

## DECISION OF THE EEA JOINT COMMITTEE

No 197/2012

of 26 October 2012

## 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,

for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards cements, building limes and other hydraulic binders <sup>(6)</sup> is to be incorporated into the EEA Agreement.

Whereas:

- (1) Commission Decision 2010/81/EU of 9 February 2010 establishing the classes of reaction-to-fire performance for certain construction products as regards adhesives for ceramic tiles <sup>(1)</sup> is to be incorporated into the EEA Agreement.
- (2) Commission Decision 2010/82/EU of 9 February 2010 establishing the classes of reaction-to-fire performance for certain construction products as regards decorative wallcoverings in roll and panel form <sup>(2)</sup> is to be incorporated into the EEA Agreement.
- (3) Commission Decision 2010/83/EU of 9 February 2010 establishing the classes of reaction-to-fire performance for certain construction products as regards air drying jointing compounds <sup>(3)</sup> is to be incorporated into the EEA Agreement.
- (4) Commission Decision 2010/85/EU of 9 February 2010 establishing the classes of reaction-to-fire performance for certain construction products as regards cementitious screeds, calcium sulphate screeds and synthetic resin floor screeds <sup>(4)</sup> is to be incorporated into the EEA Agreement.
- (5) Commission Decision 2010/679/EU of 8 November 2010 amending Decision 95/467/EC implementing Article 20(2) of Council Directive 89/106/EEC on construction products <sup>(5)</sup> is to be incorporated into the EEA Agreement.
- (6) Commission Decision 2010/683/EU of 9 November 2010 amending Decision 97/555/EC on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards cements, building limes and other hydraulic binders <sup>(6)</sup> is to be incorporated into the EEA Agreement.
- (7) Commission Decision 2010/737/EU of 2 December 2010 establishing the classes of reaction-to-fire performance for certain construction products as regards steel sheets with polyester coating and with plastisol coating <sup>(7)</sup> is to be incorporated into the EEA Agreement.
- (8) Commission Decision 2010/738/EU of 2 December 2010 establishing the classes of reaction-to-fire performance for certain construction products as regards fibrous gypsum plaster casts <sup>(8)</sup> is to be incorporated into the EEA Agreement.
- (9) Commission Decision 2011/14/EU of 13 January 2011 amending Decision 97/556/EC on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards external thermal insulation composite systems/kits with rendering (ETICS) <sup>(9)</sup> is to be incorporated into the EEA Agreement.
- (10) Commission Decision 2011/19/EU of 14 January 2011 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards sealants for non-structural use in joints in buildings and pedestrian walkways <sup>(10)</sup> is to be incorporated into the EEA Agreement.
- (11) Commission Decision 2011/232/EU of 11 April 2011 amending Decision 2000/367/EC establishing a classification system for resistance-to-fire performance for construction products, construction works and parts thereof <sup>(11)</sup> is to be incorporated into the EEA Agreement.

<sup>(1)</sup> OJ L 38, 11.2.2010, p. 9.<sup>(2)</sup> OJ L 38, 11.2.2010, p. 11.<sup>(3)</sup> OJ L 38, 11.2.2010, p. 13.<sup>(4)</sup> OJ L 38, 11.2.2010, p. 17.<sup>(5)</sup> OJ L 292, 10.11.2010, p. 55.<sup>(6)</sup> OJ L 293, 11.11.2010, p. 60.<sup>(7)</sup> OJ L 317, 3.12.2010, p. 39.<sup>(8)</sup> OJ L 317, 3.12.2010, p. 42.<sup>(9)</sup> OJ L 10, 14.1.2011, p. 5.<sup>(10)</sup> OJ L 11, 15.1.2011, p. 49.<sup>(11)</sup> OJ L 97, 12.4.2011, p. 49.

- (12) Commission Decision 2011/246/EU of 18 April 2011 amending Decision 1999/93/EC on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards doors, windows, shutters, blinds, gates and related building hardware <sup>(1)</sup> is to be incorporated into the EEA Agreement.
- (13) Commission Decision 2011/284/EU of 12 May 2011 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards power, control and communication cables <sup>(2)</sup> is to be incorporated into the EEA Agreement.
- (14) Commission Implementing Decision 2012/201/EU of 26 March 2012 amending Decision 98/213/EC on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards internal partition kits <sup>(3)</sup> is to be incorporated into the EEA Agreement.
- (15) Commission Implementing Decision 2012/202/EU of 29 March 2012 amending Decision 1999/94/EC on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards precast normal/lightweight/autoclaved aerated concrete products <sup>(4)</sup> is to be incorporated into the EEA Agreement.
- (16) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

#### Article 1

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

- (1) the following shall be added in the 10th indent (Commission Decision 95/467/EC) of point 1 (Council Directive 89/106/EEC):
- ‘, as amended by:
- **32010 D 0679**: Commission Decision 2010/679/EU of 8 November 2010 (OJ L 292, 10.11.2010, p. 55).’;
- (2) the following shall be added in the 18th indent (Commission Decision 97/555/EC) of point 1 (Council Directive 89/106/EEC):

<sup>(1)</sup> OJ L 103, 19.4.2011, p. 114.

<sup>(2)</sup> OJ L 131, 18.5.2011, p. 22.

<sup>(3)</sup> OJ L 109, 21.4.2012, p. 20.

<sup>(4)</sup> OJ L 109, 21.4.2012, p. 22.

‘, as amended by:

— **32010 D 0683**: Commission Decision 2010/683/EU of 9 November 2010 (OJ L 293, 11.11.2010, p. 60).’;

- (3) the following shall be added in the 19th indent (Commission Decision 97/556/EC) of point 1 (Council Directive 89/106/EEC):

‘, as amended by:

— **32011 D 0014**: Commission Decision 2011/14/EU of 13 January 2011 (OJ L 10, 14.1.2011, p. 5).’;

- (4) the following shall be added in the 25th indent (Commission Decision 98/213/EC) of point 1 (Council Directive 89/106/EEC):

‘, as amended by:

— **32012 D 0201**: Commission Implementing Decision 2012/201/EU of 26 March 2012 (OJ L 109, 21.4.2012, p. 20).’;

- (5) the following shall be added in the 40th indent (Commission Decision 1999/93/EC) of point 1 (Council Directive 89/106/EEC):

‘, as amended by:

— **32011 D 0246**: Commission Decision 2011/246/EU of 18 April 2011 (OJ L 103, 19.4.2011, p. 114).’;

- (6) the following shall be added in the 41st indent (Commission Decision 1999/94/EC) of point 1 (Council Directive 89/106/EEC):

‘, as amended by:

— **32012 D 0202**: Commission Implementing Decision 2012/202/EU of 29 March 2012 (OJ L 109, 21.4.2012, p. 22).’;

- (7) the following shall be added in the 49th indent (Commission Decision 2000/367/EC) of point 1 (Council Directive 89/106/EEC):

‘, as amended by:

— **32011 D 0232**: Commission Decision 2011/232/EU of 11 April 2011 (OJ L 97, 12.4.2011, p. 49).’;

(8) the following points shall be inserted after point 2g (Commission Decision 2006/600/EC):

- 2h. **32010 D 0081**: Commission Decision 2010/81/EU of 9 February 2010 establishing the classes of reaction-to-fire performance for certain construction products as regards adhesives for ceramic tiles (OJ L 38, 11.2.2010, p. 9).
- 2i. **32010 D 0082**: Commission Decision 2010/82/EU of 9 February 2010 establishing the classes of reaction-to-fire performance for certain construction products as regards decorative wallcoverings in roll and panel form (OJ L 38, 11.2.2010, p. 11).
- 2j. **32010 D 0083**: Commission Decision 2010/83/EU of 9 February 2010 establishing the classes of reaction-to-fire performance for certain construction products as regards air drying jointing compounds (OJ L 38, 11.2.2010, p. 13).
- 2k. **32010 D 0085**: Commission Decision 2010/85/EU of 9 February 2010 establishing the classes of reaction-to-fire performance for certain construction products as regards cementitious screeds, calcium sulphate screeds and synthetic resin floor screeds (OJ L 38, 11.2.2010, p. 17).
- 2l. **32010 D 0737**: Commission Decision 2010/737/EU of 2 December 2010 establishing the classes of reaction-to-fire performance for certain construction products as regards steel sheets with polyester coating and with plastisol coating (OJ L 317, 3.12.2010, p. 39).
- 2m. **32010 D 0738**: Commission Decision 2010/738/EU of 2 December 2010 establishing the classes of reaction-to-fire performance for certain construction products as regards fibrous gypsum plaster casts (OJ L 317, 3.12.2010, p. 42).
- 2n. **32011 D 0019**: Commission Decision 2011/19/EU of 14 January 2011 on the procedure for attesting the

conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards sealants for non-structural use in joints in buildings and pedestrian walkways (OJ L 11, 15.1.2011, p. 49).

- 2o. **32011 D 0284**: Commission Decision 2011/284/EU of 12 May 2011 on the procedure for attesting the conformity of construction products pursuant to Article 20(2) of Council Directive 89/106/EEC as regards power, control and communication cables (OJ L 131, 18.5.2011, p. 22).'

#### Article 2

The texts of Decisions 2010/81/EU, 2010/82/EU, 2010/83/EU, 2010/85/EU, 2010/679/EU, 2010/683/EU, 2010/737/EU, 2010/738/EU, 2011/14/EU, 2011/19/EU, 2011/232/EU, 2011/246/EU and 2011/284/EU and Implementing Decisions 2012/201/EU and 2012/202/EU 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 1 November 2012, provided that all the notifications under Article 103(1) of the EEA 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, 26 October 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

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(\*) No constitutional requirements indicated.