

DECISION OF THE EEA JOINT COMMITTEE
No 12/2012

of 10 February 2012

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 130/2011 of 2 December 2011¹.
- (2) Commission Regulation (EC) No 440/2008 of 30 May 2008 laying down test methods pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)², as corrected by OJ L 143, 3.6.2008, p. 55, is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 761/2009 of 23 July 2009 amending, for the purpose of its adaptation to technical progress, Regulation (EC) No 440/2008 laying down test methods pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)³ is to be incorporated into the Agreement.
- (4) Commission Decision 2009/851/EC of 25 November 2009 establishing a questionnaire for Member States reports on the implementation of Directive 2006/66/EC of the European Parliament and of the Council on batteries and accumulators and waste batteries and accumulators⁴ is to be incorporated into the Agreement,

¹ OJ L 76, 15.3.2012, p. 14.

² OJ L 142, 31.5.2008, p. 1.

³ OJ L 220, 24.8.2009, p. 1.

⁴ OJ L 312, 27.11.2009, p. 56.

HAS ADOPTED THIS DECISION:

Article 1

The following shall be inserted after point 12zz (Commission Decision 2010/296/EU) of Chapter XV of Annex II to the Agreement:

‘12zza. **32008 R 0440**: Commission Regulation (EC) No 440/2008 of 30 May 2008 laying down test methods pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ L 142, 31.5.2008, p. 1), as corrected by OJ L 143, 3.6.2008, p. 55, as amended by:

- **32009 R 0761**: Commission Regulation (EC) No 761/2009 of 23 July 2009 (OJ L 220, 24.8.2009, p. 1).

12zzb. **32009 D 0851**: Commission Decision 2009/851/EC of 25 November 2009 establishing a questionnaire for Member States reports on the implementation of Directive 2006/66/EC of the European Parliament and of the Council on batteries and accumulators and waste batteries and accumulators (OJ L 312, 27.11.2009, p. 56).’

Article 2

The texts of Regulations (EC) Nos 440/2008 and 761/2009 and Decision 2009/851/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 11 February 2012, 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*.

* No constitutional requirements indicated.

Done at Brussels, 10 February 2012.

*For the EEA Joint Committee
The Acting President
Gianluca Grippa*

*The Secretaries
to the EEA Joint Committee
Bergdís Ellertsdóttir Peter Meyer
(Acting Secretary)*