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III

(Other acts)

EUROPEAN ECONOMIC AREA

DECISION OF THE EEA JOINT COMMITTEE

No 205/2012

of 7 December 2012

amending Annex I (Veterinary and phytosanitary matters) to the EEA Agreement

THE EEA JOINT COMMITTEE,

adaptations to Annex I to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

(4) Annex I to the EEA Agreement should therefore be amended accordingly,

Whereas:

HAS ADOPTED THIS DECISION:

(1) Commission Implementing Regulation (EU) No 427/2012 of 22 May 2012 on the extension of special guarantees concerning salmonella laid down in Regulation (EC) No 853/2004 of the European Parliament and of the Council to eggs intended for Denmark ⁽¹⁾ is to be incorporated into the EEA Agreement.

Article 1

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

(2) Paragraph 2 of the Introductory Part of Chapter I of Annex I to the EEA Agreement specifies that 'provisions contained in Chapter I of Annex I to the EEA Agreement shall apply to Iceland except for the provisions concerning live animals, other than fish and aquaculture animals, and animal products such as ova, embryo and semen. When an act is not to apply or is to apply partly to Iceland, it shall be stated in relation to the specific act'. In order to maintain consistency, a reference to this paragraph is to be inserted into the EEA Agreement with respect to Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 ⁽²⁾, as corrected by OJ L 191, 28.5.2004, p. 1, as incorporated by Decision of the EEA Joint Committee No 137/2007 of 26 October 2007 ⁽³⁾.

(1) the following is added in point 11 (Regulation (EC) No 882/2004 of the European Parliament and of the Council) in Part 1.1:

'This act applies to Iceland for the areas referred to in paragraph 2 of the Introductory Part.';

(3) This Decision concerns legislation regarding veterinary matters. Legislation regarding veterinary matters shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral

(2) the following point is inserted after point 17 (Regulation (EC) No 853/2004 of the European Parliament and of the Council) in Part 6.1:

'17a. **32012 R 0427**: Commission Implementing Regulation (EU) No 427/2012 of 22 May 2012 on the extension of special guarantees concerning salmonella laid down in Regulation (EC) No 853/2004 of the European Parliament and of the Council to eggs intended for Denmark (OJ L 132, 23.5.2012, p. 8).'

Article 2

The text of Implementing Regulation (EU) No 427/2012 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

⁽¹⁾ OJ L 132, 23.5.2012, p. 8.

⁽²⁾ OJ L 165, 30.4.2004, p. 1.

⁽³⁾ OJ L 100, 10.4.2008, p. 53.

Article 3

This Decision shall enter into force on 8 December 2012, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 206/2012

of 7 December 2012

amending Annex I (Veterinary and phytosanitary matters) 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,

Whereas:

- (1) Commission Implementing Regulation (EU) No 81/2012 of 31 January 2012 concerning the denial of authorisation of *Lactobacillus pentosus* (DSM 14025) as a feed additive ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) No 91/2012 of 2 February 2012 concerning the authorisation of *Bacillus subtilis* (CBS 117 162) as a feed additive for weaned piglets and pigs for fattening (holder of authorisation Krka d.d.) ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) No 93/2012 of 3 February 2012 concerning the authorisation of *Lactobacillus plantarum* (DSM 8862 and DSM 8866) as a feed additive for all animal species ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Regulation (EU) No 98/2012 of 7 February 2012 concerning the authorisation of 6-phytase (EC 3.1.3.26) produced by *Pichia pastoris* (DSM 23036) as a feed additive for chickens and turkeys for fattening, chickens reared for laying, turkeys reared for breeding, laying hens, other avian species for fattening and laying, weaned piglets, pigs for fattening and sows (holder of authorisation Huvepharma AD) ⁽⁴⁾ is to be incorporated into the EEA Agreement.
- (5) Commission Implementing Regulation (EU) No 118/2012 of 10 February 2012 amending Regulations (EC) No 2380/2001, (EC) No 1289/2004, (EC) No 1455/2004, (EC) No 1800/2004, (EC) No 600/2005, (EU) No 874/2010, Implementing Regulations (EU) No 388/2011, (EU) No 532/2011 and (EU) No 900/2011 as regards the name of the holder of the authorisation of certain additives in animal feed and correcting Implementing Regulation (EU) No 532/2011 ⁽⁵⁾ is to be incorporated into the EEA Agreement.
- (6) Commission Implementing Regulation (EU) No 131/2012 of 15 February 2012 concerning the authorisation of a preparation of caraway oil, lemon oil with certain dried herbs and spices as a feed additive for weaned piglets (holder of authorisation Delacon Biotechnik GmbH) ⁽⁶⁾ is to be incorporated into the EEA Agreement.
- (7) Commission Implementing Regulation (EU) No 136/2012 of 16 February 2012 concerning the authorisation of sodium bisulphate as feed additive for pets and other non-food producing animals ⁽⁷⁾ is to be incorporated into the EEA Agreement.
- (8) Commission Implementing Regulation (EU) No 140/2012 of 17 February 2012 concerning the authorisation of monensin sodium as a feed additive for chickens reared for laying (holder of authorisation Huvepharma NV Belgium) ⁽⁸⁾ is to be incorporated into the EEA Agreement.
- (9) Commission Regulation (EU) No 225/2012 of 15 March 2012 amending Annex II to Regulation (EC) No 1831/2003 of the European Parliament and of the Council as regards the approval of establishments placing on the market, for feed use, products derived from vegetable oils and blended fats and as regards the specific requirements for production, storage, transport and dioxin testing of oils, fats and products derived thereof ⁽⁹⁾ is to be incorporated into the EEA Agreement.
- (10) Commission Implementing Regulation (EU) No 226/2012 of 15 March 2012 amending Regulation (EC) No 1730/2006 as regards the conditions of use of benzoic acid (holder of authorisation Emerald Kalama Chemical BV) ⁽¹⁰⁾ is to be incorporated into the EEA Agreement.
- (11) Commission Implementing Regulation (EU) No 227/2012 of 15 March 2012 concerning the authorisation of *Lactococcus lactis* (NCIMB 30117) as a feed additive for all animal species ⁽¹¹⁾ is to be incorporated into the EEA Agreement.

⁽¹⁾ OJ L 29, 1.2.2012, p. 36.

⁽²⁾ OJ L 31, 3.2.2012, p. 3.

⁽³⁾ OJ L 33, 4.2.2012, p. 1.

⁽⁴⁾ OJ L 35, 8.2.2012, p. 6.

⁽⁵⁾ OJ L 38, 11.2.2012, p. 36.

⁽⁶⁾ OJ L 43, 16.2.2012, p. 15.

⁽⁷⁾ OJ L 46, 17.2.2012, p. 33.

⁽⁸⁾ OJ L 47, 18.2.2012, p. 18.

⁽⁹⁾ OJ L 77, 16.3.2012, p. 1.

⁽¹⁰⁾ OJ L 77, 16.3.2012, p. 6.

⁽¹¹⁾ OJ L 77, 16.3.2012, p. 8.

- (12) Commission Implementing Regulation (EU) No 237/2012 of 19 March 2012 concerning the authorisation of alpha-galactosidase (EC 3.2.1.22) produced by *Saccharomyces cerevisiae* (CBS 615.94) and endo-1,4-beta-glucanase (EC 3.2.1.4) produced by *Aspergillus niger* (CBS 120 604) as a feed additive for chickens for fattening (holder of authorisation Kerry Ingredients and Flavours)⁽¹⁾ is to be incorporated into the EEA Agreement.
- (13) Commission Implementing Regulation (EU) No 333/2012 of 19 April 2012 concerning the authorisation of a preparation of potassium diformate as a feed additive for all animal species and amending Regulation (EC) No 492/2006⁽²⁾ is to be incorporated into the EEA Agreement.
- (14) Commission Implementing Regulation (EU) No 334/2012 of 19 April 2012 concerning the authorisation of a preparation of *Saccharomyces cerevisiae* CNCM I-4407 as a feed additive for rabbits for fattening and non food-producing rabbits and amending Regulation (EC) No 600/2005 (holder of the authorisation Société Industrielle Lesaffre)⁽³⁾ is to be incorporated into the EEA Agreement.
- (15) This Decision concerns legislation regarding feedingstuffs. Legislation regarding feedingstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (16) Annex I to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

- (1) the following indent shall be added in points 1y (Commission Regulation (EC) No 2380/2001), 1zy (Commission Regulation (EC) No 1289/2004), 1zza (Commission Regulation (EC) No 1455/2004) and 1zzd (Commission Regulation (EC) No 1800/2004):
- **32012 R 0118:** Commission Implementing Regulation (EU) No 118/2012 of 10 February 2012 (OJ L 38, 11.2.2012, p. 36).;
- (2) the following indents shall be added in point 1zzj (Commission Regulation (EC) No 600/2005):

— **32012 R 0118:** Commission Implementing Regulation (EU) No 118/2012 of 10 February 2012 (OJ L 38, 11.2.2012, p. 36),

— **32012 R 0334:** Commission Implementing Regulation (EU) No 334/2012 of 19 April 2012 (OJ L 108, 20.4.2012, p. 6).;

- (3) the following shall be added in point 1zzv (Commission Regulation (EC) No 492/2006):

‘, as amended by:

— **32012 R 0333:** Commission Implementing Regulation (EU) No 333/2012 of 19 April 2012 (OJ L 108, 20.4.2012, p. 3).;

- (4) the following indent shall be added in point 1zzzc (Commission Regulation (EC) No 1730/2006):

— **32012 R 0226:** Commission Implementing Regulation (EU) No 226/2012 of 15 March 2012 (OJ L 77, 16.3.2012, p. 6).;

- (5) the following shall be added in points 2h (Commission Regulation (EU) No 874/2010), 2zc (Commission Implementing Regulation (EU) No 388/2011) and 2zp (Commission Implementing Regulation (EU) No 900/2011):

‘, as amended by:

— **32012 R 0118:** Commission Implementing Regulation (EU) No 118/2012 of 10 February 2012 (OJ L 38, 11.2.2012, p. 36).;

- (6) the following shall be added in point 2zi (Commission Implementing Regulation (EU) No 532/2011):

‘, as corrected by OJ L 38, 11.2.2012, p. 36, as amended by:

— **32012 R 0118:** Commission Implementing Regulation (EU) No 118/2012 of 10 February 2012 (OJ L 38, 11.2.2012, p. 36).;

- (7) the following points shall be inserted after point 2zw (Commission Implementing Regulation (EU) No 1263/2011):

‘2zx. **32012 R 0081:** Commission Implementing Regulation (EU) No 81/2012 of 31 January 2012 concerning the denial of authorisation of *Lactobacillus pentosus* (DSM 14025) as a feed additive (OJ L 29, 1.2.2012, p. 36).

2zy. **32012 R 0091:** Commission Implementing Regulation (EU) No 91/2012 of 2 February 2012 concerning the authorisation of *Bacillus subtilis* (CBS 117 162) as a feed additive for weaned piglets and pigs for fattening (holder of authorisation Krka d.d.) (OJ L 31, 3.2.2012, p. 3).

⁽¹⁾ OJ L 80, 20.3.2012, p. 1.

⁽²⁾ OJ L 108, 20.4.2012, p. 3.

⁽³⁾ OJ L 108, 20.4.2012, p. 6.

- 2zz. **32012 R 0093**: Commission Implementing Regulation (EU) No 93/2012 of 3 February 2012 concerning the authorisation of *Lactobacillus plantarum* (DSM 8862 and DSM 8866) as a feed additive for all animal species (OJ L 33, 4.2.2012, p. 1).
- 2zza. **32012 R 0098**: Commission Implementing Regulation (EU) No 98/2012 of 7 February 2012 concerning the authorisation of 6-phytase (EC 3.1.3.26) produced by *Pichia pastoris* (DSM 23036) as a feed additive for chickens and turkeys for fattening, chickens reared for laying, turkeys reared for breeding, laying hens, other avian species for fattening and laying, weaned piglets, pigs for fattening and sows (holder of authorisation Huvepharma AD) (OJ L 35, 8.2.2012, p. 6).
- 2zzb. **32012 R 0131**: Commission Implementing Regulation (EU) No 131/2012 of 15 February 2012 concerning the authorisation of a preparation of caraway oil, lemon oil with certain dried herbs and spices as a feed additive for weaned piglets (holder of authorisation Delacon Biotechnik GmbH) (OJ L 43, 16.2.2012, p. 15).
- 2zzc. **32012 R 0136**: Commission Implementing Regulation (EU) No 136/2012 of 16 February 2012 concerning the authorisation of sodium bisulphate as feed additive for pets and other non-food producing animals (OJ L 46, 17.2.2012, p. 33).
- 2zzd. **32012 R 0140**: Commission Implementing Regulation (EU) No 140/2012 of 17 February 2012 concerning the authorisation of monensin sodium as a feed additive for chickens reared for laying (holder of authorisation Huvepharma NV Belgium) (OJ L 47, 18.2.2012, p. 18).
- 2zze. **32012 R 0227**: Commission Implementing Regulation (EU) No 227/2012 of 15 March 2012 concerning the authorisation of *Lactococcus lactis* (NCIMB 30117) as a feed additive for all animal species (OJ L 77, 16.3.2012, p. 8).
- 2zzf. **32012 R 0237**: Commission Implementing Regulation (EU) No 237/2012 of 19 March 2012 concerning the authorisation of alpha-galactosidase (EC 3.2.1.22) produced by *Saccharomyces cerevisiae* (CBS 615.94) and endo-1,4-beta-glucanase (EC 3.2.1.4) produced by *Aspergillus niger* (CBS 120 604) as a feed additive for chickens for fattening (holder of authorisation Kerry Ingredients and Flavours) (OJ L 80, 20.3.2012, p. 1).
- 2zzg. **32012 R 0333**: Commission Implementing Regulation (EU) No 333/2012 of 19 April 2012

concerning the authorisation of a preparation of potassium diformate as a feed additive for all animal species and amending Regulation (EC) No 492/2006 (OJ L 108, 20.4.2012, p. 3).

- 2zzh. **32012 R 0334**: Commission Implementing Regulation (EU) No 334/2012 of 19 April 2012 concerning the authorisation of a preparation of *Saccharomyces cerevisiae* CNCM I-4407 as a feed additive for rabbits for fattening and non food-producing rabbits and amending Regulation (EC) No 600/2005 (holder of the authorisation Société Industrielle Lesaffre) (OJ L 108, 20.4.2012, p. 6).;

(8) the following shall be added in point 31m (Regulation (EC) No 183/2005 of the European Parliament and of the Council):

‘, as amended by:

- **32012 R 0225**: Commission Regulation (EU) No 225/2012 of 15 March 2012 (OJ L 77, 16.3.2012, p. 1).’.

Article 2

The texts of Implementing Regulations (EU) No 81/2012, (EU) No 91/2012, (EU) No 93/2012, (EU) No 98/2012, (EU) No 118/2012, (EU) No 131/2012, (EU) No 136/2012, (EU) No 140/2012, Regulation (EU) No 225/2012, Implementing Regulations (EU) No 226/2012, (EU) No 227/2012, (EU) No 237/2012, (EU) No 333/2012 and (EU) No 334/2012 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 8 December 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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 207/2012

of 7 December 2012

amending Annex I (Veterinary and phytosanitary matters) and 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,

Whereas:

- (1) Commission Regulation (EU) No 231/2012 of 9 March 2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Regulation (EU) No 232/2012 of 16 March 2012 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the conditions of use and the use levels for Quinoline Yellow (E 104), Sunset Yellow FCF/Orange Yellow S (E 110) and Ponceau 4R, Cochineal Red A (E 124) ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Regulation (EU) No 252/2012 of 21 March 2012 laying down methods of sampling and analysis for the official control of levels of dioxins, dioxin-like PCBs and non-dioxin-like PCBs in certain foodstuffs and repealing Regulation (EC) No 1883/2006 ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Commission Regulation (EU) No 270/2012 of 26 March 2012 amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for amidosulfuron, azoxystrobin, bentazone, bixafen, cyproconazole, fluopyram, imazapic, malathion, propiconazole and spinosad in or on certain products ⁽⁴⁾ is to be incorporated into the EEA Agreement.
- (5) Commission Regulation (EU) No 378/2012 of 3 May 2012 refusing to authorise certain health claims made on foods and referring to the reduction of disease risk and to children's development and health ⁽⁵⁾ is to be incorporated into the EEA Agreement.
- (6) Commission Decision 2010/770/EU of 13 December 2010 amending Decision 2009/980/EU as regards the conditions of use of an authorised health claim on the effect of water-soluble tomato concentrate on platelet aggregation ⁽⁶⁾ is to be incorporated into the EEA Agreement.

(7) Regulation (EU) No 231/2012 repeals, with effect from 1 December 2012, Commission Directives 2008/60/EC ⁽⁷⁾, 2008/84/EC ⁽⁸⁾ and 2008/128/EC ⁽⁹⁾ which are incorporated into the EEA Agreement and which are consequently to be repealed under the EEA Agreement with effect from 1 December 2012.

(8) Regulation (EU) No 252/2012 repeals Commission Regulation (EC) No 1883/2006 ⁽¹⁰⁾ which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.

(9) This Decision concerns legislation regarding feedingstuffs and foodstuffs. Legislation regarding feedingstuffs and foodstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I and the introduction to Chapter XII of Annex II to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.

(10) Annexes I and II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

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 EEA Agreement:

‘— **32012 R 0270:** Commission Regulation (EU) No 270/2012 of 26 March 2012 (OJ L 89, 27.3.2012, p. 5).’

Article 2

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

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

‘— **32012 R 0270:** Commission Regulation (EU) No 270/2012 of 26 March 2012 (OJ L 89, 27.3.2012, p. 5).’

⁽¹⁾ OJ L 83, 22.3.2012, p. 1.

⁽²⁾ OJ L 78, 17.3.2012, p. 1.

⁽³⁾ OJ L 84, 23.3.2012, p. 1.

⁽⁴⁾ OJ L 89, 27.3.2012, p. 5.

⁽⁵⁾ OJ L 119, 4.5.2012, p. 9.

⁽⁶⁾ OJ L 328, 14.12.2010, p. 18.

⁽⁷⁾ OJ L 158, 18.6.2008, p. 17.

⁽⁸⁾ OJ L 253, 20.9.2008, p. 1.

⁽⁹⁾ OJ L 6, 10.1.2009, p. 20.

⁽¹⁰⁾ OJ L 364, 20.12.2006, p. 32.

- (2) the text of point 54zzzn (Commission Regulation (EC) No 1883/2006) shall be deleted;
- (3) the text of points 54zzzy (Commission Directive 2008/60/EC), 54zzzzg (Commission Directive 2008/84/EC) and 54zzzzh (Commission Directive 2008/128/EC) shall be deleted;
- (4) the following indent shall be added in point 54zzzzr (Regulation (EC) No 1333/2008 of the European Parliament and of the Council):
- ‘— **32012 R 0232**: Commission Regulation (EU) No 232/2012 of 16 March 2012 (OJ L 78, 17.3.2012, p. 1).’;
- (5) the following shall be added in point 54zzzzw (Commission Decision 2009/980/EU):
- ‘, as amended by:
- **32010 D 0770**: Commission Decision 2010/770/EU of 13 December 2010 (OJ L 328, 14.12.2010, p. 18).’;
- (6) the following points shall be inserted after point 68 (Commission Implementing Regulation (EU) No 1274/2011):
- ‘69. **32012 R 0231**: Commission Regulation (EU) No 231/2012 of 9 March 2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council (OJ L 83, 22.3.2012, p. 1).
70. **32012 R 0252**: Commission Regulation (EU) No 252/2012 of 21 March 2012 laying down methods of sampling and analysis for the official control of levels of dioxins, dioxin-like PCBs and non-dioxin-like PCBs in certain foodstuffs and repealing Regulation (EC) No 1883/2006 (OJ L 84, 23.3.2012, p. 1).

71. **32012 R 0378**: Commission Regulation (EU) No 378/2012 of 3 May 2012 refusing to authorise certain health claims made on foods and referring to the reduction of disease risk and to children’s development and health (OJ L 119, 4.5.2012, p. 9).’.

Article 3

The texts of Regulations (EU) No 231/2012, (EU) No 232/2012, (EU) No 252/2012, (EU) No 270/2012 and (EU) No 378/2012 and Decision 2010/770/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 4

This Decision shall enter into force on 8 December 2012, provided that all the notifications under Article 103(1) of the EEA 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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 208/2012

of 7 December 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,

Whereas:

- (1) Commission Regulation (EU) No 459/2012 of 29 May 2012 amending Regulation (EC) No 715/2007 of the European Parliament and of the Council and Commission Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6) ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent shall be added in point 45zt (Regulation (EC) No 715/2007 of the European Parliament and of the Council) and 45zu (Commission Regulation (EC) No 692/2008) of Chapter I of Annex II to the EEA Agreement:

- **32012 R 0459:** Commission Regulation (EU) No 459/2012 of 29 May 2012 (OJ L 142, 1.6.2012, p. 16).'

Article 2

The text of Regulation (EU) No 459/2012 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 8 December 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, 7 December 2012.

For the EEA Joint Committee
The President
Atle LEIKVOLL

⁽¹⁾ OJ L 142, 1.6.2012, p. 16.

^(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 209/2012

of 7 December 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,

Whereas:

- (1) Commission Regulation (EU) No 523/2012 of 20 June 2012 amending Regulation (EC) No 661/2009 of the European Parliament and of the Council as regards the inclusion of certain Regulations of the United Nations Economic Commission for Europe on the type-approval of motor vehicles, their trailers and systems, components and separate technical units intended therefor⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

- (1) the following indent shall be added in point 45zza (Regulation (EC) No 661/2009 of the European Parliament and of the Council):
'— **32012 R 0523**: Commission Regulation (EU) No 523/2012 of 20 June 2012 (OJ L 160, 21.6.2012, p. 8).';
- (2) the following point shall be inserted after point 45zzq (Commission Regulation (EU) No 351/2012):
'45zzr. **32012 R 0523**: Commission Regulation (EU) No 523/2012 of 20 June 2012 amending Regulation

(EC) No 661/2009 of the European Parliament and of the Council as regards the inclusion of certain Regulations of the United Nations Economic Commission for Europe on the type-approval of motor vehicles, their trailers and systems, components and separate technical units intended therefor (OJ L 160, 21.6.2012, p. 8).'

Article 2

The text of Regulation (EU) No 523/2012 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 8 December 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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 160, 21.6.2012, p. 8.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 210/2012

of 7 December 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,

Whereas:

- (1) Commission Delegated Regulation (EU) No 286/2012 of 27 January 2012 amending, in order to include a new textile fibre name, Annex I, and, for the purposes of their adaptation to technical progress, Annexes VIII and IX to Regulation (EU) No 1007/2011 of the European Parliament and of the Council on textile fibre names and related labelling and marking of the fibre composition of textile products ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following shall be added in point 4d (Regulation (EU) No 1007/2011 of the European Parliament and of the Council) of Chapter XI of Annex II to the EEA Agreement:

‘, as amended by:

- **32012 R 0286**: Commission Delegated Regulation (EU) No 286/2012 of 27 January 2012 (OJ L 95, 31.3.2012, p. 1).’

Article 2

The text of Delegated Regulation (EU) No 286/2012 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 8 December 2012, provided that all the notifications under Article 103(1) of the EEA Agreement have been made to the EEA Joint Committee (*), or on the day of the entry into force of Decision of the EEA Joint Committee No 158/2012 of 28 September 2012 ⁽²⁾, whichever is the later.

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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 95, 31.3.2012, p. 1.

(*) Constitutional requirements indicated.

⁽²⁾ OJ L 341, 13.12.2012, p. 8.

DECISION OF THE EEA JOINT COMMITTEE

No 211/2012

of 7 December 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,

Whereas:

- (1) Commission Regulation (EU) No 756/2010 of 24 August 2010 amending Regulation (EC) No 850/2004 of the European Parliament and of the Council on persistent organic pollutants as regards Annexes IV and V ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent shall be added in point 12w (Regulation (EC) No 850/2004 of the European Parliament and of the Council) of Chapter XV of Annex II to the EEA Agreement:

- **32010 R 0756**: Commission Regulation (EU) No 756/2010 of 24 August 2010 (OJ L 223, 25.8.2010, p. 20).¹

Article 2

The text of Regulation (EU) No 756/2010 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 8 December 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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 223, 25.8.2010, p. 20.

^(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 212/2012

of 7 December 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,

Whereas:

- (1) Commission Regulation (EU) No 757/2010 of 24 August 2010 amending Regulation (EC) No 850/2004 of the European Parliament and of the Council on persistent organic pollutants as regards Annexes I and III ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent shall be added in point 12w (Regulation (EC) No 850/2004 of the European Parliament and of the Council) of Chapter XV of Annex II to the EEA Agreement:

- **32010 R 0757:** Commission Regulation (EU) No 757/2010 of 24 August 2010 (OJ L 223, 25.8.2010, p. 29).¹

Article 2

The text of Regulation (EU) No 757/2010 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 8 December 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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 223, 25.8.2010, p. 29.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 213/2012

of 7 December 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,

Whereas:

- (1) Commission Regulation (EU) No 493/2012 of 11 June 2012 laying down, pursuant to Directive 2006/66/EC of the European Parliament and of the Council, detailed rules regarding the calculation of recycling efficiencies of the recycling processes of waste batteries and accumulators ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following point is inserted after point 12zzh (Commission Decision 2012/78/EU) of Chapter XV of Annex II to the EEA Agreement:

'12zzi **32012 R 0493**: Commission Regulation (EU) No 493/2012 of 11 June 2012 laying down, pursuant to Directive 2006/66/EC of the European Parliament and of the Council, detailed rules regarding the calculation of recycling efficiencies of the recycling

processes of waste batteries and accumulators (OJ L 151, 12.6.2012, p. 9).'

Article 2

The text of Regulation (EU) No 493/2012 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 8 December 2012, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 151, 12.6.2012, p. 9.

^(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 214/2012

of 7 December 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,

Whereas:

- (1) Commission Decision 2009/292/EC of 24 March 2009 establishing the conditions for a derogation for plastic crates and plastic pallets in relation to the heavy metal concentration levels established in Directive 94/62/EC of the European Parliament and of the Council on packaging and packaging waste ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following point is inserted after point 7e (Commission Decision 2005/270/EC) of Chapter XVII of Annex II to the EEA Agreement:

- 7f. **32009 D 0292:** Commission Decision 2009/292/EC of 24 March 2009 establishing the conditions for a derogation for plastic crates and plastic pallets in relation to the heavy metal concentration levels established in Directive 94/62/EC of the European Parliament and of

the Council on packaging and packaging waste (OJ L 79, 25.3.2009, p. 44).'

Article 2

The text of Decision 2009/292/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 8 December 2012, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 79, 25.3.2009, p. 44.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 215/2012

of 7 December 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,

Whereas:

- (1) Commission Directive 2012/9/EU of 7 March 2012 amending Annex I to Directive 2001/37/EC of the European Parliament and of the Council on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

‘, as amended by:

- **32012 L 0009**: Commission Directive 2012/9/EU of 7 March 2012 (OJ L 69, 8.3.2012, p. 15).’

Article 2

The text of Directive 2012/9/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 8 December 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, 7 December 2012.

*For the EEA Joint Committee**The President*

Atle LEIKVOLL

⁽¹⁾ OJ L 69, 8.3.2012, p. 15.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 216/2012

of 7 December 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,

Whereas:

- (1) Commission Decision 2010/347/EU of 19 June 2010 amending Decision 2004/388/EC on an Intra-Community transfer of explosive document ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following is added in point 2 (Commission Decision 2004/388/EC) of Chapter XXIX of Annex II to the EEA Agreement:

‘, as amended by:

- **32010 D 0347**: Commission Decision 2010/347/EU of 19 June 2010 (OJ L 155, 22.6.2010, p. 54).’

Article 2

The text of Decision 2010/347/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 8 December 2012, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 155, 22.6.2010, p. 54.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 217/2012

of 7 December 2012

amending Annex II (Technical regulations, standards, testing and certification) and Annex IV (Energy) 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,

Whereas:

- (1) Directive 2010/30/EU of the European Parliament and of the Council of 19 May 2010 on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Directive 2010/30/EU repeals Council Directive 92/75/EEC ⁽²⁾ which is incorporated into the EEA Agreement and is therefore to be repealed under the EEA Agreement.
- (3) Annexes II and IV to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The text of point 4 (Council Directive 92/75/EEC) of Chapter IV of Annex II to the EEA Agreement is replaced by the following:

'32010 L 0030: Directive 2010/30/EU of the European Parliament and of the Council of 19 May 2010 on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products (OJ L 153, 18.6.2010, p. 1).'

Article 2

The text of point 11 (Council Directive 92/75/EEC) of Annex IV to the EEA Agreement is replaced by the following:

'32010 L 0030: Directive 2010/30/EU of the European Parliament and of the Council of 19 May 2010 on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products (OJ L 153, 18.6.2010, p. 1) ⁽¹⁾.

⁽¹⁾ Listed here for information purposes only; for application see Annex II on Technical regulations, standards, testing and certification.'

Article 3

The text of Directive 2010/30/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 4

This Decision shall enter into force on 8 December 2012 or on the day following the last notification to the EEA Joint Committee under Article 103(1) of the EEA Agreement ^(*), whichever is the later.

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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 153, 18.6.2010, p. 1.

⁽²⁾ OJ L 297, 13.10.1992, p. 16.

^(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 218/2012

of 7 December 2012

amending Annex II (Technical regulations, standards, testing and certification) and Annex IV (Energy) 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,

Whereas:

- (1) Commission Delegated Regulation (EU) No 1059/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household dishwashers⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Delegated Regulation (EU) No 1060/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household refrigerating appliances⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Delegated Regulation (EU) No 1061/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household washing machines⁽³⁾, as corrected by OJ L 249, 27.9.2011, p. 21 and OJ L 297, 16.11.2011, p. 72, is to be incorporated into the EEA Agreement.
- (4) Commission Delegated Regulation (EU) No 1062/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of televisions⁽⁴⁾ is to be incorporated into the EEA Agreement.
- (5) Delegated Regulation (EU) No 1059/2010 repeals Commission Directive 97/17/EC⁽⁵⁾ which is incorporated in the Agreement and is therefore to be repealed under the EEA Agreement.
- (6) Delegated Regulation (EU) No 1060/2010 repeals Commission Directive 94/2/EC⁽⁶⁾ which is incorporated in the Agreement and is therefore to be repealed under the EEA Agreement.
- (7) Delegated Regulation (EU) No 1061/2010 repeals Commission Directive 95/12/EC⁽⁷⁾ which is incorporated in the Agreement and is therefore to be repealed under the EEA Agreement.

- (8) Annexes II and IV to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

- (1) the text of points 4a (Commission Directive 94/2/EC), 4b (Commission Directive 95/12/EC) and 4f (Commission Directive 97/17/EC) of Chapter IV is deleted;
- (2) the following points are inserted after point 4h (Commission Directive 2002/31/EC) of Chapter IV:
 - '4i. **32010 R 1059:** Commission Delegated Regulation (EU) No 1059/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household dishwashers (OJ L 314, 30.11.2010, p. 1).
 - 4j. **32010 R 1060:** Commission Delegated Regulation (EU) No 1060/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household refrigerating appliances (OJ L 314, 30.11.2010, p. 17).
 - 4k. **32010 R 1061:** Commission Delegated Regulation (EU) No 1061/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household washing machines (OJ L 314, 30.11.2010, p. 47), as corrected by OJ L 249, 27.9.2011, p. 21 and OJ L 297, 16.11.2011, p. 72.
 - 4l. **32010 R 1062:** Commission Delegated Regulation (EU) No 1062/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of televisions (OJ L 314, 30.11.2010, p. 64).';
- (3) the text of Section 1 (Commission Directive 94/2/EC), Section 2 (Commission Directive 95/12/EC) and Section 5 (Commission Directive 97/17/EC) of Appendix 1 is deleted;
- (4) the text of Section 1 (Commission Directive 94/2/EC), Section 2 (Commission Directive 95/12/EC) and Section 5 (Commission Directive 97/17/EC) of Appendix 2 is deleted.

⁽¹⁾ OJ L 314, 30.11.2010, p. 1.

⁽²⁾ OJ L 314, 30.11.2010, p. 17.

⁽³⁾ OJ L 314, 30.11.2010, p. 47.

⁽⁴⁾ OJ L 314, 30.11.2010, p. 64.

⁽⁵⁾ OJ L 118, 7.5.1997, p. 1.

⁽⁶⁾ OJ L 45, 17.2.1994, p. 1.

⁽⁷⁾ OJ L 136, 21.6.1995, p. 1.

Article 2

Annex IV to the Agreement shall be amended as follows:

(1) the text of points 11a (Commission Directive 94/2/EC), 11b (Commission Directive 95/12/EC) and 11f (Commission Directive 97/17/EC) is deleted;

(2) the following points are inserted after point 11h (Commission Directive 2002/31/EC):

11i. **32010 R 1059**: Commission Delegated Regulation (EU) No 1059/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household dishwashers (OJ L 314, 30.11.2010, p. 1) ⁽¹⁾.

11j. **32010 R 1060**: Commission Delegated Regulation (EU) No 1060/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household refrigerating appliances (OJ L 314, 30.11.2010, p. 17) ⁽¹⁾.

11k. **32010 R 1061**: Commission Delegated Regulation (EU) No 1061/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household washing machines (OJ L 314, 30.11.2010, p. 47), as corrected by OJ L 249, 27.9.2011, p. 21 and OJ L 297, 16.11.2011, p. 72 ⁽¹⁾.

11l. **32010 R 1062**: Commission Delegated Regulation (EU) No 1062/2010 of 28 September 2010 supplementing Directive 2010/30/EU of the European

Parliament and of the Council with regard to energy labelling of televisions (OJ L 314, 30.11.2010, p. 64) ⁽¹⁾.

⁽¹⁾ Listed here for information purposes only; for application see Annex II on Technical regulations, standards, testing and certification.;

(3) the text of Section 1 (Commission Directive 94/2/EC), Section 2 (Commission Directive 95/12/EC) and Section 5 (Commission Directive 97/17/EC) of Appendix 5 is deleted;

(4) the text of Section 1 (Commission Directive 94/2/EC), Section 2 (Commission Directive 95/12/EC) and Section 5 (Commission Directive 97/17/EC) of Appendix 6 is deleted.

Article 3

The texts of Delegated Regulations (EU) No 1059/2010, (EU) No 1060/2010, (EU) No 1061/2010, as corrected by OJ L 249, 27.9.2011, p. 21 and OJ L 297, 16.11.2011, p. 72, and (EU) No 1062/2010 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 8 December 2012, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*), or on the day of the entry into force of Decision of the EEA Joint Committee No 217/2012 of 7 December 2012 ⁽¹⁾, whichever is the later.

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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

(*) No constitutional requirements indicated.

⁽¹⁾ See page 17 of this Official Journal.

DECISION OF THE EEA JOINT COMMITTEE

No 219/2012

of 7 December 2012

amending Annex II (Technical regulations, standards, testing and certification) and Annex IV (Energy) 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,

Whereas:

- (1) Commission Delegated Regulation (EU) No 626/2011 of 4 May 2011 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of air conditioners⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Delegated Regulation (EU) No 626/2011 repeals, with effect from 1 January 2013, Commission Directive 2002/31/EC⁽²⁾ which is incorporated into the Agreement and which is consequently to be repealed under the EEA Agreement with effect, at the earliest, from 1 January 2013.
- (3) Council Directive 79/531/EEC⁽³⁾ and Council Directive 86/594/EEC⁽⁴⁾, which are incorporated into the Agreement, have been repealed in the EU and should consequently be repealed under the EEA Agreement.
- (4) Annexes II and IV to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex II to the Agreement shall be amended as follows:

- (1) the text of points 2 (Council Directive 79/531/EEC) and 3 (Council Directive 86/594/EEC) of Chapter IV is deleted;
- (2) the text of point 4h (Commission Directive 2002/31/EC) of Chapter IV shall be deleted with effect, at the earliest, from 1 January 2013;

⁽¹⁾ OJ L 178, 6.7.2011, p. 1.
⁽²⁾ OJ L 86, 3.4.2002, p. 26.
⁽³⁾ OJ L 145, 13.6.1979, p. 7.
⁽⁴⁾ OJ L 344, 6.12.1986, p. 24.

- (3) the following point is inserted after point 4l (Commission Delegated Regulation (EU) No 1062/2010) of Chapter IV:

'4m. **32011 R 0626:** Commission Delegated Regulation (EU) No 626/2011 of 4 May 2011 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of air conditioners (OJ L 178, 6.7.2011, p. 1).';

- (4) the text of Section 7 (Commission Directive 2002/31/EC) of Appendix 1 and Section 7 (Commission Directive 2002/31/EC) of Appendix 2 shall be deleted with effect, at the earliest, from 1 January 2013.

Article 2

Annex IV to the Agreement shall be amended as follows:

- (1) the text of point 11h (Commission Directive 2002/31/EC) shall be deleted with effect, at the earliest, from 1 January 2013;
- (2) the following point is inserted after point 11l (Commission Delegated Regulation (EU) No 1062/2010):

'11m. **32011 R 0626:** Commission Delegated Regulation (EU) No 626/2011 of 4 May 2011 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of air conditioners (OJ L 178, 6.7.2011, p. 1) (1).'

⁽¹⁾ Listed here for information purposes only; for application see Annex II on Technical regulations, standards, testing and certification.;

- (3) the text of Section 7 (Commission Directive 2002/31/EC) of Appendix 5 and Section 7 (Commission Directive 2002/31/EC) of Appendix 6 shall be deleted with effect, at the earliest, from 1 January 2013.

Article 3

The text of Delegated Regulation (EU) No 626/2011 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 8 December 2012, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*), or on the day of the entry into force of Decision of the EEA Joint Committee No 217/2012 of 7 December 2012 ⁽¹⁾, whichever is the later.

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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

(*) No constitutional requirements indicated.

⁽¹⁾ See page 17 of this Official Journal.

DECISION OF THE EEA JOINT COMMITTEE

No 220/2012

of 7 December 2012

amending Annex II (Technical regulations, standards, testing and certification) and Annex IV (Energy) 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,

Whereas:

- (1) Commission Regulation (EU) No 206/2012 of 6 March 2012 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for air conditioners and comfort fans ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annexes II and IV to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following point is inserted after point 6 (Directive 2009/125/EC of the European Parliament and of the Council) of Chapter IV of Annex II to the EEA Agreement:

- '6a. **32012 R 0206:** Commission Regulation (EU) No 206/2012 of 6 March 2012 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for air conditioners and comfort fans (OJ L 72, 10.3.2012, p. 7):.

Article 2

The following point is inserted after point 26a (Commission Decision 2008/591/EC) of Annex IV to the EEA Agreement:

- '26b. **32012 R 0206:** Commission Regulation (EU) No 206/2012 of 6 March 2012 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for air conditioners and comfort fans (OJ L 72, 10.3.2012, p. 7):.

Article 3

The text of Regulation (EU) No 206/2012 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 8 December 2012, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 72, 10.3.2012, p. 7.

^(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 221/2012
of 7 December 2012
amending Annex IV (Energy) 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,

Whereas:

- (1) Commission Regulation (EU) No 228/2011 of 7 March 2011 amending Regulation (EC) No 1222/2009 of the European Parliament and of the Council with regard to the wet grip testing method for C1 tyres ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Decision 2010/335/EU of 10 June 2010 on guidelines for the calculation of land carbon stocks for the purpose of Annex V to Directive 2009/28/EC ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Directive 2009/28/EC does not apply to Liechtenstein and consequently Decision 2010/335/EU shall not apply to Liechtenstein.
- (4) Annex IV to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex IV to the Agreement shall be amended as follows:

- (1) the following shall be added in point 43 (Regulation (EC) No 1222/2009 of the European Parliament and of the Council):

‘, as amended by:

- **32011 R 0228**: Commission Regulation (EU) No 228/2011 of 7 March 2011 (OJ L 62, 9.3.2011, p. 1).;

- (2) the following point shall be inserted after point 43 (Regulation (EC) No 1222/2009 of the European Parliament and of the Council):

‘44. **32010 D 0335**: Commission Decision 2010/335/EU of 10 June 2010 on guidelines for the calculation of land carbon stocks for the purpose of Annex V to Directive 2009/28/EC (OJ L 151, 17.6.2010, p. 19).

The Decision shall not apply to Liechtenstein.’

Article 2

The texts of Regulation (EU) No 228/2011 and Decision 2010/335/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 8 December 2012, 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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 62, 9.3.2011, p. 1.

⁽²⁾ OJ L 151, 17.6.2010, p. 19.

^(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 222/2012

of 7 December 2012

amending Annex VII (Recognition of professional qualifications) 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,

Whereas:

- (1) Commission Regulation (EU) No 623/2012 of 11 July 2012 amending Annex II to Directive 2005/36/EC of the European Parliament and of the Council on the recognition of professional qualifications⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex VII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent is added in point 1 (Directive 2005/36/EC of the European Parliament and of the Council) of Annex VII to the EEA Agreement:

- **32012 R 0623**: Commission Regulation (EU) No 623/2012 of 11 July 2012 (OJ L 180, 12.7.2012, p. 9):.

Article 2

The text of Regulation (EU) No 623/2012 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 8 December 2012, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 180, 12.7.2012, p. 9.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 223/2012

of 7 December 2012

amending Annex XIII (Transport) 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,

Whereas:

- (1) Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Regulation (EU) No 748/2012 repeals Commission Regulation (EC) No 1702/2003 ⁽²⁾ which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (3) Annex XIII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The text of point 66p (Commission Regulation (EC) No 1702/2003) of Annex XIII to the EEA Agreement shall be replaced by the following:

'**32012 R 0748:** Commission Regulation (EU) No 748/2012 of 3 August 2012 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (OJ L 224, 21.8.2012, p. 1).'

Article 2

The text of Regulation (EU) No 748/2012 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 8 December 2012, provided that all the notifications under Article 103(1) of the EEA Agreement have been made ^(*) or on the day of the entry into force of Decision of the EEA Joint Committee No 163/2011 of 19 December 2011 ⁽³⁾, whichever is the later.

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, 7 December 2012.

*For the EEA Joint Committee**The President*

Atle LEIKVOLL

⁽¹⁾ OJ L 224, 21.8.2012, p. 1.

⁽²⁾ OJ L 243, 27.9.2003, p. 6.

^(*) No constitutional requirements indicated.

⁽³⁾ OJ L 76, 15.3.2012, p. 51.

DECISION OF THE EEA JOINT COMMITTEE
No 224/2012
of 7 December 2012
amending Annex XIII (Transport) 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,

Whereas:

- (1) Commission Regulation (EU) No 593/2012 of 5 July 2012 amending Regulation (EC) No 2042/2003 on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex XIII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent is added in point 66q (Commission Regulation (EC) No 2042/2003) of Annex XIII to the EEA Agreement:

- **32012 R 0593**: Commission Regulation (EU) No 593/2012 of 5 July 2012 (OJ L 176, 6.7.2012, p. 38).¹

Article 2

The text of Regulation (EU) No 593/2012 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 8 December 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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 176, 6.7.2012, p. 38.

^(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 225/2012

of 7 December 2012

amending Annex XV (State aid) 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,

Whereas:

- (1) Commission Regulation (EU) No 360/2012 of 25 April 2012 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid granted to undertakings providing services of general economic interest ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Regulation (EC) No 69/2001 ⁽²⁾ which is incorporated into the EEA Agreement has expired and should consequently be repealed under the EEA Agreement.
- (3) Annex XV to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex XV to the EEA Agreement shall be amended as follows:

- (1) the text of point 1e (Commission Regulation (EC) No 69/2001) shall be deleted;
- (2) the following shall be inserted after point 1h (Commission Decision 2012/21/EU):

'1ha. **32012 R 0360:** Commission Regulation (EU) No 360/2012 of 25 April 2012 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid granted to undertakings providing services of general economic interest (OJ L 114, 26.4.2012, p. 8).

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

(a) in Article 1(1), the words "Article 106(2) of the Treaty" shall read "Article 59(2) of the EEA Agreement";

(b) the following shall be added in Article 1(2):

"The Regulation applies only to sectors covered by Articles 61 to 64 of the EEA Agreement.";

(c) in Article 2(1), the words "Article 107(1) of the Treaty" shall read "Article 61(1) of the EEA Agreement";

(d) in Article 2(1), the words "Article 108(3) of the Treaty" shall read "Article 1(3) of Protocol 3 to the Surveillance and Court Agreement".

Article 2

The text of Regulation (EU) No 360/2012 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 8 December 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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 114, 26.4.2012, p. 8.

⁽²⁾ OJ L 10, 13.1.2001, p. 30.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 226/2012

of 7 December 2012

amending Annex XVI (Procurement) 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,

Whereas:

- (1) Commission Implementing Regulation (EU) No 842/2011 of 19 August 2011 establishing standard forms for the publication of notices in the field of public procurement and repealing Regulation (EC) No 1564/2005 ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Implementing Regulation (EU) No 842/2011 repeals Commission Regulation (EC) No 1564/2005 ⁽²⁾ which is incorporated into the EEA Agreement and which is consequently to be deleted under the EEA Agreement.
- (3) Annex XVI to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex XVI to the EEA Agreement shall be amended as follows:

- (1) the text of point 6c (Commission Regulation (EC) No 1564/2005) shall be deleted;
- (2) the following point shall be inserted after point 6c (Commission Regulation (EC) No 1564/2005):

'6d. **32011 R 0842**: Commission Implementing Regulation (EU) No 842/2011 of 19 August 2011 establishing standard forms for the publication of notices in the field of public procurement and repealing Regulation (EC) No 1564/2005 (OJ L 222, 27.8.2011, p. 1).'

Article 2

The text of Implementing Regulation (EU) No 842/2011 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 8 December 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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 222, 27.8.2011, p. 1.

⁽²⁾ OJ L 257, 1.10.2005, p. 1.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 227/2012

of 7 December 2012

amending Annex XVIII (Health and safety at work, labour law, and equal treatment for men and women) 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,

Whereas:

- (1) Directive 2012/11/EU of the European Parliament and of the Council of 19 April 2012 amending Directive 2004/40/EC on minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields) (18th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex XVIII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent shall be added in point 16jc (Directive 2004/40/EC of the European Parliament and of the Council) of Annex XVIII to the EEA Agreement:

- **32012 L 0011:** Directive 2012/11/EU of the European Parliament and of the Council of 19 April 2012 (OJ L 110, 24.4.2012, p. 1).'

Article 2

The text of Directive 2012/11/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 8 December 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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 110, 24.4.2012, p. 1.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 228/2012

of 7 December 2012

amending Annex XIX (Consumer protection) 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,

Whereas:

- (1) Commission Decision 2011/141/EU of 1 March 2011 amending Decision 2007/76/EC implementing Regulation (EC) No 2006/2004 of the European Parliament and of the Council on cooperation between national authorities responsible for the enforcement of consumer protection laws as regards mutual assistance⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex XIX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent is added in point 7fa (Commission Decision 2007/76/EC) of Annex XIX to the EEA Agreement:

- **32011 D 0141:** Commission Decision 2011/141/EU of 1 March 2011 (OJ L 59, 4.3.2011, p. 63).'

Article 2

The text of Decision 2011/141/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 8 December 2012, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 59, 4.3.2011, p. 63.

^(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 229/2012

of 7 December 2012

amending Annex XIX (Consumer protection) 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,

Whereas:

(1) Commission Directive 2011/90/EU of 14 November 2011 amending Part II of Annex I to Directive 2008/48/EC of the European Parliament and of the Council providing additional assumptions for the calculation of the annual percentage rate of charge ⁽¹⁾ is to be incorporated into the EEA Agreement.

(2) Annex XIX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following shall be added in point 7h (Directive 2008/48/EC of the European Parliament and of the Council) of Annex XIX to the EEA Agreement:

', as amended by:

— **32011 L 0090**: Commission Directive 2011/90/EU of 14 November 2011 (OJ L 296, 15.11.2011, p. 35):.

Article 2

The text of Directive 2011/90/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 8 December 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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 296, 15.11.2011, p. 35.

(*) Constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 230/2012

of 7 December 2012

amending Annex XX (Environment) 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,

Whereas:

- (1) Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Directive 2011/92/EU repeals Council Directive 85/337/EEC ⁽²⁾, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (3) Annex XX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The text of point 1a (Council Directive 85/337/EEC) of Annex XX to the EEA Agreement is replaced by the following:

'**32011 L 0092**: Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).'

Article 2

The text of Directive 2011/92/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 8 December 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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 26, 28.1.2012, p. 1.
⁽²⁾ OJ L 175, 5.7.1985, p. 40.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 231/2012

of 7 December 2012

amending Annex XX (Environment) 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,

Whereas:

- (1) Commission Decision 2012/448/EU of 12 July 2012 establishing the ecological criteria for the award of the EU Ecolabel for newsprint paper ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Decision 2012/481/EU of 16 August 2012 establishing the ecological criteria for the award of the EU Ecolabel for printed paper ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Annex XX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following points are inserted after point 2zd (Commission Decision 2009/894/EC) of Annex XX to the EEA Agreement:

- '2ze. **32012 D 0448**: Commission Decision 2012/448/EU of 12 July 2012 establishing the ecological criteria for the award of the EU Ecolabel for newsprint paper (OJ L 202, 28.7.2012, p. 26).
- 2zf. **32012 D 0481**: Commission Decision 2012/481/EU of 16 August 2012 establishing the ecological criteria

for the award of the EU Ecolabel for printed paper (OJ L 223, 21.8.2012, p. 55)'.³*Article 2*The texts of Decisions 2012/448/EU and 2012/481/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 8 December 2012, provided that all the notifications under Article 103(1) of the EEA Agreement have been made ^(*) or on the day of the entry into force of Decision of the EEA Joint Committee No 200/2012 of 26 October 2012 ⁽³⁾, whichever is the later.*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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 202, 28.7.2012, p. 26.⁽²⁾ OJ L 223, 21.8.2012, p. 55.^(*) No constitutional requirements indicated.⁽³⁾ OJ L 21, 24.1.2013, p. 50.

DECISION OF THE EEA JOINT COMMITTEE
No 232/2012
of 7 December 2012
amending Annex XXI (Statistics) 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,

Whereas:

- (1) Commission Regulation (EU) No 461/2012 of 31 May 2012 amending Council Regulation (EC) No 1165/98 concerning short-term statistics and Commission Regulations (EC) No 1503/2006, (EC) No 657/2007 and (EC) No 1178/2008 as regards adaptations related to the removal of the industrial new orders variables ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex XXI to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following indent shall be added in points 2 (Council Regulation (EC) No 1165/98) and 2c (Commission Regulation (EC) No 1503/2006) of Annex XXI to the EEA Agreement:

‘— **32012 R 0461**: Commission Regulation (EU) No 461/2012 of 31 May 2012 (OJ L 142, 1.6.2012, p. 26).’

Article 2

The text of Regulation (EU) No 461/2012 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 8 December 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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 142, 1.6.2012, p. 26.

^(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 233/2012

of 7 December 2012

amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Articles 86 and 98 thereof,

Whereas:

- (1) Regulation (EU) No 911/2010 of the European Parliament and of the Council of 22 September 2010 on the European Earth monitoring programme (GMES) and its initial operations (2011 to 2013) ⁽¹⁾ was incorporated into the Agreement by Decision of the EEA Joint Committee No 139/2012 ⁽²⁾ of 13 July 2012.
- (2) The suspension of the applicability of the Regulation to Iceland should be terminated.
- (3) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this termination to take effect from 1 January 2013,

HAS ADOPTED THIS DECISION:

Article 1

In paragraph 8c of Article 1 of Protocol 31 to the EEA Agreement, adaptation (e) shall be deleted.

Article 2

This Decision shall enter into force on the day following the last notification to the EEA Joint Committee under Article 103(1) of the EEA Agreement (*).

It shall apply from 1 January 2013.

Article 3

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, 7 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 276, 20.10.2010, p. 1.

⁽²⁾ OJ L 309, 8.11.2012, p. 21.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE
No 234/2012
of 31 December 2012
amending Annex XX (Environment) 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,

Whereas:

- (1) Commission Regulation (EU) No 600/2012 of 21 June 2012 on the verification of greenhouse gas emission reports and tonne-kilometre reports and the accreditation of verifiers pursuant to Directive 2003/87/EC of the European Parliament and of the Council ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex XX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following point is inserted after point 21ape (Commission Regulation (EU) No 606/2010) of Annex XX to the EEA Agreement:

'21apf. **32012 R 0600**: Commission Regulation (EU) No 600/2012 of 21 June 2012 on the verification of greenhouse gas emission reports and tonne-kilometre reports and the accreditation of verifiers pursuant to Directive 2003/87/EC of the European

Parliament and of the Council (OJ L 181, 12.7.2012, p. 1).'

Article 2

The text of Regulation (EU) No 600/2012 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 January 2013, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 31 December 2012.

For the EEA Joint Committee
The President
Atle LEIKVOLL

⁽¹⁾ OJ L 181, 12.7.2012, p. 1.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 235/2012

of 31 December 2012

amending Annex XX (Environment) 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,

Whereas:

- (1) Commission Regulation (EU) No 601/2012 of 21 June 2012 on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council⁽¹⁾, as corrected by OJ L 347, 15.12.2012, p. 43, is to be incorporated into the EEA Agreement.
- (2) Commission Regulation (EU) No 784/2012 of 30 August 2012 amending Regulation (EU) No 1031/2010 to list an auction platform to be appointed by Germany and correcting Article 59(7) thereof⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Decision 2012/498/EU of 17 August 2012 amending Decisions 2010/2/EU and 2011/278/EU as regards the sectors and subsectors which are deemed to be exposed to a significant risk of carbon leakage⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Regulation (EU) No 601/2012, as corrected by OJ L 347, 15.11.2012, p. 43, repeals, with effect from 1 January 2013, Commission Decision 2007/589/EC⁽⁴⁾, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement with effect from 1 January 2013.
- (5) Annex XX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex XX to the EEA Agreement shall be amended as follows:

- (1) the following indent is added in point 21ala (Commission Regulation (EU) No 1031/2010):
 - **32012 R 0784**: Commission Regulation (EU) No 784/2012 of 30 August 2012 (OJ L 234, 31.8.2012, p. 4).;

- (2) the following indent is added in points 21alb (Commission Decision 2010/2/EU) and 21alc (Commission Decision 2011/278/EU):

— **32012 D 0498**: Commission Decision 2012/498/EU of 17 August 2012 (OJ L 241, 7.9.2012, p. 52).;

- (3) the following point is inserted after point 21apf (Commission Regulation (EU) No 600/2012):

‘21apg. **32012 R 0601**: Commission Regulation (EU) No 601/2012 of 21 June 2012 on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council (OJ L 181, 12.7.2012, p. 30), as corrected by OJ L 347, 15.11.2012, p. 43.;

- (4) the text of point 21am (Commission Decision 2007/589/EC) is deleted with effect from 1 January 2013.

Article 2

The texts of Regulations (EU) No 601/2012, as corrected by OJ L 347, 15.11.2012, p. 43, and (EU) No 784/2012 and Decision 2012/498/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 the day following the last notification under Article 103(1) of the EEA Agreement (*).

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, 31 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

⁽¹⁾ OJ L 181, 12.7.2012, p. 30.

⁽²⁾ OJ L 234, 31.8.2012, p. 4.

⁽³⁾ OJ L 241, 7.9.2012, p. 52.

⁽⁴⁾ OJ L 229, 31.8.2007, p. 1.

(*) No constitutional requirements indicated.

DECISION OF THE EEA JOINT COMMITTEE

No 236/2012

of 31 December 2012

amending Annex XX (Environment) 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,

Whereas:

- (1) Commission Regulation (EU) No 1193/2011 of 18 November 2011 establishing a Union Registry for the trading period commencing on 1 January 2013, and subsequent trading periods, of the Union emissions trading scheme pursuant to Directive 2003/87/EC of the European Parliament and of the Council and Decision No 280/2004/EC of the European Parliament and of the Council and amending Commission Regulations (EC) No 2216/2004 and (EU) No 920/2010 ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Decision No 280/2004/EC of the European Parliament and of the Council of 11 February 2004 concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol ⁽²⁾ has not been incorporated into the EEA Agreement and therefore the specific reporting requirements foreseen in that Decision do not apply to the EFTA States.
- (3) The EFTA States shall be included in the Union Registry and the European Union Transaction Log (EUTL). The Central Administrator shall perform his tasks with regard to the EFTA States, whereby the EFTA Surveillance Authority shall be the competent body to give the necessary instructions to the Central Administrator in relation to provisions relating to the application of Regulation (EU) No 1193/2011 for the EFTA States as appropriate.
- (4) The Contracting Parties understand that the specific nature of the EU ETS and the related standardised and secured system of registries pursuant to Directive 2003/87/EC of the European Parliament and of the Council ⁽³⁾, providing for the establishment of a Union Registry, require special rules on data storage and access regarding the Union Registry to ensure that the greenhouse gas emission allowances conform to the functional and technical specifications for data exchange standards for registry systems under the

Kyoto Protocol, and that transfers of such allowances are compatible with the obligations resulting from the Kyoto Protocol.

- (5) The Union Registry should reflect the extension of the EU ETS to the EFTA States. According to EEA Joint Committee Decision No 152/2012 of 26 July 2012 ⁽⁴⁾, the EU Total Quantity Account, EU Aviation Total Quantity Account, EU Auction Account, EU Allocation Account, EU New Entrant Reserve Account, EU Aviation Auction Account and EU Special Reserve Account encompass the allowances of the EFTA States.
- (6) The Contracting Parties acknowledge the distinctive character of the Union Registry and the EUTL and the Commission's responsibilities with regard to the secure operation and the maintenance of the system. Therefore, the Commission should be able to guarantee the immediate suspension of access when needed in accordance with Regulation (EU) No 1193/2011, while taking the role of the EFTA Surveillance Authority into account. This solution is without prejudice to future matters related to the two-pillar structure set up under the EEA Agreement.
- (7) The Contracting Parties recognise that it is essential for the law enforcement and tax authorities of a Contracting Party, the European Anti-Fraud Office of the European Commission, the European Court of Auditors and Eurojust, as well as the competent authorities referred to in Article 11 of Directive 2003/6/EC of the European Parliament and of the Council ⁽⁵⁾ and in Article 37(1) of Directive 2005/60/EC of the European Parliament and of the Council ⁽⁶⁾, the competent national supervisory authorities, the national administrators of Contracting Parties and the competent authorities referred to in Article 18 of Directive 2003/87/EC to be granted the right to obtain certain data stored in the Union Registry and in the EUTL in clearly defined cases if this is necessary for the performance of their tasks as set forth in Article 83 of Regulation (EU) No 1193/2011 and Article 75 of Commission Regulation (EU) No 920/2010 ⁽⁷⁾ as amended by Regulation (EU) No 1193/2011.
- (8) For the same reason, the Contracting Parties, although recalling that Council Decision 2009/371/JHA ⁽⁸⁾ is not incorporated into the EEA Agreement, acknowledge that Europol obtains permanent read-only access to data stored in the Union Registry and in the EUTL.

⁽¹⁾ OJ L 315, 29.11.2011, p. 1.

⁽²⁾ OJ L 49, 19.2.2004, p. 1.

⁽³⁾ OJ L 275, 25.10.2003, p. 32.

⁽⁴⁾ OJ L 309, 8.11.2012, p. 38.

⁽⁵⁾ OJ L 96, 12.4.2003, p. 16.

⁽⁶⁾ OJ L 309, 25.11.2005, p. 15.

⁽⁷⁾ OJ L 270, 14.10.2010, p. 1.

⁽⁸⁾ OJ L 121, 15.5.2009, p. 37.

- (9) The Contracting Parties recall, however, that the granting of information rights and of permanent read-only access as foreseen in Article 83 of Regulation (EU) No 1193/2011 and Article 75 of Regulation (EU) No 920/2010 as amended by Regulation (EU) No 1193/2011 is without prejudice to the understanding that police and judicial cooperation in criminal matters as well as tax administration or enforcement fall outside the scope of the EEA Agreement, and that the Regulations therefore do not confer on the institutions mentioned any other rights than those explicitly foreseen in their Articles 83 and 75 respectively.
- (10) Annex XX to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex XX to the EEA Agreement shall be amended as follows:

- (1) point 21an (Commission Regulation (EU) No 920/2010) shall be amended as follows:

- (i) the following shall be added:

‘, as amended by:

— **32011 R 1193**: Commission Regulation (EU) No 1193/2011 of 18 November 2011 (OJ L 315, 29.11.2011, p. 1).’;

- (ii) adaptations (h) and (i) shall be renumbered as adaptations (j) and (m);

- (iii) the following adaptation shall be inserted after adaptation (g):

‘(h) The following subparagraphs shall be added in Articles 64(1) and 64a(2):

“When accounts under the jurisdiction of an EFTA State are concerned, the Commission shall immediately inform the EFTA Surveillance Authority of the instructions given to the Central Administrator and the reasons for these instructions.

In case the suspension of access is not horizontal and to the extent that it is directed at individual accounts under the jurisdiction of an EFTA State, the EFTA Surveillance Authority shall within three working days adopt a decision on the applicability of the Commission’s instructions, based on the explanations given by the Commission. The absence of a decision from the EFTA Surveillance Authority shall have no effect on the validity of the instructions given by the Commission or of the action taken by the Central Administrator.”

- (i) The following subparagraph shall be added Article 64a(3):

“The word ‘Commission’ shall be replaced by the words ‘EFTA Surveillance Authority’ when account

holders under the jurisdiction of an EFTA State are concerned.”’;

- (iv) the following adaptations shall be inserted after adaptation (j):

‘(k) The following subparagraph shall be added in Article 75(3):

“When account holders under the jurisdiction of an EFTA State are concerned, such data may be provided by the Central Administrator following the prior consent of the EFTA Surveillance Authority.”

- (l) The following subparagraph shall be added in Article 75(5a):

“Europol shall keep the EFTA Surveillance Authority and the Commission informed of the use it makes of the data when account holders under the jurisdiction of an EFTA State are concerned.”’;

- (2) the following shall be inserted after point 21an (Commission Regulation (EU) No 920/2010):

‘21ana. **32011 R 1193**: Commission Regulation (EU) No 1193/2011 of 18 November 2011 establishing a Union Registry for the trading period commencing on 1 January 2013, and subsequent trading periods, of the Union emissions trading scheme pursuant to Directive 2003/87/EC of the European Parliament and of the Council and Decision No 280/2004/EC of the European Parliament and of the Council and amending Commission Regulations (EC) No 2216/2004 and (EU) No 920/2010 (OJ L 315, 29.11.2011, p. 1).

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

- (a) The issue, transfer and cancellation of allowances concerning the EFTA States, their operators and the aircraft operators administered by them shall be registered in the European Union Transaction Log (EUTL).

The Central Administrator shall be competent to perform the tasks referred to in paragraphs 1 to 3 of Article 20 of Directive 2003/87/EC when the EFTA States, their operators or the aircraft operators administered by them are concerned.

- (b) In Article 7(4), the following sentence shall be added:

“The EFTA Surveillance Authority shall coordinate the implementation of this Regulation with the national administrators of each EFTA State and the Central Administrator.”

- (c) In Article 31(7), the following sentence shall be added:

“The word ‘Commission’ shall be replaced by the words ‘EFTA Surveillance Authority’ when account holders under the jurisdiction of an EFTA State are concerned.”

- (d) The following subparagraph shall be added in Articles 49(2), 50(2), 53(2) and 54(3):

“Where national allocation tables of the EFTA States are concerned, the Central Administrator shall be instructed by the EFTA Surveillance Authority.”

- (e) The following subparagraphs shall be added in Articles 70(1) and 71(2):

“When accounts under the jurisdiction of an EFTA State are concerned, the Commission shall immediately inform the EFTA Surveillance Authority of the instructions given to the Central Administrator and the reasons for these instructions.

In case the suspension of access is not horizontal and to the extent that it is directed at individual accounts under the jurisdiction of an EFTA State, the EFTA Surveillance Authority shall within three working days adopt a decision on the applicability of the Commission’s instructions, based on the explanations given by the Commission. The absence of a decision from the EFTA Surveillance Authority shall have no effect on the validity of the instructions given by the Commission or of the action taken by the Central Administrator.”

- (f) The following subparagraph shall be added in Article 71(3):

“The word ‘Commission’ shall be replaced by the words ‘EFTA Surveillance Authority’ when account holders under the jurisdiction of an EFTA State are concerned.”

- (g) The following subparagraph shall be added in Article 73(3):

“A national administrator of an EFTA State may request the EFTA Surveillance Authority to reinstate processes suspended in accordance with paragraph 1 if it considers that the outstanding issues that caused suspension have been resolved. If this is the case, the

EFTA Surveillance Authority shall, upon consultation with the Commission, instruct the Central Administrator to reinstate those processes. It shall otherwise reject the request within a reasonable period and inform the national administrator without delay, stating its reasons and setting out criteria to be fulfilled for a subsequent request to be accepted.”

- (h) The following subparagraph shall be added in Article 83(3):

“When account holders under the jurisdiction of an EFTA State are concerned, such data may be provided by the Central Administrator following the prior consent of the EFTA Surveillance Authority.”

- (i) The following subparagraph shall be added in Article 83(6):

“Europol shall keep the EFTA Surveillance Authority and the Commission informed of the use it makes of the data when account holders under the jurisdiction of an EFTA State are concerned.”’.

Article 2

The text of Regulation (EU) No 1193/2011 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 January 2013 or on the day following the last notification to the EEA Joint Committee under Article 103(1) of the EEA Agreement (*), whichever is the later.

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, 31 December 2012.

For the EEA Joint Committee

The President

Atle LEIKVOLL

(*) No constitutional requirements indicated.

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