

**DECISION OF THE EEA JOINT COMMITTEE****No 230/2016****of 2 December 2016****amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement [2018/1168]**

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 Implementing Regulation (EU) 2016/854 of 30 May 2016 authorising certain health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health and amending Regulation (EU) No 432/2012 <sup>(1)</sup> is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2016/862 of 31 May 2016 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 <sup>(2)</sup> is to be incorporated into the EEA Agreement.
- (3) This Decision concerns legislation regarding foodstuffs. Legislation regarding foodstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the introduction to Chapter XII of Annex II to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (4) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

*Article 1*

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

- (1) the following indent is added in point 54zzzzzp (Commission Regulation (EU) No 432/2012):  
'— **32016 R 0854:** Commission Implementing Regulation (EU) 2016/854 of 30 May 2016 (OJ L 142, 31.5.2016, p. 5).';
- (2) The following points are inserted after point 111 (Commission Regulation (EU) 2016/372):  
'112. **32016 R 0854:** Commission Implementing Regulation (EU) 2016/854 of 30 May 2016 authorising certain health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health and amending Regulation (EU) No 432/2012 (OJ L 142, 31.5.2016, p. 5).  
113. **32016 R 0862:** Commission Implementing Regulation (EU) 2016/862 of 31 May 2016 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 144, 1.6.2016, p. 24).'

*Article 2*The texts of Implementing Regulations (EU) 2016/854 and (EU) 2016/862 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 3 December 2016, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (\*).

<sup>(1)</sup> OJ L 142, 31.5.2016, p. 5.<sup>(2)</sup> OJ L 144, 1.6.2016, p. 24.

(\*) 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, 2 December 2016.

*For the EEA Joint Committee*  
*The President*  
Bergdís ELLERTSDÓTTIR

---