

Case No: 61619
Event No: 421315
Dec. No: 364/07/COL

EFTA SURVEILLANCE AUTHORITY DECISION

of 6 September 2007

to approve the provisions related to breeding flocks and laying hens of *Gallus gallus* which are included in the national programme for the control of salmonella in certain live animals and products of animal origin presented by Norway

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Agreement on the European Economic Area (hereinafter referred to as “the EEA Agreement”), in particular Article 109 and Protocol 1 thereof,

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 thereof,

Having regard to point 4.1.1 (b) of Chapter I of Annex I to the EEA Agreement whereby the Norwegian operational programme, implemented by the Regulations of 31 January 1995 No 107 relating to the surveillance and control of the occurrence of salmonella in live animals, Regulations of 10 April 1995 No 368 relating to the surveillance of and measures against the occurrence of salmonella bacteria in fresh meat and fresh poultry meat, and Regulations of 9 May 1996 No 489 relating to the monitoring and prevention of salmonella in eggs intended for human consumption, was approved,

Having regard to the Act referred to at point 4.1.71 of Chapter I of Annex I to the EEA Agreement,

Commission Decision 2003/644/EC of 8 September 2003 establishing additional guarantees regarding salmonella for consignments to Finland and Sweden of breeding poultry and day-old chicks for introduction into flocks of breeding poultry or flocks of productive poultry,

as adapted to the EEA Agreement by Protocol 1 thereto,

Having regard to the Act referred to at point 4.1.77 of Chapter I of Annex I to the EEA Agreement,

Commission Decision 2004/235/EC of 1 March 2004 establishing additional guarantees regarding salmonella for consignments to Finland and Sweden of laying hens,

as adapted to the EEA Agreement by Protocol 1 thereto,

Having regard to the Act referred to at point 7.1.8b of Chapter I of Annex I to the EEA Agreement,

Regulation (EC) No 2160/2003 of the European Parliament and of the Council of 17 November 2003 on the control of salmonella and other specified food-borne zoonotic agents,

as amended and as adapted to the EEA Agreement by Protocol 1 thereto, and in particular Article 5 thereof,

Having regard to the Act referred to at point 7.2.25 of Chapter I of Annex I to the EEA Agreement,

Commission Regulation (EC) No 1003/2005 of 30 June 2005 implementing Regulation (EC) No 2160/2003 as regards a Community target for the reduction of the prevalence of certain salmonella serotypes in breeding flocks of Gallus gallus and amending Regulation (EC) No 2160/2003,

as adapted to the EEA Agreement by Protocol 1 thereto,

Having regard to the EFTA Surveillance Authority Decision 297/07/COL of 4 July 2007, whereby the competent College Member was instructed to adopt the Decision concerning approval of the provisions related to breeding flocks and laying hens of *Gallus gallus* which are included in the national programme for the control of salmonella in certain live animals and live products presented by Norway if the draft decision is in accordance with the opinion of the EFTA Veterinary Committee,

Whereas *Commission Regulation (EC) No 1168/2006 of 31 July 2006 implementing Regulation (EC) No 2160/2003 as regards a Community target for the reduction of the prevalence of certain salmonella serotypes in laying hens of Gallus gallus and amending Regulation (EC) No 1003/2005* will soon be incorporated into the EEA Agreement,

Whereas in accordance with Article 5(7) of Regulation (EC) No 2160/2003, on 5 February 2007 (event no. 409982) Norway submitted to the EFTA Surveillance Authority (hereafter referred to as “the Authority”) its Salmonella control programme that up-dates and replaces the previously approved operational programme for the control of salmonella in Norway,

Whereas the control programme submitted by Norway covers the whole poultry production including domestic fowls, turkeys, ducks, geese and guinea-fowls and their relevant subpopulations,

Whereas implementing measures for Regulation (EC) No 2160/2003, in particular Commission Regulation (EC) No 1003/2005 and Commission Regulation 1168/2006, respectively establish community targets for the reduction of the prevalence of certain salmonella serotypes in breeding flocks and laying hens of *Gallus gallus*, and hence there is for the time being no other EEA related legislation covering domestic fowls, turkeys, ducks, geese and guinea-fowls and their relevant subpopulations,

Whereas the Authority, in close co-operation with the European Commission, has examined the documentation submitted by Norway and this examination shows that the points of the control programme submitted by Norway related to breeding flocks and laying hens of *Gallus gallus* complies with all the relevant EEA requirements in this field and, in particular, with the provisions laid down in Annex II and Annex III to Regulation (EC) No 2160/2003,

Whereas it is therefore appropriate that the parts of the control programme for salmonella submitted by Norway on 5 February 2005 that refer to breeding flocks and laying hens of *Gallus gallus* are approved,

Whereas in accordance with Article 9(3) of Regulation (EC) No 2160/2003 the special measures concerning salmonella that apply to live animals dispatched to Norway, as laid down in Commission Decision 2003/644/EC and Commission Decision 2004/235/EC, shall continue to apply,

Whereas 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:

1. In accordance with Article 6(2) of Regulation (EC) No 2160/2003 the provisions related to breeding flocks and laying hens of *Gallus gallus* which are included in the national programme for the control of salmonella in certain live animals and products of animal origin submitted by Norway on 5 February 2007 are hereby approved.
2. This Decision is addressed to Norway.
3. Pursuant to Article 109(2) of the EEA Agreement, the EFTA Surveillance Authority shall forward this Decision and any amendments thereto to the European Commission.

4. This Decision shall enter into force on 6 September 2007.
5. This Decision shall be authentic in the English language.

Done at Brussels, 6 September 2007

For the EFTA Surveillance Authority



Kristján Andri Stefánsson
College Member



Niels Fenger
Director