

EUROPEAN ECONOMIC AREA

JOINT COMMITTEE

RESTRICTED

Distribution: EEA Joint Committee

23 March 2012

ONE HUNDRED AND SEVENTY FOURTH MEETING

Friday, 30 March 2012, 10.00 a.m.

European External Action Service, 'Capitale', 242 rue de la Loi, 1046 Brussels, Block B, 4th floor, Room 372

EU Chairman: Mr Gianluca Grippa (European External Action Service)

EFTA Chairman: H.E. Ambassador Thórir Ibsen, Ambassador of Iceland

Draft Agenda

1. Adoption of the Agenda
2. Approval of the Minutes of the 173rd EEA Joint Committee meeting of 10 February 2012
3. Minutes of Subcommittees I-II-III-IV of 7 February and 27 March 2012
4. Decisions
 - Decision No 34/2012 amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement – Commission Implementing Decision 2011/707/EU (lists of border inspection posts and veterinary units in Traces)
 - Decision No 35/2012 amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement – Commission Implementing Decision 2011/358/EU (authorising certain Member States to revise their annual BSE monitoring programmes), Commission Regulation (EU) No 350/2011 (market requirements for consignments of Pacific oysters intended for Member States or parts thereof with national measures)

- Decision No 36/2012 amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement – Commission Implementing Decision 2011/403/EU (withdrawal of an eradication programme regarding bacterial kidney disease for the territory of Great Britain and the approval of a surveillance programme regarding ostreid herpesvirus 1 ïíar for Guernsey)
- Decision No 37/2012 amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement – Commission Regulation (EU) No 170/2011 (authorisation of *Saccharomyces cerevisiae* MUCL 39885 as a feed additive for piglets), Commission Regulation (EU) No 171/2011 (feed additive for poultry and for porcine species), Commission Regulation (EU) No 184/2011 (authorisation of *Bacillus subtilis* C-3102 (DSM 15544) as a feed additive for chickens reared for laying, turkeys, minor avian species and other ornamental and game birds), Commission Regulation (EU) No 212/2011 (authorisation of *Pediococcus acidilactici* CNCM MA 18/5M as a feed additive for laying hens), Commission Regulation (EU) No 221/2011 (authorisation of 6-phytase (EC 3.1.3.26) produced by *Aspergillus oryzae* DSM 14223 as a feed additive for salmonids), Commission Regulation (EU) No 335/2011 (amending Regulation (EC) No 1091/2009 as regards the minimum content of the enzyme preparation of endo-1,4-beta-xylanase), Commission Regulation (EU) No 336/2011 (amending Regulation (EC) No 1292/2008 as regards the use of the feed additive *Bacillus amyloliquefaciens* CECT 5940 in feed containing diclazuril, monensin sodium and nicarbazin), Commission Regulation (EU) No 337/2011 (authorisation of an enzyme preparation of endo-1,4-beta-xylanase and endo-1,3(4)-beta-glucanase as feed additive for poultry, weaned piglets and pigs for fattening), Commission Implementing Regulation (EU) No 361/2011 (authorisation of *Enterococcus faecium* NCIMB 10415 as a feed additive for chickens for fattening), Commission Implementing Regulation (EU) No 371/2011 (authorisation of dimethylglycine sodium salt as feed additive for chickens for fattening), Commission Implementing Regulation (EU) No 373/2011 (authorisation of the preparation of *Clostridium butyricum* FERM-BP 2789 as a feed additive for minor avian species except laying birds, weaned piglets and minor porcine species (weaned) and amending Regulation (EC) No 903/2009), Commission Implementing Regulation (EU) No 388/2011 (authorisation of maduramicin ammonium alpha as a feed additive for chickens for fattening (holder of authorisation Alpharma (Belgium) BVBA) and amending Regulation (EC) No 2430/1999), Commission Implementing Regulation (EU) No 389/2011 (authorisation of an enzyme preparation of endo-1,4-beta-xylanase, subtilisin and alpha-amylase of endo-1,4-beta-xylanase, subtilisin and alpha-amylase as feed additive for laying hens), Commission Implementing Regulation (EU) No 406/2011 (amending Regulation (EC) No 2380/2001 as regards the composition of the feed additive maduramicin ammonium alpha), Commission Implementing Regulation (EU) No 495/2011 (amending Regulation (EC) No 109/2007 as regards the composition of the feed additive monensin sodium), Commission Implementing Regulation (EU) No 496/2011 (authorisation of sodium benzoate as a feed additive for weaned piglets), Commission Implementing Regulation (EU) No 515/2011 (authorisation of vitamin B6 as a feed additive for all animal species), Commission Implementing Regulation (EU) No 516/2011 (amending Regulation (EC) No 600/2005 as regards the use of the preparation of *Bacillus licheniformis* DSM 5749 and *Bacillus subtilis* DSM 5750 in feed containing formic acid), Commission Implementing Regulation (EU) No 527/2011 (authorisation of a preparation of endo-1,4-â-xylanase produced by *Trichoderma reesei* (MUCL 49755), endo-1,3(4)-â-glucanase produced by *Trichoderma reesei* (MUCL 49754) and polygalacturonase produced by *Aspergillus aculeatus* (CBS 589.94) as feed additive for weaned piglets), Commission Implementing Regulation (EU) No 528/2011 (authorisation of endo-1,4-â-xylanase produced by *Trichoderma reesei* (ATCC PTA 5588) as a feed additive for weaned piglets and pigs for fattening), Commission Implementing Regulation (EU) No 532/2011 (authorisation of robenidine hydrochloride as a feed additive for rabbits for breeding and rabbits for fattening), Commission Regulation (EU) No 574/2011 (amending Annex I to Directive 2002/32/EC of the European Parliament and of the Council), Commission Regulation (EU) No 575/2011 (Catalogue of feed materials), Commission Implementing Regulation (EU) No 868/2011 (authorisation of a preparation of *Lactobacillus plantarum* (DSM 21762) and of a preparation of *Lactobacillus buchneri* (DSM 22963) as feed additives for all animal species)
- Decision No 38/2012 amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement – Commission Regulation (EU) No 26/2011 (authorisation of vitamin E

as a feed additive for all animal species), Commission Implementing Regulation (EU) No 881/2011 (amending Regulation (EC) No 1137/2007), Commission Implementing Regulation (EU) No 885/2011 (authorisation of *Bacillus subtilis* (ATCC PTA-6737)), Commission Implementing Regulation (EU) No 886/2011 (authorisation of 6-phytase (EC 3.1.3.26) produced by *Trichoderma reesei* (CBS 122001) as a feed additive for sows), Commission Implementing Regulation (EU) No 887/2011 (authorisation of a preparation of *Enterococcus faecium* CECT 4515 as feed additive for chickens for fattening), Commission Implementing Regulation (EU) No 888/2011 (authorisation of diclazuril as a feed additive for turkeys for fattening), Commission Implementing Regulation (EU) No 900/2011 (authorisation of lasalocid A sodium as a feed additive for pheasants, guinea fowl, quails and partridges other than laying birds), Commission Implementing Regulation (EU) No 1068/2011 (authorisation of an enzyme preparation of endo-1,4-beta-xylanase produced by *Aspergillus niger* (CBS 109.713) and endo-1,4-beta-glucanase produced by *Aspergillus niger* (DSM 18404)), Commission Implementing Regulation (EU) No 1074/2011 (authorisation of *Saccharomyces cerevisiae* NCYC R-625 as a feed additive for weaned piglets), Commission Implementing Regulation (EU) No 1088/2011 (authorisation of an enzyme preparation of endo-1,4-beta-xylanase), Commission Implementing Regulation (EU) No 1110/2011 (authorisation of an enzyme preparation of endo-1,4-beta-xylanase produced by *Trichoderma reesei* (CBS 114044) as a feed additive for laying hens, minor poultry species and pigs for fattening), Commission Implementing Regulation (EU) No 1111/2011 (authorisation of *Lactobacillus plantarum* (NCIMB 30236) as a feed additive for all animal species)

- Decision 39/2012 amending Annex I (Veterinary and phytosanitary matters) and Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement – Commission Regulation (EU) No 750/2010 (amending Annexes II and III to Regulation (EC) No 396/2005)
- Decision No 40/2012 amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement – Regulation (EC) No 661/2009 of the European Parliament and of the Council (type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefore), Commission Regulation (EU) No 672/2010 (type-approval requirements for windscreen defrosting and demisting systems), Commission Regulation (EU) No 1003/2010 (type-approval requirements for the space for mounting and the fixing of rear registration plates), Commission Regulation (EU) No 1005/2010 (type-approval requirements for motor vehicle towing devices and implementing Regulation (EC) No 661/2009), Commission Regulation (EU) No 1008/2010 (type-approval requirements for windscreen wiper and washer systems of certain motor vehicles and implementing Regulation (EC) No 661/2009), Commission Regulation (EU) No 1009/2010 (type-approval requirements for wheel guards of certain motor vehicles and implementing Regulation (EC) No 661/2009), Commission Regulation (EU) No 19/2011 (type-approval requirements for the manufacturer's statutory plate and for the vehicle identification number), Commission Regulation (EU) No 109/2011 (implementing Regulation (EC) No 661/2009), Commission Regulation (EU) No 407/2011 (amending Regulation (EC) No 661/2009), Commission Regulation (EU) No 458/2011 (type-approval requirements for motor vehicles and their trailers with regard to the installation of their tyres and implementing Regulation (EC) No 661/2009)
- Decision No 41/2012 amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement – Regulation (EC) No 79/2009 of the European Parliament and of the Council (type-approval of hydrogen-powered motor vehicles, and amending Directive 2007/46/EC), Regulation (EC) No 595/2009 of the European Parliament and of the Council (type-approval of motor vehicles and engines), Commission Regulation (EU) No 183/2011 (amending Annexes IV and VI to Directive 2007/46/EC)
- Decision No 42/2012 amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement – Directive 2009/58/EC of the European Parliament and of the Council (coupling device and the reverse of wheeled agricultural or forestry tractors), Directive 2009/59/EC of the European Parliament and of the Council (rear-view mirrors for wheeled agricultural or forestry tractors), Directive 2009/60/EC of the

European Parliament and of the Council (maximum design speed of and load platforms for wheeled agricultural or forestry tractors), Directive 2009/61/EC of the European Parliament and of the Council (installation of lighting and light-signalling devices on wheeled agricultural and forestry tractors), Directive 2009/68/EC of the European Parliament and of the Council (component type-approval of lighting and light-signalling devices on wheeled agricultural or forestry tractors), Commission Directive 2010/62/EU (type-approval of agricultural or forestry tractors)

- Decision No 43/2012 amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement – Directive 2011/72/EU of the European Parliament and of the Council (amending Directive 2000/25/EC as regards the provisions for tractors), Directive 2011/87/EU of the European Parliament and of the Council (amending Directive 2000/25/EC as regards the application of emission stages for narrow-track tractors)
- Decision No 44/2012 amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement – Commission Directive 2011/74/EU (certain methods for quantitative analysis of binary textile fibre mixtures)
- Decision No 45/2012 amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement – Directive 2006/52/EC of the European Parliament and of the Council (amending Directive 95/2/EC on food additives), Commission Regulation (EC) No 1169/2009 (amending Regulation (EC) No 353/2008 establishing implementing rules for applications for authorisation of health claims), Commission Implementing Regulation (EU) No 321/2011 (amending Regulation (EU) No 10/2011 as regards the restriction of use of Bisphenol A), Commission Regulation (EU) No 432/2011 (refusing to authorise certain health claims made on foods), Commission Regulation (EU) No 440/2011 (authorisation and refusal of authorisation of certain health claims), Commission Regulation (EU) No 665/2011 (authorisation and refusal of authorisation of certain health claims), Commission Regulation (EU) No 666/2011 (refusing to authorise certain health claims made on foods)
- Decision No 46/2012 amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement – Commission Implementing Directive 2011/38/EU (amending Annex V to Directive 2004/33/EC with regards to maximum pH values for platelets concentrates at the end of the shelf life)
- Decision No 47/2012 amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement – Commission Regulation (EC) No 668/2009 (evaluation and certification of quality and non-clinical data)
- Decision No 48/2012 amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement – Commission Directive 2011/66/EU (amending Directive 98/8/EC of the European Parliament and of the Council to include 4,5-Dichloro-2-octyl-2H-isothiazol-3-one), Commission Directive 2011/67/EU (amending Directive 98/8/EC of the European Parliament and of the Council to include abamectin), Commission Directive 2011/69/EU (amending Directive 98/8/EC of the European Parliament and of the Council to include imidacloprid)
- Decision No 49/2012 amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement – Commission Directive 2011/78/EU (amending Directive 98/8/EC of the European Parliament and of the Council to include *Bacillus thuringiensis* subsp. *israelensis* Serotype H14, Strain AM65-52), Commission Directive 2011/79/EU (amending Directive 98/8/EC of the European Parliament and of the Council to include fipronil), Commission Directive 2011/80/EU (amending Directive 98/8/EC of the European Parliament and of the Council to include lambda-cyhalothrin), Commission Directive 2011/81/EU (amending Directive 98/8/EC of the European Parliament and of the Council to include deltamethrin)
- Decision No 50/2012 amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement – Commission Directive 2010/79/EU (the limitation of emissions of volatile organic compounds)

- Decision No 51/2012 amending Annex II (Technical regulations, standards, testing and certification) and Annex XIII (Transport) to the EEA Agreement – Commission Directive 2010/68/EU (amending Council Directive 96/98/EC on marine equipment), Commission Directive 2011/75/EU (amending Council Directive 96/98/EC on marine equipment)
- Decision No 52/2012 amending Annex V (Free Movement of Workers) to the EEA Agreement – Regulation (EU) No 492/2011 of the European Parliament and of the Council (freedom of movement for workers within the Union)
- Decision No 53/2012 amending Annex IX (Financial Services) to the EEA Agreement – Commission Decision 2010/578/EU (recognition of the legal and supervisory framework of Japan)
- Decision No 54/2012 amending Annex XI (Electronic communication, audiovisual services and information society) to the EEA Agreement – Recommendation 2006/952/EC (protection of minors and human dignity and on the right of reply in relation to the competitiveness of the European audiovisual and on-line information services industry)
- Decision No 55/2012 amending Annex XII (Free Movement of Capital) to the EEA Agreement – Directive 2011/7/EU of the European Parliament and of the Council (combating late payment in commercial transactions)
- Decision No 56/2012 amending Annex XIII (Transport) to the EEA Agreement – Commission Implementing Decision 2011/453/EU (adopting guidelines for reporting by the Member States)
- Decision No 57/2012 amending Annex XIII (Transport) to the EEA Agreement – Commission Decision 2011/275/EU (technical specification for interoperability relating to the 'infrastructure' subsystem of the trans-European conventional rail system)
- Decision No 58/2012 amending Annex XIII (Transport) to the EEA Agreement – Commission Regulation (EU) No 445/2011 (certification of entities in charge of maintenance for freight wagons)
- Decision No 59/2012 amending Annex XIII (Transport) to the EEA Agreement – Directive 2009/17/EC of the European Parliament and of the Council (amending Directive 2002/59/EC establishing a Community vessel traffic monitoring and information system)
- Decision No 60/2012 amending Annex XIII (Transport) to the EEA Agreement – Commission Directive 2011/15/EU (amending Directive 2002/59/EC of the European Parliament and of the Council establishing a Community vessel traffic monitoring and information system)
- Decision No 61/2012 amending Annex XIII (Transport) to the EEA Agreement – Commission Decision 2009/584/EC (High Level Steering Group on SafeSeaNet)
- Decision No 62/2012 amending Annex XIII (Transport) to the EEA Agreement – Directive 2009/18/EC of the European Parliament and of the Council (investigation of accidents in the maritime transport sector)
- Decision No 63/2012 amending Annex XIII (Transport) to the EEA Agreement – Directive 2009/21/EC of the European Parliament and of the Council (compliance with flag State requirements)
- Decision No 64/2012 amending Annex XIII (Transport) to the EEA Agreement – Directive 2009/12/EC of the European Parliament and of the Council (airport charges)
- Decision No 65/2012 amending Annex XIII (Transport) to the EEA Agreement – Commission Implementing Regulation (EU) No 1197/2011 (list of air carriers which are subject to an operating ban within the Community)

- Decision No 66/2012 amending Annex XV (State Aid) to the EEA Agreement – Commission Decision 2012/21/EU (public service compensation)
- Decision No 67/2012 amending Annex XVI (Procurement) to the EEA Agreement – Commission Regulation (EU) No 1251/2011 (application thresholds for the procedures for the awards of contract)
- Decision No 68/2012 amending Annex XIX (Consumer Protection) to the EEA Agreement – Commission Recommendation 2010/304/EU (classifying and reporting consumer complaints and enquiries), Commission Recommendation 2011/136/EU (data protection rules in the Consumer Protection Cooperation System)
- ~~Decision No 69/2012 amending Annex XX (Environment) to the EEA Agreement – Directive 2009/31/EC of the European Parliament and of the Council (geological storage of carbon dioxide)~~
- Decision No 70/2012 amending Annex XX (Environment) to the EEA Agreement – Commission Regulation (EU) No 664/2011 (on shipments of waste to include certain mixtures of wastes)
- Decision No 71/2012 amending Annex XX (Environment) to the EEA Agreement – Commission Decision 2009/335/EC (technical guidelines for the establishment of the financial guarantee), Commission Decision 2009/337/EC (definition of the criteria for the classification of waste facilities), Commission Decision 2009/358/EC (on the harmonisation, the regular transmission of the information and the questionnaire), Commission Decision 2009/359/EC (completing the definition of inert waste), Commission Decision 2009/360/EC (completing the technical requirements for waste characterisation)
- Decision No 72/2012 amending Annex XXI (Statistics) to the EEA Agreement – Commission Regulation (EU) No 216/2010 (definitions of categories of the reasons for the residence permits)
- Decision No 73/2012 amending Annex XXI (Statistics) to the EEA Agreement – Commission Regulation (EU) No 328/2011 (public health and health and safety at work, as regards statistics on causes of death)

5. Management of EEA Joint Committee Decisions

- EEA Joint Committee Annual Report 2011
- State of decision making for 2011

6. Progress Report by the EEA Joint Committee to the 37th meeting of the EEA Council

7. Other business

- Notification from Iceland regarding protective measures under Art. 43
- EEA EFTA Comments on the following topics: credit institutions, standardisation, Orphan Works, Erasmus for all, public procurement, IMI, Horizon 2020, and recognition of prescriptions