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396 L 0084

DECISION OF THE EEA JOINT COMMITTEE
No 53/2000

of 28 June 2000

**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, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 26/2000 of 31 March 2000¹.
- (2) Directive 96/84/EC of the European Parliament and of the Council of 19 December 1996 amending Directive 89/398/EEC on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses² is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

¹ OJ L 141, 15.6.2000, p. 46.

² OJ L 48, 19.2.1997, p. 20.

Article 1

The following shall be inserted in point 51 (Council Directive 89/398/EEC) in Chapter XII of Annex II to the Agreement:

‘, as amended by:

- **396 L 0084:** Directive 96/84/EC of the European Parliament and of the Council of 19 December 1996 (OJ L 48, 19.2.1997, p. 20).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

In Article 4, the following subparagraph shall be added after the last paragraph in paragraph 1a:

'with regard to such temporary market authorisation, a Contracting Party may, where it has justifiable reasons to consider that a product constitutes a risk to human health, restrict or prohibit the use and/or sale of that product on its territory. It shall immediately inform the other Contracting Parties through the EEA Joint Committee of such action and give reasons for its decision. If a Contracting Party so requires, consultations on the appropriateness of the measure shall take place in the EEA Joint Committee. Part VII of the Agreement shall apply.'

Article 2

The texts of Directive 96/84/EC of the European Parliament and of the Council in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Communities*, shall be authentic.

Article 3

This Decision shall enter into force on 29 June 2000, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee*.

* No constitutional requirements indicated.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 28 June 2000.

*For the EEA Joint Committee
The President*

F. Barbaso

*The Secretaries
to the EEA Joint Committee*

G. Vik

E. Gerner