

DECISION OF THE EEA JOINT COMMITTEE
No 140/2018

of 6 July 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) 2018/460 of 20 March 2018 authorising the placing on the market of *Ecklonia cava* phlorotannins as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council and amending Commission Implementing Regulation (EU) 2017/2470¹ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2018/461 of 20 March 2018 authorising an extension of use of taxifolin-rich extract as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council, and amending Commission Implementing Regulation (EU) 2017/2470² is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2018/462 of 20 March 2018 authorising an extension of use of L-ergothioneine as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council, and amending Commission Implementing Regulation (EU) 2017/2470³ is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Regulation (EU) 2018/469 of 21 March 2018 authorising the placing on the market of an extract of three herbal roots (*Cynanchum wilfordii* Hemsley, *Phlomis umbrosa* Turcz. and *Angelica gigas* Nakai) as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council, and amending Commission Implementing Regulation (EU) 2017/2470⁴ is to be incorporated into the EEA Agreement.
- (5) This Decision concerns legislation regarding foodstuffs. Legislation regarding 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 introduction to Chapter XII of Annex II to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.

¹ OJ L 78, 21.3.2018, p. 2.

² OJ L 78, 21.3.2018, p. 7.

³ OJ L 78, 21.3.2018, p. 11.

⁴ OJ L 79, 22.3.2018, p. 11.

(6) Annex II to the EEA Agreement should therefore be amended accordingly,
HAS ADOPTED THIS DECISION:

Article 1

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

1. The following is added in point 124b (Commission Implementing Regulation (EU) 2017/2470):
' , as amended by:
 - **32018 R 0460**: Commission Implementing Regulation (EU) 2018/460 of 20 March 2018 (OJ L 78, 21.3.2018, p. 2),
 - **32018 R 0461**: Commission Implementing Regulation (EU) 2018/461 of 20 March 2018 (OJ L 78, 21.3.2018, p. 7),
 - **32018 R 0462**: Commission Implementing Regulation (EU) 2018/462 of 20 March 2018 (OJ L 78, 21.3.2018, p. 11),
 - **32018 R 0469**: Commission Implementing Regulation (EU) 2018/469 of 21 March 2018 (OJ L 79, 21.3.2018, p. 11).'
2. The following points are inserted after point 130 (Commission Regulation (EU) 2018/213):
'131. **32018 R 0460**: Commission Implementing Regulation (EU) 2018/460 of 20 March 2018 authorising the placing on the market of *Ecklonia cava* phlorotannins as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council and amending Commission Implementing Regulation (EU) 2017/2470 (OJ L 78, 21.3.2018, p. 2).
132. **32018 R 0461**: Commission Implementing Regulation (EU) 2018/461 of 20 March 2018 authorising an extension of use of taxifolin-rich extract as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council, and amending Commission Implementing Regulation (EU) 2017/2470 (OJ L 78, 21.3.2018, p. 7).
133. **32018 R 0462**: Commission Implementing Regulation (EU) 2018/462 of 20 March 2018 authorising an extension of use of L-ergothioneine as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council, and amending Commission Implementing Regulation (EU) 2017/2470 (OJ L 78, 21.3.2018, p. 11).
134. **32018 R 0469**: Commission Implementing Regulation (EU) 2018/469 of 21 March 2018 authorising the placing on the market of an extract of three herbal roots (*Cynanchum wilfordii* Hemsley, *Phlomis umbrosa* Turcz. and *Angelica gigas* Nakai) as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council, and amending Commission Implementing Regulation (EU) 2017/2470 (OJ L 79, 21.3.2018, p. 11).'

Article 2

The texts of Implementing Regulations (EU) 2018/460, (EU) 2018/461, (EU) 2018/462 and (EU) 2018/469 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 7 July 2018, 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 138/2018 of 6 July 2018, 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, 6 July 2018.

*For the EEA Joint Committee
The President*

Oda Helen Sletnes

*The Secretaries
to the EEA Joint Committee*

Dag Wernø Holter Vaclav Navratil

* No constitutional requirements indicated.