# DECISION OF THE EEA JOINT COMMITTEE

## No 4/2009

## of 5 February 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 98/2008 of 26 September 2008 ([1]).

(2) Commission Directive 2008/5/EC of 30 January 2008 concerning the compulsory indication on the labelling of certain foodstuffs of particulars other than those provided for in Directive 2000/13/EC of the European Parliament and of the Council (Codified version) ([2]) is to be incorporated into the Agreement.

(3) Commission Decision 2007/802/EC of 4 December 2007 amending Decision 2002/840/EC as regards the list of approved facilities in third countries for the irradiation of foods ([3]) is to be incorporated into the Agreement.

(4) Commission Recommendation 2007/196/EC of 28 March 2007 on the monitoring of the presence of furan in foodstuffs ([4]) is to be incorporated into the Agreement.

(5) Directive 2008/5/EC repeals Commission Directive 94/54/EC ([5]) which is incorporated into the Agreement and is therefore to be repealed under the Agreement.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 54zc (Commission Directive 94/54/EC) shall be deleted;

2. the following indent shall be added in point 54zze (Commission Decision 2002/840/EC):

'— **32007 D 0802**: Commission Decision 2007/802/EC of 4 December 2007 (OJ L 323, 8.12.2007, p. 40).';

3. the following point shall be inserted after point 54zzzv (Commission Directive 2006/141/EC):

'54zzzw. **32008 L 0005**: Commission Directive 2008/5/EC of 30 January 2008 concerning the compulsory indication on the labelling of certain foodstuffs of particulars other than those provided for in Directive 2000/13/EC of the European Parliament and of the Council (Codified version) (OJ L 27, 31.1.2008, p. 12).';

([1]) OJ L 309, 20.11.2008, p. 19.
([2]) OJ L 27, 31.1.2008, p. 12.
([3]) OJ L 323, 8.12.2007, p. 40.
([4]) OJ L 88, 29.3.2007, p. 56.
([5]) OJ L 300, 23.11.1994, p. 14.

4. the following point shall be inserted after point 63 (Commission Recommendation 2007/331/EC):

'64. **32007 H 0196**: Commission Recommendation 2007/196/EC of 28 March 2007 on the monitoring of the presence of furan in foodstuffs (OJ L 88, 29.3.2007, p. 56).'

*Article 2*

The texts of Directive 2008/5/EC, Decision 2007/802/EC and Recommendation 2007/196/EC 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 6 February 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, 5 February 2009.

*For the EEA Joint Committee*
*The President*
Alan SEATTER

(*) No constitutional requirements indicated.