

## III

*(Other acts)*

## EUROPEAN ECONOMIC AREA

## EFTA SURVEILLANCE AUTHORITY DECISION

No 159/10/COL

of 21 April 2010

**concerning additional guarantees for Norway relating to infectious bovine rhinotracheitis**

THE EFTA SURVEILLANCE AUTHORITY,

Whereas:

Having regard to the Agreement on the European Economic Area, in particular Article 17 and Protocol 1 to the Agreement, in particular Article (4)(d) thereof,

(1) By Decision No 74/94/COL, Norway was granted additional guarantees relating to infectious bovine rhinotracheitis for bovines.

Having regard to the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice, in particular Article 5(2)(d) and Protocol 1 to the Agreement, in particular Article 1(c) thereof,

(2) Since the adoption of Decision No 74/94/COL, the European Union's legislation on additional guarantees for infectious bovine rhinotracheitis has been amended to ensure consistency with the international rules on this disease and better control within the Union.

Having regard to the Act referred to at point 4.1.1 of Chapter I of Annex I to the EEA Agreement, Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine<sup>(1)</sup>, as amended, and adapted to the EEA Agreement by Protocol 1 thereto, in particular Article 10(1) thereof,

(3) By Decision of the EEA Joint Committee No 48/2005<sup>(5)</sup>, Decision 2004/558/EC, as amended, was incorporated into the EEA Agreement as point 4.2.80 of Chapter I of Annex I to that Agreement.

Having regard to the Act referred to at point 4.2.80 of Chapter I of Annex I to the EEA Agreement, Commission Decision 2004/558/EC of 15 July 2004 implementing Council Directive 64/432/EEC as regards additional guarantees for intra-Community trade in bovine animals relating to infectious bovine rhinotracheitis and the approval of the eradication programmes presented by certain Member States<sup>(2)</sup>, as amended,

(4) The Norwegian Government considers that its territory is free from infectious bovine rhinotracheitis' disease in accordance with Article 10(1) of Directive 64/432/EEC. Norway has submitted supporting documentation to the EFTA Surveillance Authority substantiating that monitoring of the situation is continued and, hence, that adequate surveillance is in place to make sure that the Norwegian territory is free from infectious bovine rhinotracheitis.

Having regard to the EFTA Surveillance Authority Decision No 74/94/COL of 27 June 1994 concerning additional guarantees relating to infectious bovine rhinotracheitis for bovines destined for Norway<sup>(3)</sup> amending the EFTA Surveillance Authority Decision No 31/94/COL<sup>(4)</sup>, granting Norway certain additional guarantees to protect its disease free status of infectious bovine rhinotracheitis (IBR),

(5) Norway has requested the EFTA Surveillance Authority to update Decision No 74/94/COL in order to take account of the new legislative changes in the field of additional guarantees for intra-Union trade in bovines relating to infectious bovine rhinotracheitis' disease.

<sup>(1)</sup> OJ L 121, 29.7.1964, p. 1977/64.

<sup>(2)</sup> OJ L 249, 23.7.2004, p. 20 and EEA Supplement No 22, 24.4.2008, p. 170.

<sup>(3)</sup> OJ L 247, 22.9.1994, p. 50.

<sup>(4)</sup> OJ L 138, 2.6.1994, p. 43.

<sup>(5)</sup> OJ L 239, 15.9.2005, p. 15.

(6) It is therefore appropriate, for the sake of clarity and legal consistency, to repeal Decision No 74/94/COL in accordance with the latest legislative changes in the field of additional guarantees for intra-Union trade in bovines relating to infectious bovine rhinotracheitis' disease.

(7) The new Decision will maintain the same guarantees previously granted to Norway as well as it will align them with the new criteria set out in relevant EEA legislation, in particular Decision 2004/558/EC, as amended.

(8) The measures provided for in this Decision are in accordance with the opinion of the EFTA Veterinary Committee assisting the EFTA Surveillance Authority,

HAS ADOPTED THIS DECISION:

*Article 1*

All regions in Norway are free of the infectious bovine rhinotracheitis' disease.

*Article 2*

Norway is granted the additional guarantees relating to infectious bovine rhinotracheitis' disease laid down in Decision 2004/558/EC, as amended, when trading bovines within the European Economic Area.

*Article 3*

Norway has the same status as those EU Member States listed in Annex II to Decision 2004/558/EC, as amended.

*Article 4*

Decision No 74/94/COL is hereby repealed.

*Article 5*

This Decision shall enter into force on 21 April 2010.

*Article 6*

This Decision is addressed to the Kingdom of Norway.

*Article 7*

Only the English text is authentic.

Done at Brussels, 21 April 2010.

*For the EFTA Surveillance Authority*

Per SANDERUD  
*President*

Sverrir Haukur GUNNLAUGSSON  
*College Member*