DECISION OF THE EEA JOINT COMMITTEE

No 207/2012

of 7 December 2012

amending Annex I (Veterinary and phytosanitary matters) and 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 ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

(1) Commission Regulation (EU) No 231/2012 of 9 March 2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council [1] is to be incorporated into the EEA Agreement.

(2) Commission Regulation (EU) No 232/2012 of 16 March 2012 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the conditions of use and the use levels for Quinoline Yellow (E 104), Sunset Yellow FCF/ Orange Yellow S (E 110) and Ponceau 4R, Cochineal Red A (E 124) [2] is to be incorporated into the EEA Agreement.

(3) Commission Regulation (EU) No 252/2012 of 21 March 2012 laying down methods of sampling and analysis for the official control of levels of dioxins, dioxin-like PCBs and non-dioxin-like PCBs in certain foodstuffs and repealing Regulation (EC) No 1883/2006 [3] is to be incorporated into the EEA Agreement.

(4) Commission Regulation (EU) No 270/2012 of 26 March 2012 amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for amidosulfuron, azoxystrobin, bentazone, bixafen, cyproconazole, fluopyram, imazapic, malathion, propiconazole and spinosad in or on certain products [4] is to be incorporated into the EEA Agreement.

(5) Commission Regulation (EU) No 378/2012 of 3 May 2012 refusing to authorise certain health claims made on foods and referring to the reduction of disease risk and to children's development and health [5] is to be incorporated into the EEA Agreement.

(6) Commission Decision 2010/770/EU of 13 December 2010 amending Decision 2009/980/EU as regards the conditions of use of an authorised health claim on the effect of water-soluble tomato concentrate on platelet aggregation [6] is to be incorporated into the EEA Agreement.

(7) Regulation (EU) No 231/2012 repeals, with effect from 1 December 2012, Commission Directives 2008/60/EC [7], 2008/84/EC [8] and 2008/128/EC [9] which are incorporated into the EEA Agreement and which are consequently to be repealed under the EEA Agreement with effect from 1 December 2012.

(8) Regulation (EU) No 252/2012 repeals Commission Regulation (EC) No 1883/2006 [10] which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.

(9) This Decision concerns legislation regarding feedingstuffs and foodstuffs. Legislation regarding feedingstuffs and foodstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I and the introduction to Chapter XII of Annex II to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.

(10) Annexes I and II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent shall be added in point 40 (Regulation (EC) No 396/2005 of the European Parliament and of the Council) of Chapter II of Annex I to the EEA Agreement:

'— **32012 R 0270**: Commission Regulation (EU) No 270/2012 of 26 March 2012 (OJ L 89, 27.3.2012, p. 5).'.

Article 2

Chapter XII of Annex II to the EEA Agreement shall be amended as follows:

(1) the following indent shall be added in point 54zzy (Regulation (EC) No 396/2005 of the European Parliament and of the Council):

'— **32012 R 0270**: Commission Regulation (EU) No 270/2012 of 26 March 2012 (OJ L 89, 27.3.2012, p. 5).';

[1] OJ L 83, 22.3.2012, p. 1.
[2] OJ L 78, 17.3.2012, p. 1.
[3] OJ L 84, 23.3.2012, p. 1.
[4] OJ L 89, 27.3.2012, p. 5.
[5] OJ L 119, 4.5.2012, p. 9.
[6] OJ L 328, 14.12.2010, p. 18.
[7] OJ L 158, 18.6.2008, p. 17.
[8] OJ L 253, 20.9.2008, p. 1.
[9] OJ L 6, 10.1.2009, p. 20.
[10] OJ L 364, 20.12.2006, p. 32.

(2) the text of point 54zzzn (Commission Regulation (EC) No 1883/2006) shall be deleted;

(3) the text of points 54zzzy (Commission Directive 2008/60/EC), 54zzzzg (Commission Directive 2008/84/EC) and 54zzzzh (Commission Directive 2008/128/EC) shall be deleted;

(4) the following indent shall be added in point 54zzzzr (Regulation (EC) No 1333/2008 of the European Parliament and of the Council):

'— **32012 R 0232**: Commission Regulation (EU) No 232/2012 of 16 March 2012 (OJ L 78, 17.3.2012, p. 1).';

(5) the following shall be added in point 54zzzzw (Commission Decision 2009/980/EU):

', as amended by:

— **32010 D 0770**: Commission Decision 2010/770/EU of 13 December 2010 (OJ L 328, 14.12.2010, p. 18).';

(6) the following points shall be inserted after point 68 (Commission Implementing Regulation (EU) No 1274/2011):

'69. **32012 R 0231**: Commission Regulation (EU) No 231/2012 of 9 March 2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council (OJ L 83, 22.3.2012, p. 1).

70. **32012 R 0252**: Commission Regulation (EU) No 252/2012 of 21 March 2012 laying down methods of sampling and analysis for the official control of levels of dioxins, dioxin-like PCBs and non-dioxin-like PCBs in certain foodstuffs and repealing Regulation (EC) No 1883/2006 (OJ L 84, 23.3.2012, p. 1).

71. **32012 R 0378**: Commission Regulation (EU) No 378/2012 of 3 May 2012 refusing to authorise certain health claims made on foods and referring to the reduction of disease risk and to children's development and health (OJ L 119, 4.5.2012, p. 9).'.

Article 3

The texts of Regulations (EU) No 231/2012, (EU) No 232/2012, (EU) No 252/2012, (EU) No 270/2012 and (EU) No 378/2012 and Decision 2010/770/EU 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 4

This Decision shall enter into force on 8 December 2012, provided that all the notifications under Article 103(1) of the EEA Agreement have been made to the EEA Joint Committee (*).

Article 5

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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

(*) No constitutional requirements indicated.