision concerns legislation regarding feedingstuffs and foodstuffs. Legislation regarding feedingstuffs and foodstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I and the introduction to Chapter XII of Annex II to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (3) Annexes I and II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent is 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 EEA Agreement:

‘— **32016 R 1726:** Commission Regulation (EU) 2016/1726 of 27 September 2016 (OJ L 261, 28.9.2016, p. 3).’

Article 2

The following indent is added in point 54zzy (Regulation (EC) No 396/2005 of the European Parliament and of the Council) of Chapter XII of Annex II to the EEA Agreement:

‘— **32016 R 1726:** Commission Regulation (EU) 2016/1726 of 27 September 2016 (OJ L 261, 28.9.2016, p. 3).’

Article 3

The text of Regulation (EU) 2016/1726 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

⁽¹⁾ OJ L 261, 28.9.2016, p. 3.

(*) No constitutional requirements indicated.

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

DECISION OF THE EEA JOINT COMMITTEE

No 91/2017

of 5 May 2017

amending Annex I (Veterinary and phytosanitary matters) and Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement [2019/203]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Regulation (EU) 2016/1902 of 27 October 2016 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 acetamiprid, ametoctradin, azoxystrobin, cyfluthrin, difluoroacetic acid, dimethomorph, fenpyrazamine, flonicamid, fluazinam, fludioxonil, flupyradifurone, flutriafol, fluxapyroxad, metconazole, proquinazid, prothioconazole, pyriproxyfen, spirodiclofen and trifloxystrobin in or on certain products ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) This Decision concerns legislation regarding feedingstuffs and foodstuffs. Legislation regarding feedingstuffs and foodstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I and the introduction to Chapter XII of Annex II to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (3) Annexes I and II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent is 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 EEA Agreement:

‘— **32016 R 1902:** Commission Regulation (EU) 2016/1902 of 27 October 2016 (OJ L 298, 4.11.2016, p. 1).’

Article 2

The following indent is added in point 54zzy (Regulation (EC) No 396/2005 of the European Parliament and of the Council) of Chapter XII of Annex II to the EEA Agreement:

‘— **32016 R 1902:** Commission Regulation (EU) 2016/1902 of 27 October 2016 (OJ L 298, 4.11.2016, p. 1).’

Article 3

The text of Regulation (EU) 2016/1902 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

⁽¹⁾ OJ L 298, 4.11.2016, p. 1.

(*) No constitutional requirements indicated.

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

DECISION OF THE EEA JOINT COMMITTEE**No 92/2017****of 5 May 2017****amending Annex II (Technical regulations, standards, testing and certification) and Annex XVII (Intellectual Property) to the EEA Agreement [2019/204]**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Regulation (EC) No 1901/2006 of the European Parliament and of the Council of 12 December 2006 on medicinal products for paediatric use and amending Regulation (EEC) No 1768/92, Directive 2001/20/EC, Directive 2001/83/EC and Regulation (EC) No 726/2004 ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Regulation (EC) No 1902/2006 of the European Parliament and of the Council of 20 December 2006 amending Regulation (EC) No 1901/2006 on medicinal products for paediatric use ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Regulation (EC) No 469/2009 of the European Parliament and of the Council of 6 May 2009 concerning the supplementary protection certificate for medicinal products (Codified version) ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Commission Regulation (EU) No 488/2012 of 8 June 2012 amending Regulation (EC) No 658/2007 concerning financial penalties for infringement of certain obligations in connection with marketing authorisations granted under Regulation (EC) No 726/2004 of the European Parliament and of the Council ⁽⁴⁾, as corrected by OJ L 338, 12.12.2012, p. 44, is to be incorporated into the EEA Agreement.
- (5) Regulation (EC) No 469/2009 repeals Council Regulation (EEC) No 1768/92 ⁽⁵⁾ which has been incorporated into the EEA Agreement and which is therefore to be repealed under the EEA Agreement.
- (6) Commission Regulation (EC) No 658/2007 ⁽⁶⁾ lays down rules concerning the application of financial penalties to the holders of marketing authorisations granted under Regulation (EC) No 726/2004 of the European Parliament and of the Council ⁽⁷⁾. Once the Commission has granted a marketing authorisation, the EFTA States should simultaneously take corresponding decisions within 30 days from the grant. Due to the special circumstances, notably that the Commission grants marketing authorisations, that the infringements affect the Union and its interests and the complex and technical nature of the infringement procedures, the EFTA Surveillance Authority should cooperate closely with the Commission and await the Commission's assessment and proposal for action before taking a decision regarding financial penalties to the holders of marketing authorisations established in an EFTA State.
- (7) Annexes II and XVII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

- (1) The following text is inserted after the words 'Committee on Orphan Medicinal Products (COMP)' in the 13th paragraph of the introductory text:

' , the Paediatric Committee'.

⁽¹⁾ OJ L 378, 27.12.2006, p. 1.

⁽²⁾ OJ L 378, 27.12.2006, p. 20.

⁽³⁾ OJ L 152, 16.6.2009, p. 1.

⁽⁴⁾ OJ L 150, 9.6.2012, p. 68.

⁽⁵⁾ OJ L 182, 2.7.1992, p. 1.

⁽⁶⁾ OJ L 155, 15.6.2007, p. 10.

⁽⁷⁾ OJ L 136, 30.4.2004, p. 1.

- (2) The following indent is added in points 15q (Directive 2001/83/EC of the European Parliament and of the Council) and 15zb (Regulation (EC) No 726/2004 of the European Parliament and of the Council):

‘— **32006 R 1901**: Regulation (EC) No 1901/2006 of the European Parliament and of the Council of 12 December 2006 (OJ L 378, 27.12.2006, p. 1).’

- (3) The adaptation text of point 15zb (Regulation (EC) No 726/2004 of the European Parliament and of the Council) is replaced by the following:

‘The powers vested in the European Commission in relation to the infringement procedure foreseen in Article 84(3), including the power to impose financial penalties on the holders of marketing authorisations, shall, in the cases where the marketing authorisation holder is established in an EFTA State, be carried out by the EFTA Surveillance Authority in close cooperation with the Commission. Before the EFTA Surveillance Authority takes a decision regarding financial penalties, the Commission shall provide it with its assessment and a proposal on how to act.’

- (4) The text of point 15zj (Commission Regulation (EC) No 658/2007) is replaced by the following:

‘**32007 R 0658**: Commission Regulation (EC) No 658/2007 of 14 June 2007 concerning financial penalties for infringement of certain obligations in connection with marketing authorisations granted under Regulation (EC) No 726/2004 of the European Parliament and of the Council (OJ L 155, 15.6.2007, p. 10), as amended by:

— **32012 R 0488**: Commission Regulation (EU) No 488/2012 of 8 June 2012 (OJ L 150, 9.6.2012, p. 68), as corrected by OJ L 338, 12.12.2012, p. 44.

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

The powers vested in the European Commission in relation to the infringement procedure, including the power to impose financial penalties on the holders of marketing authorisations, shall, in the cases where the marketing authorisation holder is established in an EFTA State, be carried out by the EFTA Surveillance Authority in close cooperation with the Commission. Before the EFTA Surveillance Authority takes a decision regarding financial penalties, the Commission shall provide it with its assessment and a proposal on how to act.’

- (5) The following point is inserted after point 15zq (Commission Implementing Regulation (EU) No 520/2012):

‘15zr. **32006 R 1901**: Regulation (EC) No 1901/2006 of the European Parliament and of the Council of 12 December 2006 on medicinal products for paediatric use and amending Regulation (EEC) No 1768/92, Directive 2001/20/EC, Directive 2001/83/EC and Regulation (EC) No 726/2004 (OJ L 378, 27.12.2006, p. 1), as amended by:

— **32006 R 1902**: Regulation (EC) No 1902/2006 of the European Parliament and of the Council of 20 December 2006 (OJ L 378, 27.12.2006, p. 20).

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

- (a) The application of Article 36(3) shall not be made dependent on an authorisation of the medicinal product in Liechtenstein.
- (b) The powers vested in the European Commission in relation to the infringement procedure foreseen in Article 49(3), including the power to impose financial penalties on the holders of marketing authorisations, shall, in the cases where the marketing authorisation holder is established in an EFTA State, be carried out by the EFTA Surveillance Authority in close cooperation with the Commission. Before the EFTA Surveillance Authority takes a decision regarding financial penalties, the Commission shall provide it with its assessment and a proposal on how to act.’

Article 2

The text of point 6 (Council Regulation (EEC) No 1768/92) of Annex XVII to the EEA Agreement is replaced by the following:

‘**32009 R 0469**: Regulation (EC) No 469/2009 of the European Parliament and of the Council of 6 May 2009 concerning the supplementary protection certificate for medicinal products (Codified version) (OJ L 152, 16.6.2009, p. 1).

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

- (a) The following paragraphs shall be added to Article 7:

“6. Paragraph 5 shall not apply to the EFTA States.

7. Notwithstanding paragraph 4, for five years following the entry into force of Regulation (EC) No 1901/2006 in the EFTA State concerned, the application for an extension of the duration of a certificate already granted shall be lodged not later than six months before the expiry of the certificate.”

(b) The following paragraphs shall be added to Article 21:

“3. An application for an extension of the duration of a certificate can only be granted in an EFTA State where the certificate expires less than 6 months prior to the entry into force of Regulation (EC) No 1901/2006 in the EFTA state concerned. In cases where the certificate expires prior to the entry into force of Regulation (EC) No 1901/2006 in the EFTA state concerned, the extension shall take effect only with respect to the time following after both such entry into force in the EFTA state concerned and the date of the publication of the application for the extension. However, paragraph 3 of Article 13 shall apply as to the calculation of the duration of the extension.

4. Notwithstanding paragraph 7 of Article 7, in cases where a certificate expires earlier than seven months after the entry into force of Regulation (EC) No 1901/2006 in the EFTA state concerned, the application for an extension of the duration of a certificate shall be lodged no later than one month after such entry into force in the EFTA state concerned. In these cases the extension takes effect only with respect to the time following the date of publication of the application for an extension. However, paragraph 3 of Article 13 shall apply as to the calculation of the duration of the extension.

5. An application for an extension of the duration of a certificate lodged in accordance with paragraphs 3 and 4 shall not prevent any third party who, between the expiry of the certificate and the publication of the application for an extension of the duration of the certificate, in good faith has commercially used the invention or made serious preparation for such use, to continue such use.”

(c) In view of the patent union between Liechtenstein and Switzerland, Liechtenstein shall not deliver any supplementary protection certificates for medicinal products as laid down in this Regulation.’

Article 3

The texts of Regulations (EC) No 1901/2006, (EC) No 1902/2006, (EC) No 469/2009 and (EU) No 488/2012, as corrected by OJ L 338, 12.12.2012, p. 44, 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE**No 93/2017****of 5 May 2017****amending Annex IV (Energy) to the EEA Agreement [2019/205]**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009 establishing an Agency for the Cooperation of Energy Regulators ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Regulation (EC) No 714/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the network for cross-border exchanges in electricity and repealing Regulation (EC) No 1228/2003 ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005 ⁽³⁾, as corrected by OJ L 229, 1.9.2009, p. 29 and OJ L 309, 24.11.2009, p. 87, is to be incorporated into the EEA Agreement.
- (4) Commission Regulation (EU) No 543/2013 of 14 June 2013 on submission and publication of data in electricity markets and amending Annex I to Regulation (EC) No 714/2009 of the European Parliament and of the Council ⁽⁴⁾ is to be incorporated into the EEA Agreement.
- (5) Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC ⁽⁵⁾ is to be incorporated into the EEA Agreement.
- (6) Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC ⁽⁶⁾ is to be incorporated into the EEA Agreement.
- (7) Commission Decision 2010/685/EU of 10 November 2010 amending Chapter 3 of Annex I to Regulation (EC) No 715/2009 of the European Parliament and of the Council on conditions for access to the natural gas transmission networks ⁽⁷⁾ is to be incorporated into the EEA Agreement.
- (8) Commission Decision 2012/490/EU of 24 August 2012 on amending Annex I to Regulation (EC) No 715/2009 of the European Parliament and of the Council on conditions for access to the natural gas transmission networks ⁽⁸⁾ is to be incorporated into the EEA Agreement.
- (9) Regulation (EC) No 714/2009 repeals Regulation (EC) No 1228/2003 of the European Parliament and of the Council ⁽⁹⁾ which is incorporated into the Agreement and which is consequently to be repealed under the EEA Agreement.
- (10) Regulation (EC) No 715/2009 repeals Regulation (EC) No 1775/2005 of the European Parliament and of the Council ⁽¹⁰⁾ which is incorporated into the Agreement and which is consequently to be repealed under the EEA Agreement.
- (11) Directive 2009/72/EC repeals Directive 2003/54/EC of the European Parliament and of the Council ⁽¹¹⁾ which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.

⁽¹⁾ OJ L 211, 14.8.2009, p. 1.

⁽²⁾ OJ L 211, 14.8.2009, p. 15.

⁽³⁾ OJ L 211, 14.8.2009, p. 36.

⁽⁴⁾ OJ L 163, 15.6.2013, p. 1.

⁽⁵⁾ OJ L 211, 14.8.2009, p. 55.

⁽⁶⁾ OJ L 211, 14.8.2009, p. 94.

⁽⁷⁾ OJ L 293, 11.11.2010, p. 67.

⁽⁸⁾ OJ L 231, 28.8.2012, p. 16.

⁽⁹⁾ OJ L 176, 15.7.2003, p. 1.

⁽¹⁰⁾ OJ L 289, 3.11.2005, p. 1.

⁽¹¹⁾ OJ L 176, 15.7.2003, p. 37.

- (12) Directive 2009/73/EC repeals Directive 2003/55/EC of the European Parliament and of the Council ⁽¹²⁾ which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (13) Commission Decision 2011/280/EU ⁽¹³⁾ repeals Commission Decision 2003/796/EC ⁽¹⁴⁾ which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (14) The transmission system operators of the EFTA States should not be considered as third country operators for the purpose of ENTSO for Electricity and ENTSO for Gas.
- (15) Annex IV to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex IV to the EEA Agreement shall be amended as follows:

- (1) The text of point 20 (Regulation (EC) No 1228/2003 of the European Parliament and of the Council) is replaced by the following:

‘32009 R 0714: Regulation (EC) No 714/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the network for cross-border exchanges in electricity and repealing Regulation (EC) No 1228/2003 (OJ L 211, 14.8.2009, p. 15), as amended by:

— **32013 R 0543:** Commission Regulation (EU) No 543/2013 of 14 June 2013 (OJ L 163, 15.6.2013, p. 1).

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

- (a) In Article 3(3) and 15(6), the word “Commission” shall, for the EFTA States, be read as “EFTA Surveillance Authority”.
- (b) The provisions concerning binding decisions of the Agency, as referred to in Article 17(5), shall be replaced by the following provisions in cases involving an EFTA State:
 - “(i) In cases involving one or more EFTA States the EFTA Surveillance Authority shall adopt a decision addressed to the national regulatory authorities of the concerned EFTA State(s).
 - (ii) The Agency shall have the right to participate fully in the work of the EFTA Surveillance Authority and its preparatory bodies, when the EFTA Surveillance Authority carries out, as regards the EFTA States, the functions of the Agency as provided for in this Agreement, but shall not have the right to vote.
 - (iii) The EFTA Surveillance Authority shall have the right to participate fully in the work of the Agency and its preparatory bodies, but shall not have the right to vote.
 - (iv) The Agency and the EFTA Surveillance Authority shall cooperate closely when adopting decisions, opinions and recommendations.

Decisions by the EFTA Surveillance Authority shall, without undue delay, be adopted on the basis of drafts prepared by the Agency at its own initiative or at the request of the EFTA Surveillance Authority.

When preparing a draft for the EFTA Surveillance Authority in accordance with this Regulation, the Agency shall inform the EFTA Surveillance Authority. The latter shall set a time limit within which the national regulatory authorities of the EFTA States shall be allowed to express their views on the matter, taking full account of the urgency, complexity and potential consequences of the matter.

National regulatory authorities of the EFTA States may request the EFTA Surveillance Authority to reconsider its decision. The EFTA Surveillance Authority shall forward this request to the Agency. In that case the Agency shall consider preparing a new draft for the EFTA Surveillance Authority and reply without undue delay.

Where the Agency amends, suspends or withdraws any decision parallel to the decision adopted by the EFTA Surveillance Authority, the Agency shall, without undue delay, prepare a draft to the same effect for the EFTA Surveillance Authority.

⁽¹²⁾ OJ L 176, 15.7.2003, p. 57.

⁽¹³⁾ OJ L 129, 17.5.2011, p. 14.

⁽¹⁴⁾ OJ L 296, 14.11.2003, p. 34.

- (v) In case of disagreement between the Agency and the EFTA Surveillance Authority with regard to the administration of these provisions, the Director of the Agency and the College of the EFTA Surveillance Authority shall, taking into account the urgency of the matter, without undue delay convene a meeting to find consensus. Where such consensus is not found, the Director of the Agency or the College of the EFTA Surveillance Authority may request the Contracting Parties to refer the matter to the EEA Joint Committee which shall deal with it in accordance with Article 111 of this Agreement which shall apply *mutatis mutandis*. In accordance with Article 2 of Decision of the EEA Joint Committee No 1/94 of 8 February 1994 adopting the Rules of Procedure of the EEA Joint Committee (*), a Contracting Party may request immediate organisation of meetings in urgent circumstances. Notwithstanding this paragraph, a Contracting Party may at any time refer the matter to the EEA Joint Committee at its own initiative in accordance with Articles 5 or 111 of this Agreement.
- (vi) Proceedings may be brought before the EFTA Court by the EFTA States or any natural or legal person in accordance with Articles 36 and 37 of the Surveillance and Court Agreement against the EFTA Surveillance Authority.

(*) OJ L 85, 30.3.1994, p. 60.”.

- (c) The following shall be added to Article 20:

“A request from the Commission regarding the information mentioned in Article 20(2) and 20(5) shall, for the EFTA States, be made by the EFTA Surveillance Authority to the undertaking concerned.”.

- (d) The following shall be added to Article 22(2):

“The tasks in Article 22(2) shall for undertakings concerned in the EFTA States be carried out by the EFTA Surveillance Authority.”.

- (e) The following shall be added to article 23:

“The representatives of the EFTA States shall participate fully in the work of the Committee referred to in Article 23, but shall not have the right to vote.”.

- (2) The text of point 22 (Directive 2003/54/EC of the European Parliament and of the Council) is replaced by the following:

‘32009 L 0072: Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC (OJ L 211, 14.8.2009, p. 55).

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

- (a) References to provisions of the Treaty shall be construed as references to the corresponding provisions of the Agreement.
- (b) The Directive shall not apply to electricity cables and related facilities from an onshore connection point to facilities for petroleum production.
- (c) Article 7(2)(j) shall not apply to the EFTA States.
- (d) Article 9(1) shall apply to the EFTA States from one year after the entry into force of the Decision of the EEA Joint Committee No 93/2017 of 5 May 2017.
- (e) In Article 10(7) the word “Commission” shall, for the EFTA States, be read as “EFTA Surveillance Authority”.
- (f) Article 11(3)(b), 11(5)(b) and 11(7) shall not apply to the EFTA States.
- (g) In Article 37(1)(d) the words “the Agency” shall be replaced with the words “the EFTA Surveillance Authority”.
- (h) Article 37(1)(s) shall not apply to EFTA States.
- (i) In Article 40(1) the word “Commission” shall, for the EFTA States, be read as “EFTA Surveillance Authority”.
- (j) Article 44(2) shall be replaced by the following:

“Article 9 shall not apply to Cyprus, Luxembourg, Malta, Liechtenstein and/or Iceland. In addition, Articles 26, 32 and 33 shall not apply to Malta.

If Iceland can demonstrate, after this Decision has entered into force, that there are substantial problems for the operation of its systems, Iceland may apply for derogations from Articles 26, 32 and 33, which may be granted to it by the EFTA Surveillance Authority. The EFTA Surveillance Authority shall inform the EFTA States and the Commission of those applications before taking a decision, taking into account respect for confidentiality. That decision shall be published in the EEA Supplement to the *Official Journal of the European Union*.”.

- (k) The representatives of the EFTA States shall participate fully in the work of the Committee established by Article 46, but shall not have the right to vote.’
- (3) The text of point 23 (Directive 2003/55/EC of the European Parliament and of the Council) is replaced by the following:

‘**32009 L 0073:** Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC (OJ L 211, 14.8.2009, p. 94).

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

- (a) References to provisions of the Treaty shall be construed as references to the corresponding provisions of the Agreement.
- (b) The Directive shall not apply to Iceland.
- (c) The following shall be added to Article 2(11):
- “LNG facility’ shall not comprise facilities for the liquefaction of natural gas which takes place as part of an offshore oil or gas production project, such as the Melkøya facility.”.
- (d) The following shall be added to Article 2(12):
- “LNG system operator’ shall not comprise operators of facilities for the liquefaction of natural gas which takes place as part of an offshore oil or gas production project, such as the Melkøya facility.”.
- (e) Article 6 shall not apply to the EFTA States.
- (f) In Article 10(7) the word “Commission” shall, for the EFTA States, be read as “EFTA Surveillance Authority”.
- (g) Article 11(3)(b), 11(5)(b) and 11(7) shall not apply to the EFTA States.
- (h) The provisions concerning binding decisions of the Agency, as referred to in Article 36(4) third subparagraph, shall be replaced by the following provisions in cases involving an EFTA State:
- “(i) In cases involving one or more EFTA States the EFTA Surveillance Authority shall adopt a decision addressed to the national regulatory authorities of the concerned EFTA State(s).
- (ii) The Agency shall have the right to participate fully in the work of the EFTA Surveillance Authority and its preparatory bodies, when the EFTA Surveillance Authority carries out, as regards the EFTA States, the functions of the Agency as provided for in this Agreement, but shall not have the right to vote.
- (iii) The EFTA Surveillance Authority shall have the right to participate fully in the work of the Agency and its preparatory bodies, but shall not have the right to vote.
- (iv) The Agency and the EFTA Surveillance Authority shall cooperate closely when adopting decisions, opinions and recommendations.

Decisions by the EFTA Surveillance Authority shall, without undue delay, be adopted on the basis of drafts prepared by the Agency at its own initiative or at the request of the EFTA Surveillance Authority.

When preparing a draft for the EFTA Surveillance Authority in accordance with this Directive, the Agency shall inform the EFTA Surveillance Authority. The latter shall set a time limit within which the national regulatory authorities of the EFTA States shall be allowed to express their views on the matter, taking full account of the urgency, complexity and potential consequences of the matter.

National regulatory authorities of the EFTA States may request the EFTA Surveillance Authority to reconsider its decision. The EFTA Surveillance Authority shall forward this request to the Agency. In that case the Agency shall consider preparing a new draft for the EFTA Surveillance Authority and reply without undue delay.

Where the Agency amends, suspends or withdraws any decision parallel to the decision adopted by the EFTA Surveillance Authority, the Agency shall, without undue delay, prepare a draft to the same effect for the EFTA Surveillance Authority.

- (v) In case of disagreement between the Agency and the EFTA Surveillance Authority with regard to the administration of these provisions, the Director of the Agency and the College of the EFTA Surveillance Authority shall, taking into account the urgency of the matter, without undue delay convene a meeting to find consensus. Where such consensus is not found, the Director of the Agency or the College of the EFTA Surveillance Authority may request the Contracting Parties to refer the matter to the EEA Joint Committee which shall deal with it in accordance with Article 111 of this Agreement which shall apply *mutatis mutandis*. In accordance with Article 2 of Decision of the EEA Joint Committee No 1/94 of 8 February 1994 adopting the Rules of Procedure of the EEA Joint Committee (*), a Contracting Party may request immediate organisation of meetings in urgent circumstances. Notwithstanding this paragraph, a Contracting Party may at any time refer the matter to the EEA Joint Committee at its own initiative in accordance with Articles 5 or 111 of this Agreement.
- (vi) Proceedings may be brought before the EFTA Court by the EFTA States or any natural or legal person in accordance with Articles 36 and 37 of the Surveillance and Court Agreement against the EFTA Surveillance Authority.

(*) OJ L 85, 30.3.1994, p. 60.”

- (i) In Article 36(8) and (9) the word “Commission” shall, for the EFTA States, be read as “EFTA Surveillance Authority”.
- (j) In Article 41(1)(d) the words “the Agency” shall be replaced with the words “the EFTA Surveillance Authority”.
- (k) In Article 44(1) and Article 49(4) and (5) the word “Commission” shall, for the EFTA States, be read as “EFTA Surveillance Authority”.
- (l) The following shall be added to Article 49(5):

“The following geographically limited areas in Norway shall be exempt from Articles 24, 31 and 32 for a maximum of 20 years after the entry into force of the Decision of the EEA Joint Committee No 93/2017 of 5 May 2017:

- (i) Jæren and Ryfylke,
- (ii) Hordaland.

The need for continued derogation shall be decided by the Norwegian Regulatory Authority every five years after the entry into force of the Decision of the EEA Joint Committee No 93/2017 of 5 May 2017 taking into account the criteria of this Article. The Norwegian Regulatory Authority shall notify the EEA Joint Committee and the EFTA Surveillance Authority of its decision and the assessment it is based upon. Within a period of two months from the day following the receipt of the decision, the EFTA Surveillance Authority may adopt a decision requiring the Norwegian Regulatory Authority to amend or withdraw its decision. This period may be extended with the consent of both the EFTA Surveillance Authority and the Norwegian Regulatory Authority. The Norwegian Regulatory Authority shall comply with the EFTA Surveillance Authority's decision within a period of one month and shall inform the EEA Joint Committee and the EFTA Surveillance Authority accordingly.”

- (m) Article 49(6) shall be replaced by the following:

“Article 9 shall not apply to Cyprus, Luxembourg, Malta and/or Liechtenstein.”.

- (n) The representatives of the EFTA States shall participate fully in the work of the Committee established by Article 51, but shall not have the right to vote.”.

- (4) The text of point 27 (Regulation (EC) No 1775/2005 of the European Parliament and of the Council) is replaced by the following:

‘**32009 R 0715**: Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005 (OJ L 211, 14.8.2009, p. 36), as corrected by OJ L 229, 1.9.2009, p. 29 and OJ L 309, 24.11.2009, p. 87, as amended by:

— **32010 D 0685**: Commission Decision 2010/685/EU of 10 November 2010 (OJ L 293, 11.11.2010, p. 67),

— **32012 D 0490**: Commission Decision 2012/490/EU of 24 August 2012 (OJ L 231, 28.8.2012, p. 16).

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

- (a) The Regulation shall not apply to Iceland.
 - (b) In Article 3(3) and Article 20 the word “Commission” shall, for the EFTA States, be read as “EFTA Surveillance Authority”.
 - (c) The representatives of the EFTA States shall participate fully in the work of the Committee referred to in Article 28, but shall not have the right to vote.’
 - (d) In Article 30 the word “Commission” shall, for the EFTA States, be read as “EFTA Surveillance Authority”.’.
- (5) The following point is inserted after point 46 (Commission Decision 2013/114/EU):

‘47. **32009 R 0713**: Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009 establishing an Agency for the Cooperation of Energy Regulators (OJ L 211, 14.8.2009, p. 1).

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

- (a) The national regulatory authorities of the EFTA States shall participate fully in the work of the Agency for the Cooperation of Energy Regulators, hereinafter referred to as “the Agency”, and all preparatory bodies, including working groups, committees and task forces of the Agency, the Administrative Board and the Board of Regulators, without the right to vote.
- (b) 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.
- (c) As regards the EFTA States, the Agency shall, as and when appropriate, assist the EFTA Surveillance Authority or the Standing Committee, as the case may be, in the performance of their respective tasks.
- (d) The provisions concerning binding decisions of the Agency, as referred to in Articles 7, 8 and 9, shall be replaced by the following provisions in cases involving an EFTA State:
 - “(i) In cases involving one or more EFTA States the EFTA Surveillance Authority shall adopt a decision addressed to the national regulatory authorities of the concerned EFTA State(s).
 - (ii) The Agency shall have the right to participate fully in the work of the EFTA Surveillance Authority and its preparatory bodies, when the EFTA Surveillance Authority carries out, as regards the EFTA States, the functions of the Agency as provided for in this Agreement, but shall not have the right to vote.
 - (iii) The EFTA Surveillance Authority shall have the right to participate fully in the work of the Agency and its preparatory bodies, but shall not have the right to vote.
 - (iv) The Agency and the EFTA Surveillance Authority shall cooperate closely when adopting decisions, opinions and recommendations.

Decisions by the EFTA Surveillance Authority shall, without undue delay, be adopted on the basis of drafts prepared by the Agency at its own initiative or at the request of the EFTA Surveillance Authority.

When preparing a draft for the EFTA Surveillance Authority in accordance with this Regulation, the Agency shall inform the EFTA Surveillance Authority. The latter shall set a time limit within which the national regulatory authorities of the EFTA States shall be allowed to express their views on the matter, taking full account of the urgency, complexity and potential consequences of the matter.

National regulatory authorities of the EFTA States may request the EFTA Surveillance Authority to reconsider its decision. The EFTA Surveillance Authority shall forward this request to the Agency. In that case the Agency shall consider preparing a new draft for the EFTA Surveillance Authority and reply without undue delay.

Where the Agency amends, suspends or withdraws any decision parallel to the decision adopted by the EFTA Surveillance Authority, the Agency shall, without undue delay, prepare a draft to the same effect for the EFTA Surveillance Authority.

- (v) In case of disagreement between the Agency and the EFTA Surveillance Authority with regard to the administration of these provisions, the Director of the Agency and the College of the EFTA Surveillance Authority shall, taking into account the urgency of the matter, without undue delay convene a meeting to find consensus. Where such consensus is not found, the Director of the Agency or the College of the EFTA Surveillance Authority may request the Contracting Parties to refer the matter to the EEA Joint Committee which shall deal with it in accordance with Article 111 of this Agreement which shall apply *mutatis mutandis*. In accordance with Article 2 of Decision of the EEA Joint Committee No 1/94 of 8 February 1994 adopting the Rules of Procedure of the EEA Joint Committee (*), a Contracting Party may request immediate organisation of meetings in urgent circumstances. Notwithstanding this paragraph, a Contracting Party may at any time refer the matter to the EEA Joint Committee at its own initiative in accordance with Articles 5 or 111 of this Agreement.
- (vi) Proceedings may be brought before the EFTA Court by the EFTA States or any natural or legal person in accordance with Articles 36 and 37 of the Surveillance and Court Agreement against the EFTA Surveillance Authority.

(*) OJ L 85, 30.3.1994, p. 60.”.

- (e) The following shall be added to Article 12:

“The national regulatory authorities of the EFTA States shall participate fully in the Administrative Board, but shall not have the right to vote. The internal rules of procedure of the Administrative Board shall give full effect to the participation of the national regulatory authorities of the EFTA States.”.

- (f) The following shall be added to Article 14:

“The national regulatory authorities of the EFTA States shall participate fully in the Board of Regulators and all preparatory bodies of the Agency. They shall not have the right to vote in the Board of Regulators. The internal rules of procedure of the Board of Regulators shall give full effect to the participation of the national regulatory authorities of the EFTA States.”.

- (g) The provisions of Article 19 shall be replaced by the following:

“If the appeal concerns a decision of the Agency in a case where the disagreement also involves the national regulatory authorities of one or more EFTA States, the Board of Appeal shall invite the national regulatory authorities of the EFTA State(s) involved to file observations on communications from parties affected by the appeal proceedings, within specified time limits. The national regulatory authorities of the EFTA State(s) involved shall be entitled to make oral presentations. Where the Board of Appeal amends, suspends or terminates any decision parallel to the decision adopted by the EFTA Surveillance Authority, the Agency shall without undue delay prepare a draft decision to the same effect for the EFTA Surveillance Authority.”.

- (h) The provisions of Article 20 shall not apply in cases involving one or more EFTA States.

- (i) The following shall be added to Article 21:

“The EFTA States shall participate in the financing of the Agency. For this purpose the procedures laid down in Article 82(1)(a) and Protocol 32 of the Agreement shall apply.”.

- (j) The following shall be added to Article 27:

“The EFTA States shall grant privileges and immunities to the Agency equivalent to those contained in the Protocol on Privileges and Immunities of the European Union.”.

- (k) The following shall be added to Article 28:

“By way of derogation from Article 12(2)(a) and 82(3)(a) of the Conditions of employment of other servants of the European Union, nationals of the EFTA States enjoying their full rights as citizens may be engaged under contract by the Director of the Agency.

By way of derogation from Articles 12(2)(e), 82(3)(e) and 85(3) of the Conditions of Employment of Other Servants, the languages referred to in Article 129(1) of the EEA Agreement shall be considered by the Agency, in respect of its staff, as languages of the Union referred to in Article 55(1) of the Treaty on European Union.”.

(l) The following shall be added to Article 30(1):

“Regulation (EC) No 1049/2001 of the European Parliament and the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents shall, for the application of this Regulation, apply to any documents of the Agency regarding the EFTA States as well.”.

(m) The following shall be added to Article 32:

“The representatives of the EFTA States shall participate fully in the work of the Committee established by Article 32, but shall not have the right to vote.”.

(6) The following point is inserted after point 47 (Regulation (EC) No 713/2009 of the European Parliament and of the Council):

‘48. **32013 R 0543**: Commission Regulation (EU) No 543/2013 of 14 June 2013 on submission and publication of data in electricity markets and amending Annex I to Regulation (EC) No 714/2009 of the European Parliament and of the Council (OJ L 163, 15.6.2013, p. 1).’.

(7) The text of point 21 (Commission Decision 2003/796/EC) is deleted.

Article 2

The texts of Regulations (EC) No 713/2009, (EC) No 714/2009, (EC) No 715/2009 as corrected by OJ L 229, 1.9.2009, p. 29 and OJ L 309, 24.11.2009, p. 87 and (EU) No 543/2013, Directives 2009/72/EC and 2009/73/EC and Decisions 2010/685/EU and 2012/490/EU 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 6 May 2017, or on the day following the last notification to the EEA Joint Committee under Article 103(1) of the EEA Agreement, 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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 94/2017

of 5 May 2017

**amending Annex VII (Recognition of professional qualifications) and Annex X (Services in general)
to the EEA Agreement [2019/206]**

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013 amending Directive 2005/36/EC on the recognition of professional qualifications and Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation') ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Regulation (EU) No 213/2011 ⁽²⁾, which is incorporated into the EEA Agreement, added specialist medical training in medical oncology and in medical genetics to the list of titles of training courses in specialised medicine in Annex V to Directive 2005/36/EC of the European Parliament and of the Council ⁽³⁾, which is incorporated into the EEA Agreement and should therefore be adapted to reflect the titles of the relevant training courses in the EFTA States.
- (3) Annexes VII and X to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

In point 1 (Directive 2005/36/EC of the European Parliament and of the Council) of Annex VII to the EEA Agreement:

- (1) The following indent is added:

‘— **32013 L 0055**: Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013 (OJ L 354, 28.12.2013, p. 132).’

- (2) Point (C) is deleted.

- (3) Points (A), (B), (D) and (E) are renumbered (B), (D), (E) and (F), respectively.

- (4) The following points are added:

‘(A) In Article 3(1)(m), the words “and of the EFTA Court, in accordance with the EEA Agreement” shall be added after the words “Court of Justice of the European Union”.

(...)

- (C) In Article 21a(4), the following subparagraph shall be added:

“Where the laws, regulations and administrative provisions notified by an EFTA State pursuant to paragraph 1 of this Article are in conformity with the conditions set out in this Chapter, the EFTA Surveillance Authority shall issue a recommendation to amend Annex VII to the EEA Agreement to update the titles adopted by the EFTA States for evidence of formal qualifications and, where appropriate, the body which issues the evidence of formal qualifications, the certificate which accompanies it and the corresponding professional title. The EEA Joint Committee shall take recommendations issued by the EFTA Surveillance Authority into account when amending Annex VII to the EEA Agreement.”

⁽¹⁾ OJ L 354, 28.12.2013, p. 132.

⁽²⁾ OJ L 59, 4.3.2011, p. 4.

⁽³⁾ OJ L 255, 30.9.2005, p. 22.

(5) In point (E)(a)(iii), the following table is added:

'Country	Medical oncology Minimum period of training: 5 years	Medical genetics Minimum period of training: 4 years
	Title	Title
Ísland		Erfðalækniðfræði
Liechtenstein		
Norge		Medisinsk genetikkk'

Article 2

The following indent is added in point 3 (Regulation (EU) No 1024/2012 of the European Parliament and of the Council) of Annex X to the EEA Agreement:

‘— **32013 L 0055**: Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013 (OJ L 354, 28.12.2013, p. 132).’

Article 3

The text of Directive 2013/55/EU 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 95/2017

of 5 May 2017

amending Annex XI (Electronic communication, audiovisual services and information society) to the EEA Agreement [2019/207]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Decision (EU) 2016/2295 of 16 December 2016 amending Decisions 2000/518/EC, 2002/2/EC, 2003/490/EC, 2003/821/EC, 2004/411/EC, 2008/393/EC, 2010/146/EU, 2010/625/EU, 2011/61/EU and Implementing Decisions 2012/484/EU, 2013/65/EU on the adequate protection of personal data by certain countries, pursuant to Article 25(6) of Directive 95/46/EC of the European Parliament and of the Council ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Decision (EU) 2016/2297 of 16 December 2016 amending Decisions 2001/497/EC and 2010/87/EU on standard contractual clauses for the transfer of personal data to third countries and to processors established in such countries, under Directive 95/46/EC of the European Parliament and of the Council ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Decision 2000/519/EU ⁽³⁾, which is incorporated into the EEA Agreement, has become obsolete and is consequently to be repealed under the EEA Agreement.
- (4) Annex XI to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex XI to the EEA Agreement shall be amended as follows:

- (1) The following is added in points 5ea (Commission Decision 2000/518/EC), 5ee (Commission Decision 2002/2/EC), 5eg (Commission Decision 2003/490/EC), 5eh (Commission Decision 2003/821/EC), 5ei (Commission Decision 2004/411/EC), 5ek (Commission Decision 2008/393/EC), 5el (Commission Decision 2010/146/EU), 5em (Commission Decision 2010/625/EU), 5en (Commission Decision 2011/61/EU), 5eo (Commission Implementing Decision 2012/484/EU) and 5ep (Commission Implementing Decision 2013/65/EU):

‘, as amended by:

— **32016 D 2295:** Commission Implementing Decision (EU) 2016/2295 of 16 December 2016 (OJ L 344, 17.12.2016, p. 83).’

- (2) The following indent is added in point 5ed (Commission Decision 2001/497/EU):

‘— **32016 D 2297:** Commission Implementing Decision (EU) 2016/2297 of 16 December 2016 (OJ L 344, 17.12.2016, p. 100).’

- (3) The following is added in point 5ef (Commission Decision 2010/87/EU):

‘, as amended by:

— **32016 D 2297:** Commission Implementing Decision (EU) 2016/2297 of 16 December 2016 (OJ L 344, 17.12.2016, p. 100).’

- (4) The text of point 5eb (Commission Decision 2000/519/EC) is deleted.

Article 2

The texts of Implementing Decisions (EU) 2016/2295 and (EU) 2016/2297 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 344, 17.12.2016, p. 83.

⁽²⁾ OJ L 344, 17.12.2016, p. 100.

⁽³⁾ OJ L 215, 25.8.2000, p. 4.

Article 3

This Decision shall enter into force on 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 96/2017

of 5 May 2017

amending Annex XIII (Transport) to the EEA Agreement [2019/208]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Regulation (EU) 2016/919 of 27 May 2016 on the technical specification for interoperability relating to the 'control-command and signalling' subsystems of the rail system in the European Union ⁽¹⁾, as corrected by OJ L 279, 15.10.2016, p. 94, is to be incorporated into the EEA Agreement.
- (2) Regulation (EU) 2016/919 repeals Commission Decision 2012/88/EU ⁽²⁾, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (3) Annex XIII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The text of point 37i (Commission Decision 2012/88/EU) of Annex XIII to the EEA Agreement is replaced by the following:

'32016 R 0919: Commission Regulation (EU) 2016/919 of 27 May 2016 on the technical specification for interoperability relating to the 'control-command and signalling' subsystems of the rail system in the European Union (OJ L 158, 15.6.2016, p. 1), as corrected by OJ L 279, 15.10.2016, p. 94.'

Article 2

The text of Regulation (EU) 2016/919, as corrected by OJ L 279, 15.10.2016, p. 94, 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 158, 15.6.2016, p. 1.

⁽²⁾ OJ L 51, 23.2.2012, p. 1.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 97/2017

of 5 May 2017

amending Annex XIII (Transport) to the EEA Agreement [2019/209]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Regulation (EU) 2016/2337 of the European Parliament and of the Council of 14 December 2016 repealing Regulation (EEC) No 1192/69 of the Council on common rules for the normalisation of the accounts of railway undertakings ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Regulation (EU) 2016/2337 repeals Council Regulation (EEC) No 1192/69 ⁽²⁾, with the exception of the provisions that apply to the normalisation of accounts for Class IV cases covered by Annex IV to Regulation (EEC) No 1192/69, which continue to apply until 31 December 2017. Regulation (EEC) No 1192/69, which is incorporated into the EEA Agreement, is consequently to be repealed under the EEA Agreement with effect from 1 January 2018.
- (3) After 31 December 2017, Regulation (EU) 2016/2337 will become obsolete and is consequently to be repealed under the EEA Agreement with effect from 1 January 2018.
- (4) Annex XIII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex XIII to the EEA Agreement shall be amended as follows:

- (1) The following point is inserted after point 39 (Council Regulation (EEC) No 1192/69):

'39a. **32016 R 2337**: Regulation (EU) 2016/2337 of the European Parliament and of the Council of 14 December 2016 repealing Regulation (EEC) No 1192/69 of the Council on common rules for the normalisation of the accounts of railway undertakings (OJ L 354, 23.12.2016, p. 20).'
- (2) In paragraph II of the SECTORAL ADAPTATIONS the words 'Article 3 of Regulation (EEC) No 1192/69,' shall be deleted with effect from 1 January 2018.
- (3) The text of points 39 (Council Regulation (EEC) No 1192/69) and 39a (Regulation (EU) 2016/2337 of the European Parliament and of the Council) shall be deleted with effect from 1 January 2018.

Article 2

The text of Regulation (EU) 2016/2337 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

⁽¹⁾ OJ L 354, 23.12.2016, p. 20.

⁽²⁾ OJ L 156, 28.6.1969, p. 8.

(*) No constitutional requirements indicated.

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

DECISION OF THE EEA JOINT COMMITTEE

No 98/2017

of 5 May 2017

amending Annex XIII (Transport) to the EEA Agreement [2019/210]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2016/2214 of 8 December 2016 amending Regulation (EC) No 474/2006 as regards the list of air carriers which are subject to an operating ban within the Union ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex XIII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent is added in point 66zab (Commission Regulation (EC) No 474/2006) of Annex XIII to the EEA Agreement:

‘— **32016 R 2214**: Commission Implementing Regulation (EU) 2016/2214 of 8 December 2016 (OJ L 334, 9.12.2016, p. 6).’

Article 2

The text of Implementing Regulation (EU) 2016/2214 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 334, 9.12.2016, p. 6.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 99/2017

of 5 May 2017

amending Annex XXI (Statistics) to the EEA Agreement [2019/211]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Regulation (EU) 2016/1724 of the European Parliament and of the Council of 14 September 2016 amending Regulation (EC) No 471/2009 on Community statistics relating to external trade with non-member countries as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex XXI to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following is added in point 8 (Regulation (EC) No 471/2009 of the European Parliament and of the Council) of Annex XXI to the EEA Agreement:

‘, as amended by:

- **32016 R 1724**: Regulation (EU) 2016/1724 of the European Parliament and of the Council of 14 September 2016 (OJ L 266, 30.9.2016, p. 1).’

Article 2

The text of Regulation (EU) 2016/1724 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 266, 30.9.2016, p. 1.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 100/2017

of 5 May 2017

amending Annex XXI (Statistics) to the EEA Agreement [2019/212]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2016/1253 of 29 July 2016 amending Regulation (EU) No 92/2010 as regards the data exchange between customs authorities and national statistical authorities and the compilation of statistics ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex XXI to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following is added in point 8aa (Commission Regulation (EU) No 92/2010) of Annex XXI to the EEA Agreement:

‘, as amended by:

- **32016 R 1253**: Commission Implementing Regulation (EU) 2016/1253 of 29 July 2016 (OJ L 205, 30.7.2016, p. 12).’

Article 2

The text of Implementing Regulation (EU) 2016/1253 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 205, 30.7.2016, p. 12.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 101/2017

of 5 May 2017

amending Annex XXI (Statistics) to the EEA Agreement [2019/213]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2016/2304 of 19 December 2016 on the modalities, structure, periodicity and assessment indicators of the quality reports on data transmitted pursuant to Regulation (EU) No 549/2013 of the European Parliament and of the Council ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex XXI to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following point is inserted after point 19zb (Commission Delegated Regulation (EU) 2015/1365) of Annex XXI to the EEA Agreement:

'19zc. **32016 R 2304:** Commission Implementing Regulation (EU) 2016/2304 of 19 December 2016 on the modalities, structure, periodicity and assessment indicators of the quality reports on data transmitted pursuant to Regulation (EU) No 549/2013 of the European Parliament and of the Council (OJ L 345, 20.12.2016, p. 27).'

Article 2

The text of Implementing Regulation (EU) 2016/2304 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 345, 20.12.2016, p. 27.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 102/2017

of 5 May 2017

amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms [2019/214]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Articles 86 and 98 thereof,

Whereas:

- (1) It is appropriate to extend the cooperation of the Contracting Parties to the EEA Agreement to include Decision No 1386/2013/EU of the European Parliament and of the Council of 20 November 2013 on a General Union Environment Action Programme to 2020 'Living well, within the limits of our planet' ⁽¹⁾.
- (2) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to take place,

HAS ADOPTED THIS DECISION:

Article 1

The following point shall be added in Article 3(7) of Protocol 31 to the EEA Agreement:

- '(e) **32013 D 1386**: Decision No 1386/2013/EU of the European Parliament and of the Council of 20 November 2013 on a General Union Environment Action Programme to 2020 'Living well, within the limits of our planet' (OJ L 354, 28.12.2013, p. 171).'

Article 2

This Decision shall enter into force on the day following the last notification under Article 103(1) of the EEA 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, 5 May 2017.

*For the EEA Joint Committee**The President*

Claude MAERTEN

⁽¹⁾ OJ L 354, 28.12.2013, p. 171.

(*) No constitutional requirements indicated.

**Declaration by the EFTA States to Decision of the EEA Joint Committee No 102/2017 including
Decision No 1386/2013/EU of the European Parliament and of the Council into Protocol 31 of the
EEA Agreement**

The General Union Environment Action Programme to 2020 'Living well, within the limits of our planet' includes elements that fall outside the scope of the EEA Agreement. The EFTA States underline that the inclusion of the Programme in Protocol 31 of the Agreement is without prejudice to the scope of the EEA Agreement.

DECISION OF THE EEA JOINT COMMITTEE

No 103/2017

of 5 May 2017

amending Protocol 47 (on the abolition of technical barriers to trade in wine) to the EEA Agreement [2019/215]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2016/2147 of 7 December 2016 authorising an increase of the limits for the enrichment of wine produced using the grapes harvested in 2016 in certain wine-growing regions of Germany and in all wine-growing regions of Hungary ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) This Decision concerns legislation regarding wine. Legislation regarding wine shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the seventh paragraph of the introduction to Protocol 47 to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (3) Protocol 47 to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following point is inserted after point 14 (Commission Implementing Regulation (EU) No 1271/2014) of Appendix I to Protocol 47 to the EEA Agreement:

- '15. **32016 R 2147**: Commission Implementing Regulation (EU) 2016/2147 of 7 December 2016 authorising an increase of the limits for the enrichment of wine produced using the grapes harvested in 2016 in certain wine-growing regions of Germany and in all wine-growing regions of Hungary (OJ L 333, 8.12.2016, p. 30).'

Article 2

The text of Implementing Regulation (EU) 2016/2147 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 6 May 2017, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 May 2017.

For the EEA Joint Committee

The President

Claude MAERTEN

⁽¹⁾ OJ L 333, 8.12.2016, p. 30.

(*) No constitutional requirements indicated.

