DECISION OF THE EEA JOINT COMMITTEE

No 138/2012

of 13 July 2012

amending Annex XX (Environment) 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 XX to the Agreement was amended by Decision of the EEA Joint Committee No 117/2012 of 15 June 2012 [1].

(2) Council Regulation (EU) No 333/2011 of 31 March 2011 establishing criteria determining when certain types of scrap metal cease to be waste under Directive 2008/98/EC of the European Parliament and of the Council [2] is to be incorporated into the Agreement,

HAS ADOPTED THIS DECISION:

Article 1

The following point shall be inserted after point 32ff (Directive 2008/98/EC of the European Parliament and of the Council) of Annex XX to the Agreement:

'32ffa. **32011 R 0333**: Council Regulation (EU) No 333/2011 of 31 March 2011 establishing criteria determining when certain types of scrap metal cease to be waste under Directive 2008/98/EC of the European Parliament and of the Council (OJ L 94, 8.4.2011, p. 2).

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

In Article 2(e), and in point 6 of the Statement of Conformity set out in Annex III, the words "or the territories of the EFTA States" shall be inserted after the words "the customs territory of the Union".'

Article 2

The text of Regulation (EU) No 333/2011 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 14 July 2012, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee [*], or on the day of the entry into force of Decision of the EEA Joint Committee No 126/2012 of 13 July 2012 [3] or Decision of the EEA Joint Committee No 136/2012 of 13 July 2012 [4], whichever is the later.

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, 13 July 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

[1] OJ L 270, 4.10.2012, p. 40.
[2] OJ L 94, 8.4.2011, p. 2.

[*] No constitutional requirements indicated.
[3] See page 4 of this Official Journal.
[4] See page 17 of this Official Journal.