

DECISION OF THE EEA JOINT COMMITTEE
No 239/2021

of 24 September 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) 2020/2101 of 15 December 2020 renewing the approval of the active substance kieselgur (diatomaceous earth) 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 540/2011¹ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2020/2104 of 15 December 2020 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval period of the active substance paraffin oil² is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2020/2105 of 15 December 2020 renewing the approval of the active substance etoxazole as a candidate for substitution 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 540/2011³ is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Regulation (EU) 2021/52 of 22 January 2021 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances benfluralin, dimoxystrobin, fluazinam, flutolanil, mecoprop-P, mepiquat, metiram, oxamyl and pyraclostrobin⁴ is to be incorporated into the EEA Agreement.
- (5) Commission Implementing Regulation (EU) 2021/79 of 27 January 2021 concerning the non-approval of the active substance topramezone, 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 market⁵ is to be incorporated into the EEA Agreement.

¹ OJ L 425, 16.12.2020, p. 79.

² OJ L 425, 16.12.2020, p. 93.

³ OJ L 425, 16.12.2020, p. 96.

⁴ OJ L 23, 25.1.2021, p. 13.

⁵ OJ L 29, 28.1.2021, p. 8.

- (6) Commission Implementing Regulation (EU) 2021/80 of 27 January 2021 concerning the non-approval of carbon dioxide 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 market⁶ is to be incorporated into the EEA Agreement.
- (7) Commission Implementing Regulation (EU) 2021/81 of 27 January 2021 approving the basic substance *Allium cepa* L. bulb extract 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 540/2011⁷ is to be incorporated into the EEA Agreement.
- (8) Commission Implementing Regulation (EU) 2021/129 of 3 February 2021 renewing the approval of the active substance garlic extract 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 540/2011⁸ is to be incorporated into the EEA Agreement.
- (9) Commission Implementing Regulation (EU) 2021/134 of 4 February 2021 renewing the approval of the low-risk active substance *Akanthomyces muscarius* strain Ve6 (formerly *Lecanicillium muscarium* strain Ve6) 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 540/2011⁹ is to be incorporated into the EEA Agreement.
- (10) Commission Implementing Regulation (EU) 2021/413 of 8 March 2021 renewing the approval of the low-risk active substance blood meal 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 540/2011¹⁰ is to be incorporated into the EEA Agreement.
- (11) Commission Implementing Regulation (EU) 2021/427 of 10 March 2021 approving the active substance 24-epibrassinolide 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 540/2011¹¹ is to be incorporated into the EEA Agreement.
- (12) Commission Implementing Regulation (EU) 2021/459 of 16 March 2021 amending Commission Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance fenpyrazamine¹² is to be incorporated into the EEA Agreement.
- (13) Commission Implementing Regulation (EU) 2021/464 of 17 March 2021 concerning the non-approval of *Capsicum annuum* L. var. *annuum*, longum group, cayenne extract

⁶ OJ L 29, 28.1.2021, p. 10.

⁷ OJ L 29, 28.1.2021, p. 12.

⁸ OJ L 40, 4.2.2021, p. 11.

⁹ OJ L 42, 5.2.2021, p. 4.

¹⁰ OJ L 81, 9.3.2021, p. 32.

¹¹ OJ L 84, 11.3.2021, p. 21.

¹² OJ L 91, 17.3.2021, p. 4.

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 market¹³ is to be incorporated into the EEA Agreement.

- (14) 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 2101**: Commission Implementing Regulation (EU) 2020/2101 of 15 December 2020 (OJ L 425, 16.12.2020, p. 79),
 - **32020 R 2104**: Commission Implementing Regulation (EU) 2020/2104 of 15 December 2020 (OJ L 425, 16.12.2020, p. 93),
 - **32020 R 2105**: Commission Implementing Regulation (EU) 2020/2105 of 15 December 2020 (OJ L 425, 16.12.2020, p. 96),
 - **32021 R 0052**: Commission Implementing Regulation (EU) 2021/52 of 22 January 2021 (OJ L 23, 25.1.2021, p. 13),
 - **32021 R 0081**: Commission Implementing Regulation (EU) 2021/81 of 27 January 2021 (OJ L 29, 28.1.2021, p. 12),
 - **32021 R 0129**: Commission Implementing Regulation (EU) 2021/129 of 3 February 2021 (OJ L 40, 4.2.2021, p. 11),
 - **32021 R 0134**: Commission Implementing Regulation (EU) 2021/134 of 4 February 2021 (OJ L 42, 5.2.2021, p. 4),
 - **32021 R 0413**: Commission Implementing Regulation (EU) 2021/413 of 8 March 2021 (OJ L 81, 9.3.2021, p. 32),
 - **32021 R 0427**: Commission Implementing Regulation (EU) 2021/427 of 10 March 2021 (OJ L 84, 11.3.2021, p. 21),
 - **32021 R 0459**: Commission Implementing Regulation (EU) 2021/459 of 16 March 2021 (OJ L 91, 17.3.2021, p. 4).’
2. The following points are inserted after point 13zzzzzzzzzzzh (Commission Implementing Regulation (EU) 2020/2087):
 - ‘13zzzzzzzzzzzi. **32020 R 2101**: Commission Implementing Regulation (EU) 2020/2101 of 15 December 2020 renewing the approval of the active substance kieselgur (diatomaceous earth) 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 425, 16.12.2020, p. 79).
 - 13zzzzzzzzzzzj. **32020 R 2105**: Commission Implementing Regulation (EU) 2020/2105 of 15 December 2020 renewing the approval of the

¹³ OJ L 94, 18.3.2021, p. 1.

active substance etoxazole as a candidate for substitution 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 425, 16.12.2020, p. 96).

13zzzzzzzzzzk. **32021 R 0079:** Commission Implementing Regulation (EU) 2021/79 of 27 January 2021 concerning the non-approval of the active substance topramezone, 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 29, 28.1.2021, p. 8).

13zzzzzzzzzzl. **32021 R 0080:** Commission Implementing Regulation (EU) 2021/80 of 27 January 2021 concerning the non-approval of carbon dioxide 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 29, 28.1.2021, p. 10).

13zzzzzzzzzzm. **32021 R 0081:** Commission Implementing Regulation (EU) 2021/81 of 27 January 2021 approving the basic substance *Allium cepa* L. bulb extract 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 29, 28.1.2021, p. 12).

13zzzzzzzzzzn. **32021 R 0129:** Commission Implementing Regulation (EU) 2021/129 of 3 February 2021 renewing the approval of the active substance garlic extract 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 40, 4.2.2021, p. 11).

13zzzzzzzzzzo. **32021 R 0134:** Commission Implementing Regulation (EU) 2021/134 of 4 February 2021 renewing the approval of the low-risk active substance *Akanthomyces muscarius* strain Ve6 (formerly *Lecanicillium muscarium* strain Ve6) 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 42, 5.2.2021, p. 4).

13zzzzzzzzzzp. **32021 R 0413:** Commission Implementing Regulation (EU) 2021/413 of 8 March 2021 renewing the approval of the low-risk active substance blood meal 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 81, 9.3.2021, p. 32).

13zzzzzzzzzzzzq. **32021 R 0427:** Commission Implementing Regulation (EU) 2021/427 of 10 March 2021 approving the active substance 24-epibrassinolide 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 84, 11.3.2021, p. 21).

13zzzzzzzzzzzzx. **32021 R 0464:** Commission Implementing Regulation (EU) 2021/464 of 17 March 2021 concerning the non-approval of *Capsicum annuum* L. var. *annuum*, longum group, cayenne 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 94, 18.3.2021, p. 1).'

Article 2

The texts of Implementing Regulations (EU) 2020/2101, (EU) 2020/2104, (EU) 2020/2105, (EU) 2021/52, (EU) 2021/79, (EU) 2021/80, (EU) 2021/81, (EU) 2021/129, (EU) 2021/134, (EU) 2021/413, (EU) 2021/427, (EU) 2021/459 and (EU) 2021/464 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 25 September 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, 24 September 2021.

*For the EEA Joint Committee
The President*

Rolf Einar Fife

*The Secretaries
To the EEA Joint Committee*

Hege M. Hoff Mikolaj Karłowski

* No constitutional requirements indicated.