

DECISION OF THE EEA JOINT COMMITTEE

No 41/2010

of 30 April 2010

amending Annex I (Veterinary and phytosanitary matters) and Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

THE EEA JOINT COMMITTEE,

purity criteria on food additives other than colours and sweeteners ⁽⁶⁾ is to be incorporated into the Agreement.

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,

(7) Directive 2009/32/EC of the European Parliament and of the Council of 23 April 2009 on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients ⁽⁷⁾ is to be incorporated into the Agreement.

Whereas:

(8) Commission Directive 2009/106/EC of 14 August 2009 amending Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption ⁽⁸⁾ is to be incorporated into the Agreement.

(1) Annex I to the Agreement was amended by Decision of the EEA Joint Committee No 22/2010 of 12 March 2010 ⁽¹⁾.

(9) Directive 2008/128/EC repeals Commission Directive 95/45/EC ⁽⁹⁾ which is incorporated into the Agreement and is therefore to be repealed under the Agreement.

(2) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 24/2010 of 12 March 2010 ⁽²⁾.

(10) Directive 2009/32/EC repeals Council Directive 88/344/EEC ⁽¹⁰⁾ which is incorporated into the Agreement and is therefore to be repealed under the Agreement.

(3) Commission Regulation (EC) No 415/2009 of 20 May 2009 amending Directive 2007/68/EC amending Annex IIIa to Directive 2000/13/EC of the European Parliament and of the Council as regards certain food ingredients ⁽³⁾ is to be incorporated into the Agreement.

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

(4) Commission Regulation (EC) No 822/2009 of 27 August 2009 amending Annexes II, III and IV to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for azoxystrobin, atrazine, chlormequat, cyprodinil, dithiocarbamates, fludioxonil, fluroxypyr, indoxacarb, mandipropamid, potassium tri-iodide, spirotetramat, tetraconazole, and thiram in or on certain products ⁽⁴⁾, as corrected by OJ L 60, 10.3.2010, p. 26, is to be incorporated into the Agreement.

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 40 (Regulation (EC) No 396/2005 of the European Parliament and of the Council) of Chapter II of Annex I to the Agreement:

— **32009 R 0822**: Commission Regulation (EC) No 822/2009 of 27 August 2009 (OJ L 239, 10.9.2009, p. 5), as corrected by OJ L 60, 10.3.2010, p. 26.'

Article 2

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

(5) Commission Directive 2008/128/EC of 22 December 2008 laying down specific purity criteria concerning colours for use in foodstuffs ⁽⁵⁾ is to be incorporated into the Agreement.

1. the texts of points 43 (Council Directive 88/344/EEC) and 46b (Commission Directive 95/45/EC) shall be deleted;

(6) Commission Directive 2009/10/EC of 13 February 2009 amending Directive 2008/84/EC laying down specific

⁽¹⁾ OJ L 143, 10.6.2010, p. 13.

⁽²⁾ OJ L 143, 10.6.2010, p. 17.

⁽³⁾ OJ L 125, 21.5.2009, p. 52.

⁽⁴⁾ OJ L 239, 10.9.2009, p. 5.

⁽⁵⁾ OJ L 6, 10.1.2009, p. 20.

⁽⁶⁾ OJ L 44, 14.2.2009, p. 62.

⁽⁷⁾ OJ L 141, 6.6.2009, p. 3.

⁽⁸⁾ OJ L 212, 15.8.2009, p. 42.

⁽⁹⁾ OJ L 226, 22.9.1995, p. 1.

⁽¹⁰⁾ OJ L 157, 24.6.1988, p. 28.

2. the following shall be added in point 54zq (Council Directive 2001/112/EC):

‘, as amended by:

— **32009 L 0106:** Commission Directive 2009/106/EC of 14 August 2009 (OJ L 212, 15.8.2009, p. 42).;

3. the following indent shall be added in point 54zzy (Regulation (EC) No 396/2005 of the European Parliament and of the Council):

‘— **32009 R 0822:** Commission Regulation (EC) No 822/2009 of 27 August 2009 (OJ L 239, 10.9.2009, p. 5), as corrected by OJ L 60, 10.3.2010, p. 26.’;

4. the following shall be added in the 6th indent (Commission Directive 2007/68/EC) of point 18 (Directive 2000/13/EC of the European Parliament and of the Council):

‘, as amended by:

— **32009 R 0415:** Commission Regulation (EC) No 415/2009 of 20 May 2009 (OJ L 125, 21.5.2009, p. 52).;

5. the following shall be added in point 54zzzzg (Commission Directive 2008/84/EC):

‘, as amended by:

— **32009 L 0010:** Commission Directive 2009/10/EC of 13 February 2009 (OJ L 44, 14.2.2009, p. 62).;

6. the following points shall be inserted after point 54zzzzg (Commission Directive 2008/84/EC):

‘54zzzzh. **32008 L 0128:** Commission Directive 2008/128/EC of 22 December 2008 laying down specific purity criteria concerning colours for use in foodstuffs (Codified version) (OJ L 6, 10.1.2009, p. 20).

54zzzzi. **32009 L 0032:** Directive 2009/32/EC of the European Parliament and of the Council of 23 April 2009 on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients (Recast) (OJ L 141, 6.6.2009, p. 3).’.

Article 3

The texts of Regulations (EC) No 415/2009 and (EC) No 822/2009, as corrected by OJ L 60, 10.3.2010, p. 26, and Directives 2008/128/EC, 2009/10/EC, 2009/32/EC and 2009/106/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 4

This Decision shall enter into force on 1 May 2010, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 5

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, 30 April 2010.

For the EEA Joint Committee

The President

Alan SEATTER

(*) No constitutional requirements indicated.