

Brussels, 6 February 2013
Case No:73242
Event No:661229

Minutes of College Meeting No. 4 - 6 February 2013

Members present: Oda Helen Sletnes, Sverrir Haukur Gunnlaugsson and Sabine Monauni-Tömördy

Officials present: Ólafur Jóhannes Einarsson, Per Andreas Bjørgan, Xavier Lewis, Helle Brit, Christian Jordal, Mihalis Kekelekis, Ingvar Sverrisson, Kristin Bangsund, Birgitte Jourdan Andersen, Bernhard Zaglmayer, Markus Schneider, Trygve Mellvang-Berg and Nina Hoppe

* * *

1. Agenda

Event [661226](#)

The College approved the Agenda

2. Decisions taken by delegation procedure

Event [659397](#)

Approved

3. **Case 72480: Non-incorporation by Norway of Regulation (EU) No 1276/2011 (Viable parasites in fishery products for human consumption)**

Event [660382](#)

The College adopted a decision to close the case against Norway for failure to incorporate the Act referred to at point 17 in Part 6.1 of Chapter I of Annex I of the Agreement on the European Economic Area (*Commission Regulation (EU) No 1276/2011 of 8 December 2011 amending Annex III to Regulation (EC) No 853/2004 of the European Parliament and of the Council as regards the treatment to kill viable parasites in fishery products for human consumption*), as adapted to the EEA Agreement by Protocol 1 thereto, into its national law and its failure to

notify the Authority forthwith thereof, as **Decision No. 30/13/COL**

4. **Case 71395: Non-implementation by Iceland of Directive 2009/161/EU (Third list of indicative occupational exposure limit values)**

Event [660338](#)

The College adopted a decision to close the case against to Iceland for failure to implement the Act referred to at point 16j of Annex XVIII of Annex II of the Agreement on the European Economic Area (*Commission Directive 2009/161/EU of 17 December 2009 establishing a third list of indicative occupational exposure limit values in implementation of Council Directive 98/24/EC and amending Commission Directive 2000/39/EC*), as adapted to the EEA Agreement by Protocol 1 thereto, into its national law and its failure to notify the Authority forthwith thereof, as **Decision No. 31/13/COL**

5. **Case 71371: Non-implementation by Norway of Directive 2010/35/EU (Transportable pressure equipment)**

Event [660301](#)

The College adopted a decision to close the case against to Norway for failure to implement the Act referred to at point 6d of Chapter VIII of Annex II of the Agreement on the European Economic Area (*Directive 2010/35/EU of the European Parliament and of the Council of 16 June 2010 on transportable pressure equipment and repealing Council Directives 76/767/EEC, 84/525/EEC, 84/526/EEC, 84/527/EEC and 1999/36/EC*), as adapted to the EEA Agreement by Protocol 1 thereto, into its national law and its failure to notify the Authority forthwith thereof, as **Decision No. 32/13/COL**

6. **Case 65876: Own initiative case concerning access to unemployment benefits in Iceland for migrant workers**

Event [658745](#)

The College adopted a Decision to close an own-initiative case arising from a failure by Iceland to comply with Article 67 of the Act referred to at point 1 of Annex VI to the Agreement on the European Economic Area (*Regulation (EEC) No 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community*, as amended), as amended, as adapted to the EEA Agreement by Protocol 1 thereto, by maintaining in force Article 47 of Act 54/2006 on unemployment insurance (*Lög nr. 54/2006 um atvinnuleysisstryggingar*), as **Decision No. 33/13/COL**

7. **Case 65337: Own initiative case concerning access to maternity leave benefits in Iceland for migrant workers**

Event [619946](#)

The College adopted a decision to close an own-initiative case arising from a failure by Iceland to fulfil its obligations arising from Article 1(a) in conjunction with Article 2 and Article 72 of the act referred to at point 1 of Annex VI to the Agreement on the European Economic Area (*Regulation (EEC) No 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community, as amended*), as adapted to the EEA Agreement by Protocol 1 thereto, as **Decision No. 34/13/COL**

8. **Case 73119: Non-incorporation by Iceland of Regulation (EU) No 606/2010 (Fuel consumption of certain small emitting aircraft operators)**

Event [660001](#)

The College adopted a decision to issue a letter of formal notice against Iceland for failure to incorporate the Act referred to at point 21ape of Chapter III of Annex XX of the Agreement on the European Economic Area (*Commission Regulation (EU) No 606/2010 of 9 July 2010 on the approval of a simplified tool developed by the European organisation for air safety navigation (Eurocontrol) to estimate the fuel consumption of certain small emitting aircraft operators*), as adapted to the EEA Agreement by Protocol 1 thereto, into its national law and its failure to notify the Authority forthwith thereof, as **Decision No. 35/13/COL**

9. **Case 73077: Non-incorporation by Iceland of Regulation (EU) No 64/2012 (Emissions from heavy duty vehicles)**

Event [659291](#)

The College adopted a decision to issue a letter of formal notice against Iceland for failure to incorporate the Act referred to at point 45zzl of Chapter I of Annex II of the Agreement on the European Economic Area (*Commission Regulation (EU) No 64/2012 of 23 January 2012 amending Regulation (EU) No 582/2011 implementing and amending Regulation (EC) No 595/2009 of the European Parliament and of the Council with respect to emissions from heavy duty vehicles (Euro VI)*), as adapted to the EEA Agreement by Protocol 1 thereto, into its national law and its failure to notify the Authority forthwith thereof, as **Decision No. 36/13/COL**

10. **Case 73076: Non-incorporation by Iceland of Regulation (EU) No 65/2012 (Gear shift indicators)**

Event [659287](#)

The College adopted a decision to issue a letter of formal notice against Iceland for failure to incorporate the Act referred to at points 45zx and 45zzo of Chapter I of Annex II of the Agreement on the European Economic Area (*Commission Regulation (EU) No 65/2012 of 24 January 2012 implementing Regulation (EC)*

No 661/2009 of the European Parliament and of the Council as regards gear shift indicators and amending Directive 2007/46/EC of the European Parliament and of the Council), as adapted to the EEA Agreement by Protocol 1 thereto, into its national law and its failure to notify the Authority forthwith thereof, as **Decision No. 37/13/COL**

11. Cases 73084 and 73085: Non-incorporation by Iceland of Regulations (EU) No 347/2012 and No 351/2012 (Type approval requirements of motor vehicles)

Event [659345](#)

The College adopted a decision to issue a letter of formal notice against Iceland for failure to incorporate the Act referred to at points 45zzp and 45zzq of Chapter I of Annex II of the Agreement on the European Economic Area:

- *Commission Regulation (EU) No 347/2012 of 16 April 2012 implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council with respect to type-approval requirements for certain categories of motor vehicles with regard to advanced emergency braking systems,*
- *Commission Regulation (EU) No 351/2012 of 23 April 2012 implementing Regulation (EC) No 661/2009 of the European Parliament and of the Council as regards type-approval requirements for the installation of lane departure warning systems in motor vehicles*

as adapted to the EEA Agreement by Protocol 1 thereto, into its national law and its failure to notify the Authority forthwith thereof, as **Decision No. 38/13/COL**

12. Cases 73129, 73130 and 73031: Non-incorporation by Iceland of Regulation (EC) No 1005/2009, Regulation (EU) No 744/2010 and Regulation (EU) No 291/2011 (Substances that deplete the ozone layer)

Event [660090](#)

The College adopted a decision to issue a letter of formal notice against Iceland for failure to incorporate the Act referred to at points 21aa and 21aaa of Annex XX of the Agreement on the European Economic Area:

- *Regulation (EC) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer,*
- *Commission Regulation (EU) No 744/2010 of 18 August 2010 amending Regulation (EC) No 1005/2009 of the European Parliament and of the Council on substances that deplete the ozone layer, with regard to the critical uses of halons,*
- *Commission Regulation (EU) No 291/2011 of 24 March 2011 on essential uses of controlled substances other than hydrochlorofluorocarbons for laboratory and analytical purposes in the Union under Regulation (EC) No 1005/2009 of the European Parliament and of the Council on substances that deplete the ozone,*

as adapted to the EEA Agreement by Protocol 1 thereto, into its national law and its failure to notify the Authority forthwith thereof, as **Decision No. 39/13/COL**

13. Cases 73081, 73082 and 73083: Non-incorporation by Norway of Regulation (EC) No 1005/2009, Regulation (EU) No 744/2010 and Regulation (EU) No 291/2011 (Substances that deplete the ozone layer)

Event [659463](#)

The College adopted a decision to issue a letter of formal notice against Norway for failure to incorporate the Act referred to at points 21aa and 21aaa of Annex XX of the Agreement on the European Economic Area:

- *Regulation (EC) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer,*
- *Commission Regulation (EU) No 744/2010 of 18 August 2010 amending Regulation (EC) No 1005/2009 of the European Parliament and of the Council on substances that deplete the ozone layer, with regard to the critical uses of halons,*
- *Commission Regulation (EU) No 291/2011 of 24 March 2011 on essential uses of controlled substances other than hydrochlorofluorocarbons for laboratory and analytical purposes in the Union under Regulation (EC) No 1005/2009 of the European Parliament and of the Council on substances that deplete the ozone,*

as adapted to the EEA Agreement by Protocol 1 thereto, into its national law and its failure to notify the Authority forthwith thereof, as **Decision No. 40/13/COL**

14. Case 73125: Non-incorporation by Iceland of Regulation (EU) No 109/2012 (Registration, evaluation, authorisation and restriction of chemicals (REACH))

Event [660075](#)

The College adopted a decision to issue a letter of formal notice against Iceland for failure to incorporate the Act referred to at point 12zc of Chapter XV of Annex II of the Agreement on the European Economic Area (*Commission Regulation (EU) No 109/2012 of 9 February 2012 amending Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards Annex XVII (CMR substances)*), as adapted to the EEA Agreement by Protocol 1 thereto, into its national law and its failure to notify the Authority forthwith thereof, as **Decision No. 41/13/COL**

15. Case 73126: Non-incorporation by Norway of Regulation (EU) No 109/2012 (Registration, evaluation, authorisation and restriction of chemicals (REACH))

Event [660076](#)

The College adopted a decision to issue a letter of formal notice against Norway for failure to incorporate the Act referred to at point 12zc of Chapter XV of Annex II of the Agreement on the European Economic Area (*Commission Regulation (EU) No 109/2012 of 9 February 2012 amending Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation,*

Authorisation and Restriction of Chemicals (REACH) as regards Annex XVII (CMR substances)), as adapted to the EEA Agreement by Protocol 1 thereto, into its national law and its failure to notify the Authority forthwith thereof, as Decision No. 42/13/COL

16. Case 73123: Non-incorporation by Iceland of Regulation (EU) No 125/2012 (Registration, evaluation, authorisation and restriction of chemicals (REACH))

Event [660061](#)

The College adopted a decision to issue a letter of formal notice against Iceland for failure to incorporate the Act referred to at point 12zc of Chapter XV of Annex II of the Agreement on the European Economic Area (*Commission Regulation (EU) No 125/2012 of 14 February 2012 amending Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals ('REACH')*), as adapted to the EEA Agreement by Protocol 1 thereto, into its national law and its failure to notify the Authority forthwith thereof, as **Decision No. 43/13/COL**

17. Case 73124: Non-incorporation by Norway of Regulation (EU) No 277/2012 Regulation (EU) No 125/2012 (Registration, evaluation, authorisation and restriction of chemicals (REACH))

Event [660069](#)

The College adopted a decision to issue a letter of formal notice against Norway for failure to incorporate the Act referred to at point 12zc of Chapter XV of Annex II of the Agreement on the European Economic Area (*Commission Regulation (EU) No 125/2012 of 14 February 2012 amending Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals ('REACH')*), as adapted to the EEA Agreement by Protocol 1 thereto, into its national law and its failure to notify the Authority forthwith thereof, as **Decision No. 44/13/COL**

18. Case 73121: Non-incorporation by Iceland of Regulation (EU) No 412/2012 (Registration, evaluation, authorisation and restriction of chemicals (REACH))

Event [660009](#)

The College adopted a decision to issue a letter of formal notice against Iceland for failure to incorporate the Act referred to at point 12zc of Chapter XV of Annex II of the Agreement on the European Economic Area (*Commission Regulation (EU) No 412/2012 of 15 May 2012 amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)*), as adapted to the EEA Agreement by Protocol 1 thereto, into its national law and its failure to notify the Authority forthwith thereof, as **Decision No. 45/13/COL**

19. Case 73122: Non-incorporation by Norway of Regulation (EU) No 412/2012 (Registration, evaluation, authorisation and restriction of chemicals (REACH))

Event [660021](#)

The College adopted a decision to issue a letter of formal notice against Norway for failure to incorporate the Act referred to at point 12zc of Chapter XV of Annex II of the Agreement on the European Economic Area (*Commission Regulation (EU) No 412/2012 of 15 May 2012 amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)*), as adapted to the EEA Agreement by Protocol 1 thereto, into its national law and its failure to notify the Authority forthwith thereof, as **Decision No. 46/13/COL**

20. Case 73153: Non-implementation by Iceland of Directive 2009/38/EC (Establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees (Recast))

Event [660349](#)

The College adopted a decision to issue a letter of formal notice against Iceland for failure to implement the Act referred to at point 27 of Annex XVIII to the Agreement on the European Economic Area (*Directive 2009/38/EC of the European Parliament and of the Council of 6 May 2009 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees (Recast)*), as adapted to the EEA Agreement by Protocol 1 thereto, into its national law and its failure to notify the Authority forthwith thereof, as **Decision No. 47/13/COL**

21. Case 73147: Non-implementation by Iceland of Directive 2005/35/EC (Ship-source pollution and introduction of penalties for infringements)

Event [660231](#)

The College adopted a decision to issue a letter of formal notice against Iceland for failure to implement the Act referred to at point 56v of Chapter V of Annex XIII to the Agreement on the European Economic Area (*Directive 2005/35/EC of the European Parliament and of the Council of 7 September 2005 on ship-source pollution and on the introduction of penalties for infringements*), as adapted to the EEA Agreement by Protocol 1 thereto, into its national law and its failure to notify the Authority forthwith thereof, as **Decision No. 48/13/COL**

22. Case 73148: Non-implementation by Norway of Directive 2005/35/EC (Ship-source pollution and introduction of penalties for infringements)