DECISION OF THE EEA JOINT COMMITTEE

No 96/2005

of 8 July 2005

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 77/2005 of 10 June 2005 ([1]).

(2) Commission Regulation (EC) No 37/2005 of 12 January 2005 on the monitoring of temperatures in the means of transport, warehousing and storage of quick-frozen foodstuffs intended for human consumption ([2]) is to be incorporated into the Agreement.

(3) Commission Directive 2005/5/EC of 26 January 2005 amending Directive 2002/26/EC as regards sampling methods and methods of analysis for the official control of the levels of ochratoxin A in certain foodstuffs ([3]) is to be incorporated into the Agreement.

(4) Commission Directive 2005/10/EC of 4 February 2005 laying down the sampling methods and the methods of analysis for the official control of the levels of benzo(a)pyrene in foodstuffs ([4]) is to be incorporated into the Agreement.

(5) Commission Recommendation 2005/108/EC of 4 February 2005 on the further investigation into the levels of polycyclic aromatic hydrocarbons in certain foods ([5]) is to be incorporated into the Agreement.

(6) Regulation (EC) No 37/2005 repeals Commission Directive 92/1/EEC ([6]) which is incorporated into the Agreement and which is consequently to be repealed under the Agreement,

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([1]) OJ L 268, 13.10.2005, p. 7.
([2]) OJ L 10, 13.1.2005, p. 18.
([3]) OJ L 27, 29.1.2005, p. 38.
([4]) OJ L 34, 8.2.2005, p. 15.
([5]) OJ L 34, 8.2.2005, p. 43.
([6]) OJ L 34, 11.2.1992, p. 28

HAS DECIDED AS FOLLOWS:

Article 1

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

1. The following indent shall be added in point 54zx (Commission Directive 2002/26/EC):

'— **32005 L 0005**: Commission Directive 2005/5/EC of 26 January 2005 (OJ L 27, 29.1.2005, p. 38).'

2. The following points shall be inserted after point 54zzq (Commission Regulation (EC) No 1452/2003):

'54zzr. **32005 R 0037**: Commission Regulation (EC) No 37/2005 of 12 January 2005 on the monitoring of temperatures in the means of transport, warehousing and storage of quick-frozen foodstuffs intended for human consumption (OJ L 10, 13.1.2005, p. 18).

54zzs. **32005 L 0010**: Commission Directive 2005/10/EC of 4 February 2005 laying down the sampling methods and the methods of analysis for the official control of the levels of benzo (a)pyrene in foodstuffs (OJ L 34, 8.2.2005, p. 15).'

3. The following point shall be inserted after point 59 (C/345/93/p. 3: Commission Communication):

'60. **32005 H 0108**: Commission Recommendation 2005/108/EC of 4 February 2005 on the further investigation into the levels of polycyclic aromatic hydrocarbons in certain foods (OJ L 34, 8.2.2005, p. 43).'

4. The text of point 54c (Commission Directive 92/1/EEC) shall be deleted.

Article 2

The texts of Regulation (EC) No 37/2005, Directives 2005/5/EC and 2005/10/EC, and Recommendation 2005/108/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 9 July 2005, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

(*) 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, 8 July 2005.

For the EEA Joint Committee

The President

HSH Prinz Nikolaus von LIECHTENSTEIN