

DECISION OF THE EEA JOINT COMMITTEE
No 114/2011

of 21 October 2011

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 95/2011 of 30 September 2011¹.
- (2) Commission Regulation (EC) No 353/2008 of 18 April 2008 establishing implementing rules for applications for authorisation of health claims as provided for in Article 15 of Regulation (EC) No 1924/2006 of the European Parliament and of the Council² is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 983/2009 of 21 October 2009 on the authorisation and refusal of authorisation of certain health claims made on food and referring to the reduction of disease risk and to children’s development and health³ is to be incorporated into the Agreement.
- (4) Commission Regulation (EC) No 984/2009 of 21 October 2009 refusing to authorise certain health claims made on food, other than those referring to the reduction of disease risk and to children’s development and health⁴ is to be incorporated into the Agreement.
- (5) Commission Regulation (EC) No 1024/2009 of 29 October 2009 on the authorisation and refusal of authorisation of certain health claims made on food and referring to the reduction of disease risk and to children’s development and health⁵ is to be incorporated into the Agreement.
- (6) Commission Regulation (EC) No 1025/2009 of 29 October 2009 refusing to authorise certain health claims made on food, other than those referring to the reduction of

¹ OJ L ...
² OJ L 109, 19.4.2008, p. 11.
³ OJ L 277, 22.10.2009, p. 3.
⁴ OJ L 277, 22.10.2009, p. 13.
⁵ OJ L 283, 30.10.2009, p. 22.

disease risk and to children's development and health⁶ is to be incorporated into the Agreement.

- (7) Commission Regulation (EC) No 1167/2009 of 30 November 2009 refusing to authorise certain health claims made on foods and referring to the reduction of disease risk and to children's development and health⁷ is to be incorporated into the Agreement.
- (8) Commission Regulation (EC) No 1168/2009 of 30 November 2009 refusing to authorise a health claim made on foods, other than those referring to the reduction of disease risk and to children's development and health⁸ is to be incorporated into the Agreement.
- (9) Commission Regulation (EC) No 1170/2009 of 30 November 2009 amending Directive 2002/46/EC of the European Parliament and of Council and Regulation (EC) No 1925/2006 of the European Parliament and of the Council as regards the lists of vitamin and minerals and their forms that can be added to foods, including food supplements⁹ is to be incorporated into the Agreement.
- (10) This Decision is not to apply to Liechtenstein,

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following indent shall be added in point 54zzi (Directive 2002/46/EC of the European Parliament and of the Council):
 - ‘- **32009 R 1170**: Commission Regulation (EC) No 1170/2009 of 30 November 2009 (OJ L 314, 1.12.2009, p. 36).’
2. The following shall be added in point 54zzzu (Regulation (EC) No 1925/2006 of the European Parliament and of the Council):
 - ‘, as amended by:
 - **32009 R 1170**: Commission Regulation (EC) No 1170/2009 of 30 November 2009 (OJ L 314, 1.12.2009, p. 36).’
3. The following points shall be inserted after point 54zzzzz (Commission Regulation (EU) No 958/2010):
 - ‘54zzzzza. **32008 R 0353**: Commission Regulation (EC) No 353/2008 of 18 April 2008 establishing implementing rules for applications for authorisation of

⁶ OJ L 283, 30.10.2009, p. 30.

⁷ OJ L 314, 1.12.2009, p. 29.

⁸ OJ L 314, 1.12.2009, p. 32.

⁹ OJ L 314, 1.12.2009, p. 36.

health claims as provided for in Article 15 of Regulation (EC) No 1924/2006 of the European Parliament and of the Council (OJ L 109, 19.4.2008, p. 11).

54zzzzzb. **32009 R 0983**: Commission Regulation (EC) No 983/2009 of 21 October 2009 on the authorisation and refusal of authorisation of certain health claims made on food and referring to the reduction of disease risk and to children's development and health (OJ L 277, 22.10.2009, p. 3).

54zzzzzc. **32009 R 0984**: Commission Regulation (EC) No 984/2009 of 21 October 2009 refusing to authorise certain health claims made on food, other than those referring to the reduction of disease risk and to children's development and health (OJ L 277, 22.10.2009, p. 13).

54zzzzzd. **32009 R 1024**: Commission Regulation (EC) No 1024/2009 of 29 October 2009 on the authorisation and refusal of authorisation of certain health claims made on food and referring to the reduction of disease risk and to children's development and health (OJ L 283, 30.10.2009, p. 22).

54zzzzze. **32009 R 1025**: Commission Regulation (EC) No 1025/2009 of 29 October 2009 refusing to authorise certain health claims made on food, other than those referring to the reduction of disease risk and to children's development and health (OJ L 283, 30.10.2009, p. 30).

54zzzzzf. **32009 R 1167**: Commission Regulation (EC) No 1167/2009 of 30 November 2009 refusing to authorise certain health claims made on foods and referring to the reduction of disease risk and to children's development and health (OJ L 314, 1.12.2009, p. 29).

54zzzzzg. **32009 R 1168**: Commission Regulation (EC) No 1168/2009 of 30 November 2009 refusing to authorise a health claim made on foods, other than those referring to the reduction of disease risk and to children's development and health (OJ L 314, 1.12.2009, p. 32).'

Article 2

The texts of Regulations (EC) Nos 353/2008, 983/2009, 984/2009, 1024/2009, 1025/2009, 1167/2009, 1168/2009 and 1170/2009 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 1 November 2011, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee*.

* No constitutional requirements indicated.

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, 21 October 2011.

*For the EEA Joint Committee
The President
Kurt Jäger*

*The Secretaries
to the EEA Joint Committee
Bergdís Ellertsdóttir Gianluca Grippa*