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DECISION OF THE EEA JOINT COMMITTEE
No 5/2009

of 5 February 2009

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 98/2008 of 26 September 2008¹.
- (2) Commission Directive 2008/39/EC of 6 March 2008 amending Directive 2002/72/EC relating to plastic materials and articles intended to come into contact with food² is to be incorporated into the Agreement.
- (3) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

The following indent shall be added in point 54zzb (Commission Directive 2002/72/EC) of Chapter XII of Annex II to the Agreement:

- ‘- **32008 L 0039**: Commission Directive 2008/39/EC of 6 March 2008 (OJ L 63, 7.3.2008, p. 6).’

Article 2

The texts of Directive 2008/39/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.

¹ OJ L 309, 20.11.2008, p. 19.

² OJ L 63, 7.3.2008, p. 6.

Article 3

This Decision shall enter into force on 6 February 2009, 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, 5 February 2009.

*For the EEA Joint Committee
The President*

Alan Seatter

*The Secretaries
to the EEA Joint Committee*

Bergdis Ellertsdóttir Matthias Brinkmann

* No constitutional requirements indicated.