

**DECISION OF THE EEA JOINT COMMITTEE
No 128/2010**

of 10 December 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 67/2010 of 11 June 2010¹.
- (2) Directive 2009/107/EC of the European Parliament and of the Council of 16 September 2009 amending Directive 98/8/EC concerning the placing of biocidal products on the market as regards the extension of certain time periods² is to be incorporated into the Agreement.
- (3) Commission Directive 2010/7/EU of 9 February 2010 amending Directive 98/8/EC of the European Parliament and of the Council to include magnesium phosphide releasing phosphine as an active substance in Annex I thereto³ is to be incorporated into the Agreement.
- (4) Commission Decision 2010/71/EU of 8 February 2010 concerning the non-inclusion of diazinon in Annex I, IA or IB to Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market⁴ is to be incorporated into the Agreement.
- (5) Commission Decision 2010/72/EU of 8 February 2010 concerning the non-inclusion of certain substances in Annex I, IA or IB to Directive 98/8/EC of the European

¹ OJ L 244, 16.9.2010, p. 19.

² OJ L 262, 6.10.2009, p. 40.

³ OJ L 37, 10.2.2010, p. 33.

⁴ OJ L 36, 9.2.2010, p. 34.

Parliament and of the Council concerning the placing of biocidal products on the market⁵ is to be incorporated into the Agreement.

- (6) Commission Decision 2010/84/EU of 9 February 2010 setting a new deadline for the submission of dossiers for certain substances to be examined under the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council⁶ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

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

1. The following indents shall be added in point 12n (Directive 98/8/EC of the European Parliament and of the Council):
 - ‘- **32009 L 0107**: Directive 2009/107/EC of the European Parliament and of the Council of 16 September 2009 (OJ L 262, 6.10.2009, p. 40),
 - **32010 L 0007**: Commission Directive 2010/7/EU of 9 February 2010 (OJ L 37, 10.2.2010, p. 33).’
2. The following points shall be inserted after point 12zt (Commission Decision 2009/603/EC):
 - ‘12zu.**32010 D 0071**: Commission Decision 2010/71/EU of 8 February 2010 concerning the non-inclusion of diazinon in Annex I, IA or IB to Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market (OJ L 36, 9.2.2010, p. 34).
 - 12zv.**32010 D 0072**: Commission Decision 2010/72/EU of 8 February 2010 concerning the non-inclusion of certain substances in Annex I, IA or IB to Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market (OJ L 36, 9.2.2010, p. 36).
 - 12zw.**32010 D 0084**: Commission Decision 2010/84/EU of 9 February 2010 setting a new deadline for the submission of dossiers for certain substances to be examined under the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council (OJ L 38, 11.2.2010, p. 15).’

Article 2

The texts of Directives 2009/107/EC and 2010/7/EU, and Decisions 2010/71/EU, 2010/72/EU and 2010/84/EU in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

⁵ OJ L 36, 9.2.2010, p. 36.

⁶ OJ L 38, 11.2.2010, p. 15.

Article 3

This Decision shall enter into force on 11 December 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, 10 December 2010.

*For the EEA Joint Committee
The President*

Stefán Haukur Jóhannesson

*The Secretaries
to the EEA Joint Committee*

Bergdis Ellertsdóttir Gianluca Grippa

* No constitutional requirements indicated.