DECISION OF THE EEA JOINT COMMITTEE

No 43/2014

of 8 April 2014

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 ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

(1) Commission Delegated Regulation (EU) No 837/2013 of 25 June 2013 amending Annex III to Regulation (EU) No 528/2012 of the European Parliament and of the Council as regards the information requirements for authorisation of biocidal products [1] is to be incorporated into the EEA Agreement.

(2) Commission Implementing Regulation (EU) No 945/2013 of 2 October 2013 to approve cypermethrin as an existing active substance for use in biocidal products for product-type 8 [2] is to be incorporated into the EEA Agreement.

(3) Commission Implementing Regulation (EU) No 955/2013 of 4 October 2013 to approve propiconazole as an existing active substance for use in biocidal products for product-type 9 [3] is to be incorporated into the EEA Agreement.

(4) Commission Implementing Regulation (EU) No 1032/2013 of 24 October 2013 approving bromoacetic acid as an existing active substance for use in biocidal products for product-type 4 [4] is to be incorporated into the EEA Agreement.

(5) Commission Implementing Regulation (EU) No 1033/2013 of 24 October 2013 approving copper sulphate pentahydrate as an existing active substance for use in biocidal products for product-type 2 [5] is to be incorporated into the EEA Agreement.

(6) Commission Implementing Regulation (EU) No 1034/2013 of 24 October 2013 approving aluminium phosphide releasing phosphine as an active substance for use in biocidal products for product type 20 [6] is to be incorporated into the EEA Agreement.

(7) Commission Implementing Regulation (EU) No 1035/2013 of 24 October 2013 approving benzoic acid as an existing active substance for use in biocidal products for product-types 3 and 4 [7] is to be incorporated into the EEA Agreement.

(8) Commission Implementing Regulation (EU) No 1036/2013 of 24 October 2013 approving etofenprox as an existing active substance for use in biocidal products for product-type 18 [8] is to be incorporated into the EEA Agreement.

(9) Commission Implementing Regulation (EU) No 1037/2013 of 24 October 2013 approving IPBC as an existing active substance for use in biocidal products for product-type 6 [9] is to be incorporated into the EEA Agreement.

(10) Commission Implementing Regulation (EU) No 1038/2013 of 24 October 2013 approving tebuconazole as an existing active substance for use in biocidal products for product-types 7 and 10 [10] is to be incorporated into the EEA Agreement.

[1] OJ L 234, 3.9.2013, p. 1.
[2] OJ L 261, 3.10.2013, p. 23.
[3] OJ L 263, 5.10.2013, p. 7.
[4] OJ L 283, 25.10.2013, p. 22.
[5] OJ L 283, 25.10.2013, p. 25.
[6] OJ L 283, 25.10.2013, p. 28.
[7] OJ L 283, 25.10.2013, p. 31.
[8] OJ L 283, 25.10.2013, p. 35.
[9] OJ L 283, 25.10.2013, p. 38.
[10] OJ L 283, 25.10.2013, p. 40.

(11) Commission Implementing Regulation (EU) No 1039/2013 of 24 October 2013 modifying the approval of nonanoic acid as an existing active substance for use in biocidal products for product-type 2 [1] is to be incorporated into the EEA Agreement.

(12) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following indent is added in point 12n (Regulation (EU) No 528/2012 of the European Parliament and of the Council):

'— **32013 R 0837**: Commission Delegated Regulation (EU) No 837/2013 of 25 June 2013 (OJ L 234, 3.9.2013, p. 1).'

2. The following points are inserted after point 12n (Regulation (EU) No 528/2012 of the European Parliament and of the Council):

'12na. **32013 R 0945**: Commission Implementing Regulation (EU) No 945/2013 of 2 October 2013 to approve cypermethrin as an existing active substance for use in biocidal products for product-type 8 (OJ L 261, 3.10.2013, p. 23).

12nb. **32013 R 0955**: Commission Implementing Regulation (EU) No 955/2013 of 4 October 2013 to approve propiconazole as an existing active substance for use in biocidal products for product-type 9 (OJ L 263, 5.10.2013, p. 7).

12nc. **32013 R 1032**: Commission Implementing Regulation (EU) No 1032/2013 of 24 October 2013 approving bromoacetic acid as an existing active substance for use in biocidal products for product-type 4 (OJ L 283, 25.10.2013, p. 22).

12nd. **32013 R 1033**: Commission Implementing Regulation (EU) No 1033/2013 of 24 October 2013 approving copper sulphate pentahydrate as an existing active substance for use in biocidal products for product-type 2 (OJ L 283, 25.10.2013, p. 25).

12ne. **32013 R 1034**: Commission Implementing Regulation (EU) No 1034/2013 of 24 October 2013 approving aluminium phosphide releasing phosphine as an active substance for use in biocidal products for product type 20 (OJ L 283, 25.10.2013, p. 28).

12nf. **32013 R 1035**: Commission Implementing Regulation (EU) No 1035/2013 of 24 October 2013 approving benzoic acid as an existing active substance for use in biocidal products for product-types 3 and 4 (OJ L 283, 25.10.2013, p. 31).

12ng. **32013 R 1036**: Commission Implementing Regulation (EU) No 1036/2013 of 24 October 2013 approving etofenprox as an existing active substance for use in biocidal products for product-type 18 (OJ L 283, 25.10.2013, p. 35).

12nh. **32013 R 1037**: Commission Implementing Regulation (EU) No 1037/2013 of 24 October 2013 approving IPBC as an existing active substance for use in biocidal products for product-type 6 (OJ L 283, 25.10.2013, p. 38).

[1] OJ L 283, 25.10.2013, p. 43.

12ni. **32013 R 1038**: Commission Implementing Regulation (EU) No 1038/2013 of 24 October 2013 approving tebuconazole as an existing active substance for use in biocidal products for product-types 7 and 10 (OJ L 283, 25.10.2013, p. 40).

12nj. **32013 R 1039**: Commission Implementing Regulation (EU) No 1039/2013 of 24 October 2013 modifying the approval of nonanoic acid as an existing active substance for use in biocidal products for product-type 2 (OJ L 283, 25.10.2013, p. 43).'

Article 2

The texts of Delegated Regulation (EU) No 837/2013 and Implementing Regulations (EU) No 945/2013, (EU) No 955/2013, (EU) No 1032/2013, (EU) No 1033/2013, (EU) No 1034/2013, (EU) No 1035/2013, (EU) No 1036/2013, (EU) No 1037/2013, (EU) No 1038/2013 and (EU) No 1039/2013 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 April 2014, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*), or on the day of the entry into force of Decision of the EEA Joint Committee No 225/2013 of 13 December 2013 [1], 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, 8 April 2014.

For the EEA Joint Committee
The President
Gianluca GRIPPA

(*) No constitutional requirements indicated.
[1] OJ L 154, 22.5.2014, p. 22.