



**DECISION OF THE EEA JOINT COMMITTEE No 239/2021**  
**of 24 September 2021**  
**amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement**  
**[2024/502]**

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) 2020/2101 of 15 December 2020 renewing the approval of the active substance kieselgur (diatomaceous earth) 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 <sup>(1)</sup> is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2020/2104 of 15 December 2020 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval period of the active substance paraffin oil <sup>(2)</sup> is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2020/2105 of 15 December 2020 renewing the approval of the active substance etoxazole as a candidate for substitution 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 <sup>(3)</sup> is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Regulation (EU) 2021/52 of 22 January 2021 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances benfluralin, dimoxystrobin, fluazinam, flutolanil, mecoprop-P, mepiquat, metiram, oxamyl and pyraclostrobin <sup>(4)</sup> is to be incorporated into the EEA Agreement.
- (5) Commission Implementing Regulation (EU) 2021/79 of 27 January 2021 concerning the non-approval of the active substance topramezone, 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 <sup>(5)</sup> is to be incorporated into the EEA Agreement.
- (6) Commission Implementing Regulation (EU) 2021/80 of 27 January 2021 concerning the non-approval of carbon dioxide 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 <sup>(6)</sup> is to be incorporated into the EEA Agreement.
- (7) Commission Implementing Regulation (EU) 2021/81 of 27 January 2021 approving the basic substance Allium cepa L. bulb extract 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 <sup>(7)</sup> is to be incorporated into the EEA Agreement.

<sup>(1)</sup> OJ L 425, 16.12.2020, p. 79.

<sup>(2)</sup> OJ L 425, 16.12.2020, p. 93.

<sup>(3)</sup> OJ L 425, 16.12.2020, p. 96.

<sup>(4)</sup> OJ L 23, 25.1.2021, p. 13.

<sup>(5)</sup> OJ L 29, 28.1.2021, p. 8.

<sup>(6)</sup> OJ L 29, 28.1.2021, p. 10.

<sup>(7)</sup> OJ L 29, 28.1.2021, p. 12.

- (8) Commission Implementing Regulation (EU) 2021/129 of 3 February 2021 renewing the approval of the active substance garlic extract 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 <sup>(8)</sup> is to be incorporated into the EEA Agreement.
- (9) Commission Implementing Regulation (EU) 2021/134 of 4 February 2021 renewing the approval of the low-risk active substance *Akanthomyces muscarius* strain Ve6 (formerly *Lecanicillium muscarium* strain Ve6) 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 <sup>(9)</sup> is to be incorporated into the EEA Agreement.
- (10) Commission Implementing Regulation (EU) 2021/413 of 8 March 2021 renewing the approval of the low-risk active substance blood meal 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 <sup>(10)</sup> is to be incorporated into the EEA Agreement.
- (11) Commission Implementing Regulation (EU) 2021/427 of 10 March 2021 approving the active substance 24-epibrassinolide as a low-risk 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 Commission Implementing Regulation (EU) No 540/2011 <sup>(11)</sup> is to be incorporated into the EEA Agreement.
- (12) Commission Implementing Regulation (EU) 2021/459 of 16 March 2021 amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance fenpyrazamine <sup>(12)</sup> is to be incorporated into the EEA Agreement.
- (13) Commission Implementing Regulation (EU) 2021/464 of 17 March 2021 concerning the non-approval of *Capsicum annum* L. var. *annuum*, longum group, cayenne extract 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 <sup>(13)</sup> is to be incorporated into the EEA Agreement.
- (14) 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):

- **32020 R 2101:** Commission Implementing Regulation (EU) 2020/2101 of 15 December 2020 (OJ L 425, 16.12.2020, p. 79),
- **32020 R 2104:** Commission Implementing Regulation (EU) 2020/2104 of 15 December 2020 (OJ L 425, 16.12.2020, p. 93),
- **32020 R 2105:** Commission Implementing Regulation (EU) 2020/2105 of 15 December 2020 (OJ L 425, 16.12.2020, p. 96),
- **32021 R 0052:** Commission Implementing Regulation (EU) 2021/52 of 22 January 2021 (OJ L 23, 25.1.2021, p. 13),

<sup>(8)</sup> OJ L 40, 4.2.2021, p. 11.

<sup>(9)</sup> OJ L 42, 5.2.2021, p. 4.

<sup>(10)</sup> OJ L 81, 9.3.2021, p. 32.

<sup>(11)</sup> OJ L 84, 11.3.2021, p. 21.

<sup>(12)</sup> OJ L 91, 17.3.2021, p. 4.

<sup>(13)</sup> OJ L 94, 18.3.2021, p. 1.

- **32021 R 0081**: Commission Implementing Regulation (EU) 2021/81 of 27 January 2021 (OJ L 29, 28.1.2021, p. 12),
- **32021 R 0129**: Commission Implementing Regulation (EU) 2021/129 of 3 February 2021 (OJ L 40, 4.2.2021, p. 11),
- **32021 R 0134**: Commission Implementing Regulation (EU) 2021/134 of 4 February 2021 (OJ L 42, 5.2.2021, p. 4),
- **32021 R 0413**: Commission Implementing Regulation (EU) 2021/413 of 8 March 2021 (OJ L 81, 9.3.2021, p. 32),
- **32021 R 0427**: Commission Implementing Regulation (EU) 2021/427 of 10 March 2021 (OJ L 84, 11.3.2021, p. 21),
- **32021 R 0459**: Commission Implementing Regulation (EU) 2021/459 of 16 March 2021 (OJ L 91, 17.3.2021, p. 4).'

2. The following points are inserted after point 13zzzzzzzzzzh (Commission Implementing Regulation (EU) 2020/2087):

- '13zzzzzzzzzzi. **32020 R 2101**: Commission Implementing Regulation (EU) 2020/2101 of 15 December 2020 renewing the approval of the active substance kieselgur (diatomaceous earth) 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 425, 16.12.2020, p. 79).
- 13zzzzzzzzzjj. **32020 R 2105**: Commission Implementing Regulation (EU) 2020/2105 of 15 December 2020 renewing the approval of the active substance etoxazole as a candidate for substitution 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 425, 16.12.2020, p. 96).
- 13zzzzzzzzzjk. **32021 R 0079**: Commission Implementing Regulation (EU) 2021/79 of 27 January 2021 concerning the non-approval of the active substance topramezone, 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 29, 28.1.2021, p. 8).
- 13zzzzzzzzzjl. **32021 R 0080**: Commission Implementing Regulation (EU) 2021/80 of 27 January 2021 concerning the non-approval of carbon dioxide 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 29, 28.1.2021, p. 10).
- 13zzzzzzzzzjm. **32021 R 0081**: Commission Implementing Regulation (EU) 2021/81 of 27 January 2021 approving the basic substance *Allium cepa* L. bulb extract 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 29, 28.1.2021, p. 12).
- 13zzzzzzzzzjn. **32021 R 0129**: Commission Implementing Regulation (EU) 2021/129 of 3 February 2021 renewing the approval of the active substance garlic extract 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 40, 4.2.2021, p. 11).
- 13zzzzzzzzzjo. **32021 R 0134**: Commission Implementing Regulation (EU) 2021/134 of 4 February 2021 renewing the approval of the low-risk active substance *Akanthomyces muscarius* strain Ve6 (formerly *Lecanicillium muscarium* strain Ve6) 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 42, 5.2.2021, p. 4).

- 13ZZZZZZZZZZp. **32021 R 0413:** Commission Implementing Regulation (EU) 2021/413 of 8 March 2021 renewing the approval of the low-risk active substance blood meal 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 81, 9.3.2021, p. 32).
- 13ZZZZZZZZZZq. **32021 R 0427:** Commission Implementing Regulation (EU) 2021/427 of 10 March 2021 approving the active substance 24-epibrassinolide as a low-risk 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 Commission Implementing Regulation (EU) No 540/2011 (OJ L 84, 11.3.2021, p. 21).
- 13ZZZZZZZZZZr. **32021 R 0464:** Commission Implementing Regulation (EU) 2021/464 of 17 March 2021 concerning the non-approval of *Capsicum annuum* L. var. *annuum*, longum group, cayenne extract 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 94, 18.3.2021, p. 1).'

#### Article 2

The texts of Implementing Regulations (EU) 2020/2101, (EU) 2020/2104, (EU) 2020/2105, (EU) 2021/52, (EU) 2021/79, (EU) 2021/80, (EU) 2021/81, (EU) 2021/129, (EU) 2021/134, (EU) 2021/413, (EU) 2021/427, (EU) 2021/459 and (EU) 2021/464 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 25 September 2021, 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, 24 September 2021.

For the EEA Joint Committee  
The President  
Rolf Einar FIFE

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\* No constitutional requirements indicated.