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DECISION OF THE EEA JOINT COMMITTEE
No 4/2010

of 29 January 2010

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 127/2009 of 4 December 2009¹.
- (2) Directive 2009/54/EC of the European Parliament and of the Council of 18 June 2009 on the exploitation and marketing of natural mineral waters (Recast)² is to be incorporated into the Agreement.
- (3) Commission Decision 2009/163/EC of 26 February 2009 amending Decision 1999/217/EC as regards the register of flavouring substances used in or on foodstuffs³ is to be incorporated into the Agreement.
- (4) Directive 2009/54/EC repeals Council Directive 80/777/EEC⁴ which is incorporated into the Agreement and is therefore to be repealed under the Agreement.
- (5) 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:

1. The text of point 26 (Council Directive 80/777/EEC) shall be deleted.

¹ OJ L 62, 11.3.2010, p. 14.

² OJ L 164, 26.6.2009, p. 45.

³ OJ L 55, 27.2.2009, p. 41.

⁴ OJ L 229, 30.8.1980, p. 1.

2. The following indent shall be added in point 54v (Commission Decision 1999/217/EC):

‘- **32009 D 0163**: Commission Decision 2009/163/EC of 26 February 2009 (OJ L 55, 27.2.2009, p. 41).’

3. The following point shall be inserted after point 54zzzzc (Commission Regulation (EC) No 124/2009):

‘54zzzzd. **32009 L 0054**: Directive 2009/54/EC of the European Parliament and of the Council of 18 June 2009 on the exploitation and marketing of natural mineral waters (Recast) (OJ L 164, 26.6.2009, p. 45).’

Article 2

The texts of Directive 2009/54/EC and Decision 2009/163/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 30 January 2010, 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, 29 January 2010.

*For the EEA Joint Committee
The President*

A Seatter

*The Secretaries
to the EEA Joint Committee*

B. Ellertsdóttir L-O. Hollner

* No constitutional requirements indicated.