DECISION OF THE EEA JOINT COMMITTEE

No 27/2009

of 17 March 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 5/2009 of 5 February 2009 ([1]).

(2) Commission Regulation (EC) No 597/2008 of 24 June 2008 amending Regulation (EC) No 372/2007 laying down transitional migration limits for plasticisers in gaskets in lids intended to come into contact with foods ([2]) is to be incorporated into the Agreement.

(3) Commission Directive 2008/60/EC of 17 June 2008 laying down specific purity criteria concerning sweeteners for use in foodstuffs (Codified version) ([3]) is to be incorporated into the Agreement.

(4) Commission Decision 2008/478/EC of 17 June 2008 amending Decision 1999/217/EC as regards the register of flavouring substances used in or on foodstuffs ([4]) is to be incorporated into the Agreement.

(5) Commission Recommendation 2008/103/EC of 4 February 2008 concerning a coordinated Community monitoring programme for 2008 to ensure compliance with maximum levels of pesticide residues in and on cereals and certain other products of plant origin and national monitoring programmes for 2009 ([5]) is to be incorporated into the Agreement.

(6) Directive 2008/60/EC repeals Commission Directive 95/31/EC ([6]) which is incorporated into the Agreement and is therefore to be repealed under the Agreement.

(7) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

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

1. the fourth indent (Commission Directive 95/31/EC) of point 16 (Council Directive 78/663/EEC) and the text of point 46a (Commission Directive 95/31/EC) shall be deleted;

2. the following indent shall be added in point 54v (Commission Decision 1999/217/EC):

'— **32008 D 0478**: Commission Decision 2008/478/EC of 17 June 2008 (OJ L 163, 24.6.2008, p. 42).';

([1]) OJ L 73, 19.3.2009, p. 38.
([2]) OJ L 164, 25.6.2008, p. 12.
([3]) OJ L 158, 18.6.2008, p. 17.
([4]) OJ L 163, 24.6.2008, p. 42.
([5]) OJ L 36, 9.2.2008, p. 7.
([6]) OJ L 178, 28.7.1995, p. 1.

3. the following shall be added in point 54zzzr (Commission Regulation (EC) No 372/2007):

' , as amended by:

— **32008 R 0597**: Commission Regulation (EC) No 597/2008 of 24 June 2008 (OJ L 164, 25.6.2008, p. 12).';

4. the following point shall be inserted after point 54zzzx (Commission Regulation (EC) No 345/2008):

'54zzzy. **32008 L 0060**: Commission Directive 2008/60/EC of 17 June 2008 laying down specific purity criteria concerning sweeteners for use in foodstuffs (Codified version) (OJ L 158, 18.6.2008, p. 17).';

5. under the heading '*ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE*', the following point shall be inserted after point 64 (Commission Recommendation 2007/196/EC):

'65. **32008 H 0103**: Commission Recommendation 2008/103/EC of 4 February 2008 concerning a coordinated Community monitoring programme for 2008 to ensure compliance with maximum levels of pesticide residues in and on cereals and certain other products of plant origin and national monitoring programmes for 2009 (OJ L 36, 9.2.2008, p. 7).'.

Article 2

The texts of Regulation (EC) No 597/2008, Directive 2008/60/EC, Decision 2008/478/EC and Recommendation 2008/103/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 18 March 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, 17 March 2009.

For the EEA Joint Committee
The President
Alan SEATTER

(*) No constitutional requirements indicated.