DECISION OF THE EEA JOINT COMMITTEE

No 105/2012

of 15 June 2012

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 82/2012 of 30 April 2012 ([1]).

(2) Commission Regulation (EU) No 234/2011 of 10 March 2011 implementing Regulation (EC) No 1331/2008 of the European Parliament and of the Council establishing a common authorisation procedure for food additives, food enzymes and food flavourings ([2]) is to be incorporated into the Agreement.

(3) Commission Regulation (EU) No 1129/2011 of 11 November 2011 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council by establishing a Union list of food additives ([3]) is to be incorporated into the Agreement.

(4) Commission Regulation (EU) No 1130/2011 of 11 November 2011 amending Annex III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council on food additives by establishing a Union list of food additives approved for use in food additives, food enzymes, food flavourings and nutrients ([4]) is to be incorporated into the Agreement.

(5) Commission Regulation (EU) No 1131/2011 of 11 November 2011 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council with regard to steviol glycosides ([5]) is to be incorporated into the Agreement.

(6) Commission Regulation (EU) No 1160/2011 of 14 November 2011 on the authorisation and refusal of authorisation of certain health claims made on foods and referring to the reduction of disease risk ([6]) is to be incorporated into the Agreement.

(7) Commission Regulation (EU) No 1161/2011 of 14 November 2011 amending Directive 2002/46/EC of the European Parliament and of the Council, Regulation (EC) No 1925/2006 of the European Parliament and of the Council and Commission Regulation (EC) No 953/2009 as regards the lists of mineral substances that can be added to foods ([7]) is to be incorporated into the Agreement.

(8) Commission Regulation (EU) No 1170/2011 of 16 November 2011 refusing to authorise certain health claims made on foods and referring to the reduction of disease risk ([8]) is to be incorporated into the Agreement.

(9) Commission Regulation (EU) No 1171/2011 of 16 November 2011 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health ([9]) is to be incorporated into the Agreement.

(10) Commission Regulation (EU) No 1282/2011 of 28 November 2011 amending and correcting Commission Regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food ([10]) is to be incorporated into the Agreement.

(11) Commission Regulation (EU) No 1258/2011 of 2 December 2011 amending Regulation (EC) No 1881/2006 as regards maximum levels for nitrates in foodstuffs ([11]) is to be incorporated into the Agreement.

(12) Commission Regulation (EU) No 1259/2011 of 2 December 2011 amending Regulation (EC) No 1881/2006 as regards maximum levels for dioxins, dioxin-like PCBs and non-dioxin-like PCBs in foodstuffs ([12]) is to be incorporated into the Agreement.

(13) This Decision concerns legislation regarding foodstuffs. Legislation regarding 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 introduction to Chapter XII of Annex II to the Agreement. This Decision is therefore not to apply to Liechtenstein,

([1]) OJ L 248, 13.9.2012, p. 18.
([2]) OJ L 64, 11.3.2011, p. 15.
([3]) OJ L 295, 12.11.2011, p. 1.
([4]) OJ L 295, 12.11.2011, p. 178.
([5]) OJ L 295, 12.11.2011, p. 205.
([6]) OJ L 296, 15.11.2011, p. 26.
([7]) OJ L 296, 15.11.2011, p. 29.
([8]) OJ L 299, 17.11.2011, p. 1.
([9]) OJ L 299, 17.11.2011, p. 4.
([10]) OJ L 328, 10.12.2011, p. 22.
([11]) OJ L 320, 3.12.2011, p. 15.
([12]) OJ L 320, 3.12.2011, p. 18.

HAS ADOPTED THIS DECISION:

Article 1

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

(1) the following indent shall be added in point 54zzi (Directive 2002/46/EC of the European Parliament and of the Council):

'— **32011 R 1161**: Commission Regulation (EU) No 1161/2011 of 14 November 2011 (OJ L 296, 15.11.2011, p. 29).';

(2) the following indent shall be added in point 54zzzu (Regulation (EC) No 1925/2006 of the European Parliament and of the Council):

'— **32011 R 1161**: Commission Regulation (EU) No 1161/2011 of 14 November 2011 (OJ L 296, 15.11.2011, p. 29).';

(3) the following indents shall be added in point 54zzzz (Commission Regulation (EC) No 1881/2006):

'— **32011 R 1258**: Commission Regulation (EU) No 1258/2011 of 2 December 2011 (OJ L 320, 3.12.2011, p. 15),

— **32011 R 1259**: Commission Regulation (EU) No 1259/2011 of 2 December 2011 (OJ L 320, 3.12.2011, p. 18).';

(4) the following shall be added in point 54zzzzl (Commission Regulation (EC) No 953/2009):

', as amended by:

— **32011 R 1161**: Commission Regulation (EU) No 1161/2011 of 14 November 2011 (OJ L 296, 15.11.2011, p. 29).';

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

'— **32011 R 1129**: Commission Regulation (EU) No 1129/2011 of 11 November 2011 (OJ L 295, 12.11.2011, p. 1),

— **32011 R 1130**: Commission Regulation (EU) No 1130/2011 of 11 November 2011 (OJ L 295, 12.11.2011, p. 178),

— **32011 R 1131**: Commission Regulation (EU) No 1131/2011 of 11 November 2011 (OJ L 295, 12.11.2011, p. 205).';

(6) the following indent shall be added in point 55 (Commission Regulation (EU) No 10/2011):

'— **32011 R 1282**: Commission Regulation (EU) No 1282/2011 of 28 November 2011 (OJ L 328, 10.12.2011, p. 22).';

(7) the following points shall be inserted after point 63 (Directive 2011/91/EU of the European Parliament and of the Council):

'64. **32011 R 0234**: Commission Regulation (EU) No 234/2011 of 10 March 2011 implementing Regulation (EC) No 1331/2008 of the European Parliament and of the Council establishing a common authorisation procedure for food additives, food enzymes and food flavourings (OJ L 64, 11.3.2011, p. 15).

65. **32011 R 1160**: Commission Regulation (EU) No 1160/2011 of 14 November 2011 on the authorisation and refusal of authorisation of certain health claims made on foods and referring to the reduction of disease risk (OJ L 296, 15.11.2011, p. 26).

66. **32011 R 1170**: Commission Regulation (EU) No 1170/2011 of 16 November 2011 refusing to authorise certain health claims made on foods and referring to the reduction of disease risk (OJ L 299, 17.11.2011, p. 1).

67. **32011 R 1171**: Commission Regulation (EU) No 1171/2011 of 16 November 2011 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health (OJ L 299, 17.11.2011, p. 4).'

Article 2

The texts of Regulations (EU) No 234/2011, (EU) No 1129/2011, (EU) No 1130/2011, (EU) No 1131/2011, (EU) No 1160/2011, (EU) No 1161/2011, (EU) No 1170/2011, (EU) No 1171/2011, (EU) No 1282/2011, (EU) No 1258/2011 and (EU) No 1259/2011 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 16 June 2012, 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, 15 June 2012.

For the EEA Joint Committee
The Acting President
Gianluca GRIPPA

(*) No constitutional requirements indicated.