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**DECISION OF THE EEA JOINT COMMITTEE**  
**No 98/2008**

**of 26 September 2008**

**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 62/2008 of 6 June 2008<sup>1</sup>.
- (2) Regulation (EC) No 109/2008 of the European Parliament and of the Council of 15 January 2008 amending Regulation (EC) No 1924/2006 on nutrition and health claims made on foods<sup>2</sup>, is to be incorporated into the Agreement.
- (3) Commission Directive 2008/17/EC of 19 February 2008 amending certain Annexes to Council Directives 86/362/EEC, 86/363/EEC and 90/642/EEC as regards maximum residue levels for acephate, acetamiprid, acibenzolar-S-methyl, aldrin, benalaxyl, benomyl, carbendazim, chlormequat, chlorothalonil, chlorpyrifos, clofentezine, cyfluthrin, cypermethrin, cyromazine, dieldrin, dimethoate, dithiocarbamates, esfenvalerate, famoxadone, fenhexamid, fenitrothion, fenvalerate, glyphosate, indoxacarb, lambda-cyhalothrin, mepanipyrim, metalaxyl-M, methidathion, methoxyfenozide, pymetrozine, pyraclostrobin pyrimethanil, spiroxamine, thiacloprid, thiophanate-methyl and trifloxystrobin<sup>3</sup>, is to be incorporated into the Agreement.
- (4) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

*Article 1*

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

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<sup>1</sup> OJ L 257, 25.9.2008, p. 23.

<sup>2</sup> OJ L 39, 13.2.2008, p. 14.

<sup>3</sup> OJ L 50, 23.2.2008, p. 17.

1. The following indent shall be added in points 38 (Council Directive 86/362/EEC), 39 (Council Directive 86/363/EEC) and 54 (Council Directive 90/642/EEC):

‘- **32008 L 0017**: Commission Directive 2008/17/EC of 19 February 2008 (OJ L 50, 23.2.2008, p. 17).’

2. The following shall be added in point 54zzzt (Regulation (EC) No 1924/2006 of the European Parliament and of the Council):

‘, as amended by:

- **32008 R 0109**: Regulation (EC) No 109/2008 of the European Parliament and of the Council of 15 January 2008 (OJ L 39, 13.2.2008, p. 14).’

#### *Article 2*

The texts of Regulation (EC) No 109/2008 and Directive 2008/17/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 27 September 2008, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee\*.

#### *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, 26 September 2008.

*For the EEA Joint Committee  
The President*

*H. S. H. Prinz Nikolaus von Liechtenstein*

*The Secretaries  
to the EEA Joint Committee*

*Bergdis Ellertsdóttir Matthias Brinkmann*

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\* No constitutional requirements indicated.