

DECISION OF THE EEA JOINT COMMITTEE
No 138/2021

of 23 April 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 Regulation (EU) 2020/2160 of 18 December 2020 amending Annex XIV to Regulation (EU) No 1907/2006 of the European Parliament and of the Council as regards the substance group 4-(1,1,3,3-Tetramethylbutyl)phenol, ethoxylated (covering well-defined substances and substances of unknown or variable composition, complex reaction products or biological materials, polymers and homologues)¹ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2020/1771 of 26 November 2020 approving reaction mass of peracetic acid (PAA) and peroxyoctanoic acid (POOA) as an existing active substance for use in biocidal products of product-types 2, 3 and 4² is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Decision (EU) 2020/1765 of 25 November 2020 not approving chlorophene as an existing active substance for use in biocidal products of product-type 2³ is to be incorporated into the EEA Agreement.
- (4) 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 indent is added in point 12zc (Regulation (EC) No 1907/2006 of the European Parliament and of the Council):
 - **32020 R 2160:** Commission Regulation (EU) 2020/2160 of 18 December 2020 (OJ L 431, 21.12.2020, p. 38).¹
2. The following points are inserted after point 12zzzzzzp (Commission Implementing Regulation (EU) 2020/1086):

¹ OJ L 431, 21.12.2020, p. 38.

² OJ L 398, 27.11.2020, p. 9.

³ OJ L 397, 26.11.2020, p. 24.

‘12zzzzzzq. **32020 R 1771**: Commission Implementing Regulation (EU) 2020/1771 of 26 November 2020 approving reaction mass of peracetic acid (PAA) and peroxyoctanoic acid (POOA) as an existing active substance for use in biocidal products of product-types 2, 3 and 4 (OJ L 398, 27.11.2020, p. 9).

12zzzzzzr. **32020 D 1765**: Commission Implementing Decision (EU) 2020/1765 of 25 November 2020 not approving chlorophene as an existing active substance for use in biocidal products of product-type 2 (OJ L 397, 26.11.2020, p. 24).’

Article 2

The texts of Regulation (EU) 2020/2160, Implementing Regulation (EU) 2020/1771 and Implementing Decision (EU) 2020/1765 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 24 April 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, 23 April 2021.

*For the EEA Joint Committee
The President*

Clara Ganslandt

*The Secretaries
To the EEA Joint Committee*

Hege M. Hoff

Mikołaj Karłowski

* No constitutional requirements indicated.