

**DECISION OF THE EEA JOINT COMMITTEE No 105/2020**  
**of 14 July 2020**  
**amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement**  
**[2023/1365]**

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 (EU) 2019/515 of the European Parliament and of the Council of 19 March 2019 on the mutual recognition of goods lawfully marketed in another Member State and repealing Regulation (EC) No 764/2008 <sup>(1)</sup> is to be incorporated into the EEA Agreement.
- (2) Regulation (EU) 2019/515 repeals Regulation (EC) No 764/2008 of the European Parliament and of the Council <sup>(2)</sup>, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (3) Annex II to the EEA Agreement should therefore be amended accordingly.

HAS ADOPTED THIS DECISION:

*Article 1*

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

1. The following is inserted after point 3t (Commission Decision (EU) 2015/547):

‘3u. **32019 R 0515**: Regulation (EU) 2019/515 of the European Parliament and of the Council of 19 March 2019 on the mutual recognition of goods lawfully marketed in another Member State and repealing Regulation (EC) No 764/2008 (OJ L 91, 29.3.2019, p. 1.).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

- (a) As regards the EFTA States, this Regulation shall only apply to products covered by Article 8(3) of the EEA Agreement.
  - (b) The Regulation shall not apply to Liechtenstein in relation to products covered by Annex I, Chapters XII and XXVII of Annex II and Protocol 47 to the EEA Agreement, 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.
  - (c) The words “Article 34 TFEU” shall read “Article 11 of the EEA Agreement”.
  - (d) The words “Article 36 TFEU” shall read “Article 13 of the EEA Agreement”.
  - (e) In Article 8, the words “the Commission” shall be replaced by the words “the EFTA Surveillance Authority” when the administrative decision in question has been taken by an authority located in an EFTA State.’
2. The text of point 3f (Regulation (EC) No 764/2008 of the European Parliament and of the Council) shall be deleted.

*Article 2*

The text of Regulation (EU) 2019/515 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

<sup>(1)</sup> OJ L 91, 29.3.2019, p. 1.

<sup>(2)</sup> OJ L 218, 13.8.2008, p. 21.

*Article 3*

This Decision shall enter into force on 15 July 2020, 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, 14 July 2020.

*For the EEA Joint Committee*  
*The President*  
Sabine MONAUNI

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\* Constitutional requirements indicated.