

DECISION OF THE EEA JOINT COMMITTEE

No 50/2011

of 20 May 2011

amending Annex II (Technical regulations, standards, testing and certification) and Protocol 47 (on the abolition of technical barriers to trade in wine) 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 30/2011 of 1 April 2011 ⁽¹⁾.
- (2) Protocol 47 to the Agreement was amended by Decision of the EEA Joint Committee No 132/2007 of 26 October 2007 ⁽²⁾.
- (3) Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings ⁽³⁾ is to be incorporated into the Agreement.
- (4) Regulation (EC) No 1332/2008 of the European Parliament and of the Council of 16 December 2008 on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97 ⁽⁴⁾ is to be incorporated into the Agreement.
- (5) Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives ⁽⁵⁾ is to be incorporated into the Agreement.
- (6) Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and

amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC ⁽⁶⁾ is to be incorporated into the Agreement.

- (7) Commission Regulation (EU) No 238/2010 of 22 March 2010 amending Annex V to Regulation (EC) No 1333/2008 of the European Parliament and of the Council with regard to the labelling requirement for beverages with more than 1,2 % by volume of alcohol and containing certain food colours ⁽⁷⁾ is to be incorporated into the Agreement.
- (8) Commission Regulation (EU) No 257/2010 of 25 March 2010 setting up a programme for the re-evaluation of approved food additives in accordance with Regulation (EC) No 1333/2008 of the European Parliament and of the Council on food additives ⁽⁸⁾ is to be incorporated into the Agreement.
- (9) Commission Directive 2010/67/EU of 20 October 2010 amending Directive 2008/84/EC laying down specific purity criteria on food additives other than colours and sweeteners ⁽⁹⁾ is to be incorporated into the Agreement.
- (10) Commission Directive 2010/69/EU of 22 October 2010 amending the Annexes to European Parliament and Council Directive 95/2/EC on food additives other than colours and sweeteners ⁽¹⁰⁾ is to be incorporated into the Agreement.
- (11) Regulation (EC) No 1333/2008 repeals Council Directives 62/2645/EEC ⁽¹¹⁾ and 78/663/EEC ⁽¹²⁾, Commission Directive 81/712/EEC ⁽¹³⁾, Council Directive 89/107/EEC ⁽¹⁴⁾ and Decision No 292/97/EC of the European Parliament and of the Council ⁽¹⁵⁾ which are incorporated into the Agreement and are therefore to be repealed under the Agreement.

⁽¹⁾ OJ L 171, 30.6.2011, p. 30.

⁽²⁾ OJ L 100, 10.4.2008, p. 1.

⁽³⁾ OJ L 354, 31.12.2008, p. 1.

⁽⁴⁾ OJ L 354, 31.12.2008, p. 7.

⁽⁵⁾ OJ L 354, 31.12.2008, p. 16.

⁽⁶⁾ OJ L 354, 31.12.2008, p. 34.

⁽⁷⁾ OJ L 75, 23.3.2010, p. 17.

⁽⁸⁾ OJ L 80, 26.3.2010, p. 19.

⁽⁹⁾ OJ L 277, 21.10.2010, p. 17.

⁽¹⁰⁾ OJ L 279, 23.10.2010, p. 22.

⁽¹¹⁾ OJ L 115, 11.11.1962, p. 2645/62.

⁽¹²⁾ OJ L 223, 14.8.1978, p. 7.

⁽¹³⁾ OJ L 257, 10.9.1981, p. 1.

⁽¹⁴⁾ OJ L 40, 11.2.1989, p. 27.

⁽¹⁵⁾ OJ L 48, 19.2.1997, p. 13.

(12) Regulation (EC) No 1334/2008 repeals Council Directive 88/388/EEC ⁽¹⁾, Commission Directive 91/71/EEC ⁽²⁾ and Council Decision 88/389/EEC ⁽³⁾ which are incorporated into the Agreement and are therefore to be repealed under the Agreement.

(13) 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 text of points 1 (Council Directive of 23 October 1962), 16 (Council Directive 78/663/EEC), 29 (Commission Directive 81/712/EEC), 44 (Council Directive 88/388/EEC), 45 (Council Decision 88/389/EEC), 46 (Council Directive 89/107/EEC) and 54u (Decision No 292/97/EC of the European Parliament and of the Council) shall be deleted;

(2) the following indents shall be added in point 18 (Directive 2000/13/EC of the European Parliament and of the Council):

— **32008 R 1332**: Regulation (EC) No 1332/2008 of the European Parliament and of the Council of 16 December 2008 (OJ L 354, 31.12.2008, p. 7),

— **32008 R 1334**: Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 (OJ L 354, 31.12.2008, p. 34).;

(3) the following indent shall be added in point 32 (Council Directive 83/417/EEC):

— **32008 R 1332**: Regulation (EC) No 1332/2008 of the European Parliament and of the Council of 16 December 2008 (OJ L 354, 31.12.2008, p. 7).;

(4) the following shall be added in point 54q (Regulation (EC) No 2232/96 of the European Parliament and of the Council):

‘, as amended by:

— **32008 R 1334**: Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 (OJ L 354, 31.12.2008, p. 34).;

(5) the following indent shall be added in point 54zb (European Parliament and Council Directive 95/2/EC):

— **32010 L 0069**: Commission Directive 2010/69/EU of 22 October 2010 (OJ L 279, 23.10.2010, p. 22).;

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

— **32008 R 1332**: Regulation (EC) No 1332/2008 of the European Parliament and of the Council of 16 December 2008 (OJ L 354, 31.12.2008, p. 7).;

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

— **32010 L 0067**: Commission Directive 2010/67/EU of 20 October 2010 (OJ L 277, 21.10.2010, p. 17).;

(8) the following shall be inserted after point 54zzzzzo (Commission Regulation (EC) No 669/2009):

‘54zzzzp. **32008 R 1331**: Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings (OJ L 354, 31.12.2008, p. 1),

54zzzzq. **32008 R 1332**: Regulation (EC) No 1332/2008 of the European Parliament and of the Council of 16 December 2008 on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97 (OJ L 354, 31.12.2008, p. 7),

54zzzzr. **32008 R 1333**: Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives (OJ L 354, 31.12.2008, p. 16), as amended by:

— **32010 R 0238**: Commission Regulation (EU) No 238/2010 of 22 March 2010 (OJ L 75, 23.3.2010, p. 17),

⁽¹⁾ OJ L 184, 15.7.1988, p. 61.

⁽²⁾ OJ L 42, 15.2.1991, p. 25.

⁽³⁾ OJ L 184, 15.7.1988, p. 67.

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

The following shall be added to Annex IV:

Norway	Traditional Norwegian fruit "Saft" and "Sirup"	Colours (except betacaroten in "Saft" from citrus fruit)
Norway	Traditional Norwegian "Kjøttboller/Kjøttkaker/Kjøttpudding"	Preservatives (other than sodium nitrite) and colours
Norway	Traditional Norwegian "Leverpostei"	Preservatives (other than sodium nitrite) and colours

54zzzzs. **32008 R 1334:** Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC (OJ L 354, 31.12.2008, p. 34),

54zzzzt. **32010 R 0257:** Commission Regulation (EU) No 257/2010 of 25 March 2010 setting up a programme for the re-evaluation of approved food additives in accordance with Regulation (EC) No 1333/2008 of the European Parliament and of the Council on food additives (OJ L 80, 26.3.2010, p. 19).'

Article 2

The following indent shall be added in point 3 (Council Regulation (EEC) No 1601/91) of Chapter XXVII of Annex II to the Agreement:

— **32008 R 1334:** Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 (OJ L 354, 31.12.2008, p. 34).'

Article 3

The following indent shall be added in point 2 (Council Regulation (EC) No 1493/1999) of Appendix 1 of Protocol 47 to the Agreement:

— **32008 R 1332:** Regulation (EC) No 1332/2008 of the European Parliament and of the Council of 16 December 2008 (OJ L 354, 31.12.2008, p. 7).'

Article 4

The texts of Regulations (EC) No 1331/2008, (EC) No 1332/2008, (EC) No 1333/2008, (EC) No 1334/2008, (EU) No 238/2010 and (EU) No 257/2010 and Directives 2010/67/EU and 2010/69/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 5

This Decision shall enter into force on 21 May 2011, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee (*).

Article 6

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, 20 May 2011.

For the EEA Joint Committee

The Acting President

Gianluca GRIPPA

(*) No constitutional requirements indicated.