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**DECISION OF THE EEA JOINT COMMITTEE**  
**No 139/2009**

**of 4 December 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 31/2006 of 10 March 2006<sup>1</sup>.
- (2) Commission Decision 2009/108/EC of 3 February 2009 amending Decision 2002/364/EC on common technical specifications for *in vitro*-diagnostic medical devices<sup>2</sup> is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following shall be added in point 3 (Commission Decision 2002/364/EC) of Chapter XXX of Annex II to the Agreement:

‘, as amended by:

- **32009 D 0108:** Commission Decision 2009/108/EC of 3 February 2009 (OJ L 39, 10.2.2009, p. 34).’

*Article 2*

The texts of Decision 2009/108/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.

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<sup>1</sup> OJ L 147, 1.6.2006, p. 48.

<sup>2</sup> OJ L 39, 10.2.2009, p. 34.

*Article 3*

This Decision shall enter into force on 5 December 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, 4 December 2009.

*For the EEA Joint Committee  
The President*

*O. H. Sletnes*

*The Secretaries  
to the EEA Joint Committee*

*B. Ellertsdóttir      L-O. Hollner*

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\* No constitutional requirements indicated.