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**DECISION OF THE EEA JOINT COMMITTEE**  
**No 5/2003**

**of 31 January 2003**

**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 amended 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 161/2002 of 6 December 2002<sup>1</sup>.
- (2) Commission Directive 2002/66/EC of 16 July 2002 amending the Annexes to Council Directives 76/895/EEC, 86/362/EEC, 86/363/EEC and 90/642/EEC as regards the fixing of maximum levels for pesticide residues in and on fruit and vegetables, cereals, foodstuffs of animal origin and certain products of plant origin, including fruit and vegetables respectively<sup>2</sup> is to be incorporated into the Agreement.
- (3) Commission Directive 2002/72/EC of 6 August 2002 relating to plastic materials and articles intended to come into contact with foodstuffs<sup>3</sup> is to be incorporated into the Agreement.
- (4) Commission Directive 2002/71/EC of 19 August 2002 amending the Annexes to Council Directives 76/895/EEC, 86/362/EEC, 86/363/EEC and 90/642/EEC as regards the fixing of maximum levels for pesticide residues (formothion, dimethoate and oxydemeton-methyl) in and on cereals, foodstuffs of animal origin and certain products of plant origin, including fruit and vegetables<sup>4</sup> is to be incorporated into the Agreement.
- (5) Directive 2002/72/EC repeals Commission Directive 90/128/EEC<sup>5</sup>, which is incorporated into the Agreement and which is consequently to be deleted from the Agreement,

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<sup>1</sup> OJ L 38, 13.2.2003, p. 16.

<sup>2</sup> OJ L 192, 20.7.2002, p. 47.

<sup>3</sup> OJ L 220, 15.8.2002, p. 18.

<sup>4</sup> OJ L 225, 22.8.2002, p. 21.

<sup>5</sup> OJ L 75, 21.3.1990, p. 19.

HAS DECIDED AS FOLLOWS:

*Article 1*

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

1. The following indents shall be added in points 13 (Council Directive 76/895/EEC), 38 (Council Directive 86/362/EEC), 39 (Council Directive 86/363/EEC) and 54 (Council Directive 90/642/EEC):
  - ‘ - **32002 L 0066**: Commission Directive 2002/66/EC of 16 July 2002 (OJ L 192, 20.7.2002, p. 47),
  - **32002 L 0071**: Commission Directive 2002/71/EC of 19 August 2002 (OJ L 225, 22.8.2002, p. 21).’
2. The following point shall be inserted after point 54zza (Commission Directive 2002/67/EC):
  - ‘54zzb. **32002 L 0072**: Commission Directive 2002/72/EC of 6 August 2002 relating to plastic materials and articles intended to come into contact with foodstuffs (OJ L 220, 15.8.2002, p. 18).’
3. The text of point 52 (Commission Directive 90/128/EEC) shall be deleted.

*Article 2*

The texts of Directives 2002/66/EC, 2002/71/EC and 2002/72/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 1 February 2003, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee\*.

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\* 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 Union*.

Done at Brussels, 31 January 2003.

*For the EEA Joint Committee  
The President*

*P. Westerlund*

*The Secretaries  
to the EEA Joint Committee*

*P.K. Mannes*

*M. Brinkmann*