DECISION OF THE EEA JOINT COMMITTEE

No 60/2009

of 29 May 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 27/2009 of 17 March 2009 [1].

(2) Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs [2] is to be incorporated into the Agreement. It is appropriate to allow Norway and Iceland to maintain the lower maximum level for dioxin and dioxin-like PCBs in marine oil laid down in their national legislation, adopted for reasons of public health.

(3) Commission Regulation (EC) No 1126/2007 of 28 September 2007 amending Regulation (EC) No 1881/2006 setting maximum levels for certain contaminants in foodstuffs as regards Fusarium toxins in maize and maize products [3] is to be incorporated into the Agreement.

(4) Commission Regulation (EC) No 629/2008 of 2 July 2008 amending Regulation (EC) No 1881/2006 setting maximum levels for certain contaminants in foodstuffs [4] is to be incorporated into the Agreement.

(5) Regulation (EC) No 1881/2006 repeals Commission Regulation (EC) No 466/2001 [5], which is incorporated into the Agreement and which is consequently to be repealed under the Agreement.

(6) This Decision shall not apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

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

1. the text of point 54zn (Commission Regulation (EC) No 466/2001) shall be deleted;

2. the following shall be inserted after point 54zzzy (Commission Directive 2008/60/EC):

'54zzzz. **32006 R 1881**: Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p. 5), as amended by:

— **32007 R 1126**: Commission Regulation (EC) No 1126/2007 of 28 September 2007 (OJ L 255, 29.9.2007, p. 14),

— **32008 R 0629**: Commission Regulation (EC) No 629/2008 of 2 July 2008 (OJ L 173, 3.7.2008, p. 6).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

The following shall be inserted in Article 1:

"With regard to the maximum level for dioxins and dioxin-like PCBs in marine oil, Iceland and Norway may maintain a maximum level for the sum of dioxins, furans and dioxin-like PCBs (WHO-PCDD/F-PCB-TEQ) of 5 pg/g fat.'"

Article 2

The texts of Regulations (EC) No 1881/2006, (EC) No 1126/2007 and (EC) No 629/2008 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 30 May 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee [*].

[1] OJ L 130, 28.5.2009, p. 19.
[2] OJ L 364, 20.12.2006, p. 5.
[3] OJ L 255, 29.9.2007, p. 14.
[4] OJ L 173, 3.7.2008, p. 6.
[5] OJ L 77, 16.3.2001, p. 1.

[*] No constitutional requirements indicated.

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, 29 May 2009.

For the EEA Joint Committee
The President
Alan SEATTER