

DECISION OF THE EEA JOINT COMMITTEE

No 49/2013

of 5 April 2013

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 ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Regulation (EC) No 1223/2009 repeals, with effect from 11 July 2013, Council Directive 76/768/EEC ⁽²⁾ which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement with effect from 11 July 2013.
- (3) Commission Directive 95/17/EC ⁽³⁾, which is incorporated into the EEA Agreement, will, by the repeal of Directive 76/768/EEC, become obsolete and is consequently to be repealed under the EEA Agreement with effect from 11 July 2013.
- (4) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

- (1) the following indent is added in point 1 (Council Directive 76/768/EEC):
 - **32009 R 1223**: Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 (OJ L 342, 22.12.2009, p. 59).;

- (2) the following point is inserted after point 1 (Council Directive 76/768/EEC):

'1a. **32009 R 1223**: Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products (OJ L 342, 22.12.2009, p. 59).';

- (3) the text of points 1 (Council Directive 76/768/EEC) and 9 (Commission Directive 95/17/EC) shall be deleted with effect from 11 July 2013.

Article 2

The text of Regulation (EC) No 1223/2009 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 6 April 2013, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

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, 5 April 2013.

For the EEA Joint Committee

The President

Gianluca GRIPPA

⁽¹⁾ OJ L 342, 22.12.2009, p. 59.

⁽²⁾ OJ L 262, 27.9.1976, p. 169.

⁽³⁾ OJ L 140, 23.6.1995, p. 26.

(*) No constitutional requirements indicated.