

## DECISION OF THE EEA JOINT COMMITTEE

No 28/2004

of 19 March 2004

**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 10/2003 of 31 January 2003 <sup>(1)</sup>.
- (2) Commission Decision 2003/641/EC of 5 September 2003 on the use of colour photographs or other illustrations as health warnings on tobacco packages <sup>(2)</sup> is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following point shall be inserted after point 3 (Directive 2001/37/EC of the European Parliament and of the Council) of Chapter XXV of Annex II to the Agreement:

- '4. **32003 D 0641**: Commission Decision 2003/641/EC of 5 September 2003 on the use of colour photographs or other illustrations as health warnings on tobacco packages (OJ L 226, 10.9.2003, p. 24).'

*Article 2*

The texts of Decision 2003/641/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 20 March 2004, provided that all the notifications pursuant to 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, 19 March 2004.

*For the EEA Joint Committee**The President*

P. WESTERLUND

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<sup>(1)</sup> OJ L 94, 10.4.2003, p. 61.

<sup>(2)</sup> OJ L 226, 10.9.2003, p. 24.

(\*) No constitutional requirements indicated.