



Council of the
European Union

Brussels, 17 May 2022
(OR. en)

8348/22

Interinstitutional File:
2022/0113 (NLE)

EEE 22
AELE 21
VETER 34
PHYTOSAN 15
MI 303

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee, concerning the amendment of Annex I (Veterinary and phytosanitary matters) to the EEA Agreement

COUNCIL DECISION (EU) 2022/...

of ...

**on the position to be adopted,
on behalf of the European Union, within the EEA Joint Committee,
concerning the amendment of Annex I (Veterinary and phytosanitary matters)
to the EEA Agreement**

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area¹, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

¹ OJ L 305, 30.11.1994, p. 6.

Whereas:

- (1) The Agreement on the European Economic Area¹ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee established by the EEA Agreement (the 'EEA Joint Committee') may decide to amend, *inter alia*, Annex I to the EEA Agreement, which contains provisions on veterinary and phytosanitary matters.
- (3) Commission Implementing Decision (EU) 2019/300² is to be incorporated into the EEA Agreement.
- (4) Annex I (Veterinary and phytosanitary matters) to the EEA Agreement should therefore be amended accordingly.
- (5) The position of the Union in the EEA Joint Committee should therefore be based on the attached draft Decision of the EEA Joint Committee,

HAS ADOPTED THIS DECISION:

¹ OJ L 1, 3.1.1994, p. 3.

² Commission Implementing Decision (EU) 2019/300 of 19 February 2019 establishing a general plan for crisis management in the field of the safety of food and feed (OJ L 50, 21.2.2019, p. 55).

Article 1

The position to be adopted on the Union's behalf within the EEA Joint Committee concerning the amendment of Annex I (Veterinary and phytosanitary matters) to the EEA Agreement shall be based on the draft Decision of the EEA Joint Committee attached to this Decision.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels,

For the Council

The President

DRAFT

DECISION OF THE EEA JOINT COMMITTEE

No ...

of ...

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement

THE EEA JOINT COMMITTEE,

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

Whereas:

- (1) Commission Implementing Decision (EU) 2019/300 of 19 February 2019 establishing a general plan for crisis management in the field of the safety of food and feed¹ is to be incorporated into the EEA Agreement.
- (2) Implementing Decision (EU) 2019/300 repeals Commission Decision 2004/478/EC, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (3) This Decision concerns legislation regarding veterinary matters and feedingstuffs. Legislation regarding veterinary matters and 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.
- (4) Annex I to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

¹ OJ L 50, 21.2.2019, p. 55.

Article 1

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

1. The following is inserted after point 59 (Commission Implementing Decision 2013/503/EU) in Part 7.2 of Chapter I:

‘60. **32019 D 0300**: Commission Implementing Decision (EU) 2019/300 of 19 February 2019 establishing a general plan for crisis management in the field of the safety of food and feed (OJ L 50, 21.2.2019, p. 55).

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

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

2. The following is inserted after point 47a (Commission Regulation (EU) No 16/2011) of Chapter II:

‘47b. **32019 D 0300**: Commission Implementing Decision (EU) 2019/300 of 19 February 2019 establishing a general plan for crisis management in the field of the safety of food and feed (OJ L 50, 21.2.2019, p. 55).

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

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

3. The text of points 31 (Commission Decision 2004/478/EC) in Part 7.2 of Chapter I and 43 (Commission Decision 2004/478/EC) of Chapter II is deleted.

Article 2

The text of Implementing Decision (EU) 2019/300 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 [...], provided that all the notifications under Article 103(1) of the EEA Agreement have been made*.

* [No constitutional requirements indicated.] [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, [...].

For the EEA Joint Committee

The President

The Secretaries

To the EEA Joint Committee
