

## DECISION OF THE EEA JOINT COMMITTEE

No 139/2013

of 15 July 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) Commission Directive 2012/38/EU of 23 November 2012 amending Directive 98/8/EC of the European Parliament and of the Council to include *cis*-Tricos-9-ene as an active substance in Annex I thereto <sup>(1)</sup> is to be incorporated into the EEA Agreement.
- (2) Commission Directive 2012/40/EU of 26 November 2012 correcting Annex I to Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market <sup>(2)</sup> is to be incorporated into the EEA Agreement.
- (3) Commission Directive 2012/41/EU of 26 November 2012 amending Directive 98/8/EC of the European Parliament and of the Council to extend the inclusion in Annex I thereto of the active substance nonanoic acid to product type 2 <sup>(3)</sup> is to be incorporated into the EEA Agreement.
- (4) Commission Directive 2012/42/EU of 26 November 2012 amending Directive 98/8/EC of the European Parliament and of the Council to include hydrogen cyanide as an active substance in Annex I thereto <sup>(4)</sup> is to be incorporated into the EEA Agreement.
- (5) Commission Directive 2012/43/EU of 26 November 2012 amending certain headings of Annex I to Directive 98/8/EC of the European Parliament and of the Council <sup>(5)</sup> is to be incorporated into the EEA Agreement.
- (6) Commission Directive 2013/3/EU of 14 February 2013 amending Directive 98/8/EC of the European Parliament and of the Council to extend the inclusion in Annex I thereto of the active substance thiamethoxam to product-type 18 <sup>(6)</sup> is to be incorporated into the EEA Agreement.
- (7) Commission Directive 2013/4/EU of 14 February 2013 amending Directive 98/8/EC of the European Parliament and of the Council to include Didecyldimethylammonium Chloride as an active substance in Annex I thereto <sup>(7)</sup> is to be incorporated into the EEA Agreement.
- (8) Commission Directive 2013/5/EU of 14 February 2013 amending Directive 98/8/EC of the European Parliament and of the Council to include pyriproxyfen as an active substance in Annex I thereto <sup>(8)</sup> is to be incorporated into the EEA Agreement.
- (9) Commission Directive 2013/6/EU of 20 February 2013 amending Directive 98/8/EC of the European Parliament and of the Council to include diflubenazuron as an active substance in Annex I thereto <sup>(9)</sup> is to be incorporated into the EEA Agreement.
- (10) Commission Decision 2012/728/EU of 23 November 2012 concerning the non-inclusion of bifenthrin for product type 18 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 <sup>(10)</sup> is to be incorporated into the EEA Agreement.
- (11) Commission Decision 2013/85/EU of 14 February 2013 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 <sup>(11)</sup> is to be incorporated into the EEA Agreement.
- (12) Annex II to the EEA Agreement should therefore be amended accordingly,

<sup>(1)</sup> OJ L 326, 24.11.2012, p. 13.

<sup>(2)</sup> OJ L 327, 27.11.2012, p. 26.

<sup>(3)</sup> OJ L 327, 27.11.2012, p. 28.

<sup>(4)</sup> OJ L 327, 27.11.2012, p. 31.

<sup>(5)</sup> OJ L 327, 27.11.2012, p. 34.

<sup>(6)</sup> OJ L 44, 15.2.2013, p. 6.

<sup>(7)</sup> OJ L 44, 15.2.2013, p. 10.

<sup>(8)</sup> OJ L 44, 15.2.2013, p. 14.

<sup>(9)</sup> OJ L 48, 21.2.2013, p. 10.

<sup>(10)</sup> OJ L 327, 27.11.2012, p. 55.

<sup>(11)</sup> OJ L 45, 16.2.2013, p. 30.

HAS ADOPTED THIS DECISION:

*Article 1*

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

(1) the following indents are added in point 12n (Directive 98/8/EC of the European Parliament and of the Council):

- **32012 L 0038**: Commission Directive 2012/38/EU of 23 November 2012 (OJ L 326, 24.11.2012, p. 13),
- **32012 L 0040**: Commission Directive 2012/40/EU of 26 November 2012 (OJ L 327, 27.11.2012, p. 26),
- **32012 L 0041**: Commission Directive 2012/41/EU of 26 November 2012 (OJ L 327, 27.11.2012, p. 28),
- **32012 L 0042**: Commission Directive 2012/42/EU of 26 November 2012 (OJ L 327, 27.11.2012, p. 31),
- **32012 L 0043**: Commission Directive 2012/43/EU of 26 November 2012 (OJ L 327, 27.11.2012, p. 34),
- **32013 L 0003**: Commission Directive 2013/3/EU of 14 February 2013 (OJ L 44, 15.2.2013, p. 6),
- **32013 L 0004**: Commission Directive 2013/4/EU of 14 February 2013 (OJ L 44, 15.2.2013, p. 10),
- **32013 L 0005**: Commission Directive 2013/5/EU of 14 February 2013 (OJ L 44, 15.2.2013, p. 14),
- **32013 L 0006**: Commission Directive 2013/6/EU of 20 February 2013 (OJ L 48, 21.2.2013, p. 10).';

(2) the following points are inserted after point 12zzl (Commission Decision 2012/483/EU):

- '12zzm. **32012 D 0728**: Commission Decision 2012/728/EU of 23 November 2012 concerning

the non-inclusion of bifenthrin for product type 18 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 327, 27.11.2012, p. 55).

- 12zzn. **32013 D 0085**: Commission Decision 2013/85/EU of 14 February 2013 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 45, 16.2.2013, p. 30).'

*Article 2*

The texts of Directives 2012/38/EU, 2012/40/EU, 2012/41/EU, 2012/42/EU, 2012/43/EU, 2013/3/EU, 2013/4/EU, 2013/5/EU and 2013/6/EU and Decisions 2012/728/EU and 2013/85/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.

*Article 3*

This Decision shall enter into force on 16 July 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, 15 July 2013.

*For the EEA Joint Committee*

*The President*

Thórir IBSEN

(\*) No constitutional requirements indicated.