DECISION OF THE EEA JOINT COMMITTEE

No 44/2009

of 24 April 2009

amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

(1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 29/2009 of 17 March 2009 [1].

(2) Commission Directive 2008/42/EC of 3 April 2008 amending Council Directive 76/768/EEC, concerning cosmetic products, for the purpose of adapting Annexes II and III thereto to technical progress [2], as corrected by OJ L 136, 24.5.2008, p. 52, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 1 (Council Directive 76/768/EEC) of Chapter XVI of Annex II to the Agreement:

'— **32008 L 0042**: Commission Directive 2008/42/EC of 3 April 2008 (OJ L 93, 4.4.2008, p. 13), as corrected by OJ L 136, 24.5.2008, p. 52.'

Article 2

The text of Directive 2008/42/EC, as corrected by OJ L 136, 24.5.2008, p. 52, 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 25 April 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

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, 24 April 2009.

For the EEA Joint Committee
The President
Alan SEATTER

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[1] OJ L 130, 28.5.2009, p. 22.
[2] OJ L 93, 4.4.2008, p. 13.
(*) No constitutional requirements indicated.