

DECISION OF THE EEA JOINT COMMITTEE**No 97/2005****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) Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC ⁽²⁾ is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 78/2005 of 19 January 2005 amending Regulation (EC) No 466/2001 as regards heavy metals ⁽³⁾ is to be incorporated into the Agreement.
- (4) Commission Directive 2005/4/EC of 19 January 2005 amending Directive 2001/22/EC laying down the sampling methods and the methods of analysis for the official control of the levels of lead, cadmium, mercury and 3-MCPD in foodstuffs ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Commission Regulation (EC) No 123/2005 of 26 January 2005 amending Regulation (EC) No 466/2001 as regards ochratoxin A ⁽⁵⁾ is to be incorporated into the Agreement,

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 54zj (Commission Directive 2001/22/EC):

‘— **32005 L 0004**: Commission Directive 2005/4/EC of 19 January 2005 (OJ L 19, 21.1.2005, p. 50).’

⁽¹⁾ OJ L 268, 13.10.2005, p. 7.

⁽²⁾ OJ L 338, 13.11.2004, p. 4.

⁽³⁾ OJ L 16, 20.1.2005, p. 43.

⁽⁴⁾ OJ L 19, 21.1.2005, p. 50.

⁽⁵⁾ OJ L 25, 28.1.2005, p. 3.

2. The following indents shall be added in point 54zn (Commission Regulation (EC) No 466/2001):
 - **32005 R 0078:** Commission Regulation (EC) No 78/2005 of 19 January 2005 (OJ L 16, 20.1.2005, p. 43),
 - **32005 R 0123:** Commission Regulation (EC) No 123/2005 of 26 January 2005 (OJ L 25, 28.1.2005, p. 3).'
3. The following point shall be inserted after point 54zzs (Commission Directive 2005/10/EC):
 - '54zzt. **32004 R 1935:** Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC (OJ L 338, 13.11.2004, p. 4).'
4. The texts of points 24 (Commission Directive 80/590/EEC) and 48 (Council Directive 89/109/EEC) shall be deleted.

Article 2

The texts of Regulations (EC) No 1935/2004, (EC) No 78/2005, (EC) No 123/2005 and Directive 2005/4/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 (*).

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

(*) No constitutional requirements indicated.