

**DECISION OF THE EEA JOINT COMMITTEE**  
**No 31/2021**

**of 5 February 2021**

**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 Implementing Regulation (EU) 2020/421 of 18 March 2020 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances abamectin, *Bacillus subtilis* (Cohn 1872) strain QST 713, *Bacillus thuringiensis* subsp. Aizawai strains ABTS-1857 and GC-91, *Bacillus thuringiensis* subsp. Israeliensis (serotype H-14) strain AM65-52, *Bacillus thuringiensis* subsp. Kurstaki strains ABTS 351, PB 54, SA 11, SA12 and EG 2348, *Beauveria bassiana* strains ATCC 74040 and GHA, clodinafop, clopyralid, *Cydia pomonella* Granulovirus (CpGV), cyprodinil, dichlorprop-P, fenpyroximate, fosetyl, *Lecanicillium muscarium* (formerly ‘*Verticillium lecanii*’) strain Ve6, mepanipyrim, *Metarhizium anisopliae* (var. *anisopliae*) strain BIPESCO 5/F52, metconazole, metrafenone, *Phlebiopsis gigantea* strains FOC PG 410.3, VRA 1835 and VRA 1984, pirimicarb, *Pseudomonas chlororaphis* strain MA342, pyrimethanil, *Pythium oligandrum* M1, rimsulfuron, spinosad, *Streptomyces* K61 (formerly ‘*S. griseoviridis*’), *Trichoderma asperellum* (formerly ‘*T. harzianum*’) strains ICC012, T25 and TV1, *Trichoderma atroviride* (formerly ‘*T. harzianum*’) strains IMI 206040 and T11, *Trichoderma gamsii* (formerly ‘*T. viride*’) strain ICC080, *Trichoderma harzianum* strains T-22 and ITEM 908, triclopyr, trinexapac, triticonazole and ziram<sup>1</sup> is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2020/616 of 5 May 2020 renewing the approval of the active substance foramsulfuron in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011<sup>2</sup> is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2020/617 of 5 May 2020 renewing the approval of the active substance metalaxyl-M, and restricting the use of seeds treated with plant protection products containing it, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission

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<sup>1</sup> OJ L 84, 20.3.2020, p. 7.

<sup>2</sup> OJ L 143, 6.5.2020, p. 1.

Implementing Regulation (EU) No 540/2011<sup>3</sup> is to be incorporated into the EEA Agreement.

- (4) Commission Implementing Regulation (EU) 2020/640 of 12 May 2020 concerning the non-approval of propolis extract as a basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market<sup>4</sup> is to be incorporated into the EEA Agreement.
- (5) Commission Implementing Regulation (EU) 2020/642 of 12 May 2020 approving the basic substance L-cysteine in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011<sup>5</sup> is to be incorporated into the EEA Agreement.
- (6) Commission Implementing Regulation (EU) 2020/643 of 12 May 2020 concerning the non-approval of *Saponaria officinalis* L. roots as a basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market<sup>6</sup> is to be incorporated into the EEA Agreement.
- (7) Commission Implementing Regulation (EU) 2020/646 of 13 May 2020 approving the active substance Lavandulyl senecioate as a low-risk substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending Commission Implementing Regulation (EU) No 540/2011<sup>7</sup> is to be incorporated into the EEA Agreement.
- (8) Commission Implementing Regulation (EU) 2020/653 of 14 May 2020 correcting Implementing Regulations (EU) No 540/2011 and (EU) 2019/706 as regards the CAS number of the active substance carvone<sup>8</sup> is to be incorporated into the EEA Agreement.
- (9) Annex II to the EEA Agreement should therefore be amended accordingly,

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 13a (Commission Implementing Regulation (EU) No 540/2011):
  - **32020 R 0421**: Commission Implementing Regulation (EU) 2020/421 of 18 March 2020 (OJ L 84, 20.3.2020, p. 7),
  - **32020 R 0616**: Commission Implementing Regulation (EU) 2020/616 of 5 May 2020 (OJ L 143, 6.5.2020, p. 1),
  - **32020 R 0617**: Commission Implementing Regulation (EU) 2020/617 of 5 May 2020 (OJ L 143, 6.5.2020, p. 6),

<sup>3</sup> OJ L 143, 6.5.2020, p. 6.

<sup>4</sup> OJ L 150, 13.5.2020, p. 32.

<sup>5</sup> OJ L 150, 13.5.2020, p. 134.

<sup>6</sup> OJ L 150, 13.5.2020, p. 138.

<sup>7</sup> OJ L 151, 14.5.2020, p. 3.

<sup>8</sup> OJ L 152, 15.5.2020, p. 1.

- **32020 R 0642:** Commission Implementing Regulation (EU) 2020/642 of 12 May 2020 (OJ L 150, 13.5.2020, p. 134),
  - **32020 R 0646:** Commission Implementing Regulation (EU) 2020/646 of 13 May 2020 (OJ L 151, 14.5.2020, p. 3),
  - **32020 R 0653:** Commission Implementing Regulation (EU) 2020/653 of 14 May 2020 (OJ L 152, 15.5.2020, p. 1).’
2. The following is added in point 13zzzzzzzzzy (Commission Implementing Regulation (EU) 2019/706):
- ‘, as amended by:
- **32020 R 0653:** Commission Implementing Regulation (EU) 2020/653 of 14 May 2020 (OJ L 152, 15.5.2020, p. 1).’
3. The following points are inserted after point 13zzzzzzzzzp (Commission Implementing Regulation (EU) 2020/18):
- ‘13zzzzzzzzzq. **32020 R 0616:** Commission Implementing Regulation (EU) 2020/616 of 5 May 2020 renewing the approval of the active substance foramsulfuron in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (OJ L 143, 6.5.2020, p. 1).
- 13zzzzzzzzzr. **32020 R 0617:** Commission Implementing Regulation (EU) 2020/617 of 5 May 2020 renewing the approval of the active substance metalaxyl-M, and restricting the use of seeds treated with plant protection products containing it, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (OJ L 143, 6.5.2020, p. 6).
- 13zzzzzzzzzs. **32020 R 0640:** Commission Implementing Regulation (EU) 2020/640 of 12 May 2020 concerning the non-approval of propolis extract as a basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market (OJ L 150, 13.5.2020, p. 32).
- 13zzzzzzzzzt. **32020 R 0642:** Commission Implementing Regulation (EU) 2020/642 of 12 May 2020 approving the basic substance L-cysteine in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (OJ L 150, 13.5.2020, p. 134).
- 13zzzzzzzzzu. **32020 R 0643:** Commission Implementing Regulation (EU) 2020/643 of 12 May 2020 concerning the non-approval of *Saponaria officinalis* L. roots as a basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market (OJ L 150, 13.5.2020, p. 138).
- 13zzzzzzzzzv. **32020 R 0646:** Commission Implementing Regulation (EU) 2020/646 of 13 May 2020 approving the active substance Lavandulyl senecioate as a low-risk substance in accordance with Regulation (EC) No 1107/2009 of

the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending Commission Implementing Regulation (EU) No 540/2011 (OJ L 151, 14.5.2020, p. 3).’

*Article 2*

The texts of Implementing Regulations (EU) 2020/421, (EU) 2020/616, (EU) 2020/617, (EU) 2020/640, (EU) 2020/642, (EU) 2020/643, (EU) 2020/646 and (EU) 2020/653 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 February 2021, 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 February 2021.

*For the EEA Joint Committee  
The President*

*Clara Ganslandt*

*The Secretaries  
To the EEA Joint Committee*

*Hege M. Hoff*

*Mikołaj Karłowski*

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\* No constitutional requirements indicated.