

DECISION OF THE EEA JOINT COMMITTEE
No 89/2018

of 27 April 2018

**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 Implementing Regulation (EU) 2017/2057 of 10 November 2017 concerning the non-approval of *Achillea millefolium* L. as a basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market¹ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2017/2065 of 13 November 2017 confirming the conditions of approval of the active substance 8-hydroxyquinoline, as set out in Implementing Regulation (EU) No 540/2011 and modifying Implementing Regulation (EU) 2015/408 as regards the inclusion of the active substance 8-hydroxyquinoline in the list of candidates for substitution² is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2017/2066 of 13 November 2017 concerning the approval of mustard seeds powder as a basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011³ is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Regulation (EU) 2017/2067 of 13 November 2017 concerning the non-approval of paprika extract (capsanthin, capsorubin E 160 c) as a basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market⁴ is to be incorporated into the EEA Agreement.
- (5) Commission Implementing Regulation (EU) 2017/2068 of 13 November 2017 concerning the non-approval of potassium sorbate as a basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council

¹ OJ L 294, 11.11.2017, p. 27.

² OJ L 295, 14.11.2017, p. 40.

³ OJ L 295, 14.11.2017, p. 43.

⁴ OJ L 295, 14.11.2017, p. 47.

concerning the placing of plant protection products on the market⁵ is to be incorporated into the EEA Agreement.

- (6) Commission Implementing Regulation (EU) 2017/2069 of 13 November 2017 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances flonicamid (IKI-220), metalaxyl, penoxsulam and proquinazid⁶ is to be incorporated into the EEA Agreement.
- (7) Commission Implementing Regulation (EU) 2017/2090 of 14 November 2017 concerning the approval of beer as a basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011⁷ is to be incorporated into the EEA Agreement.
- (8) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following indents are added in point 13a (Commission Implementing Regulation (EU) No 540/2011):
 - ‘- **32017 R 2066**: Commission Implementing Regulation (EU) 2017/2066 of 13 November 2017 (OJ L 295, 14.11.2017, p. 43),
 - **32017 R 2069**: Commission Implementing Regulation (EU) 2017/2069 of 13 November 2017 (OJ L 295, 14.11.2017, p. 51),
 - **32017 R 2090**: Commission Implementing Regulation (EU) 2017/2090 of 14 November 2017 (OJ L 297, 15.11.2017, p. 22).’
2. The following is added in point 13zzzzt (Commission Implementing Regulation (EU) 2015/408):
 - ‘, as amended by:
 - **32017 R 2065**: Commission Implementing Regulation (EU) 2017/2065 of 13 November 2017 (OJ L 295, 14.11.2017, p. 40).’
3. The following points are inserted after point 13zzzzzzzd (Commission Implementing Regulation (EU) 2017/1531):
 - ‘13zzzzzzze. **32017 R 2057**: Commission Implementing Regulation (EU) 2017/2057 of 10 November 2017 concerning the non-approval of *Achillea millefolium* L. as a basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market (OJ L 294, 11.11.2017, p. 27).
 - 13zzzzzzzf. **32017 R 2065**: Commission Implementing Regulation (EU) 2017/2065 of 13 November 2017 confirming the conditions of approval of the active

⁵ OJ L 295, 14.11.2017, p. 49.

⁶ OJ L 295, 14.11.2017, p. 51.

⁷ OJ L 297, 15.11.2017, p. 22.

substance 8-hydroxyquinoline, as set out in Implementing Regulation (EU) No 540/2011 and modifying Implementing Regulation (EU) 2015/408 as regards the inclusion of the active substance 8-hydroxyquinoline in the list of candidates for substitution (OJ L 295, 14.11.2017, p. 40).

13zzzzzzzg. **32017 R 2066**: Commission Implementing Regulation (EU) 2017/2066 of 13 November 2017 concerning the approval of mustard seeds powder as a basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (OJ L 295, 14.11.2017, p. 43).

13zzzzzzzh. **32017 R 2067**: Commission Implementing Regulation (EU) 2017/2067 of 13 November 2017 concerning the non-approval of paprika extract (capsanthin, capsorubin E 160 c) as a basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market (OJ L 295, 14.11.2017, p. 47).

13zzzzzzzi. **32017 R 2068**: Commission Implementing Regulation (EU) 2017/2068 of 13 November 2017 concerning the non-approval of potassium sorbate as a basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market (OJ L 295, 14.11.2017, p. 49).

13zzzzzzzj. **32017 R 2090**: Commission Implementing Regulation (EU) 2017/2090 of 14 November 2017 concerning the approval of beer as a basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (OJ L 297, 15.11.2017, p. 22).’

Article 2

The texts of Implementing Regulations (EU) 2017/2057, (EU) 2017/2065, (EU) 2017/2066, (EU) 2017/2067, (EU) 2017/2068, (EU) 2017/2069 and (EU) 2017/2090 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 28 April 2018, 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, 27 April 2018.

* [No constitutional requirements indicated.] [Constitutional requirements indicated.]

*For the EEA Joint Committee
The President*

Claude Maerten

*The Secretaries
to the EEA Joint Committee*

Dag Wernø Holter Vaclav Navratil

Provisional text