

DECISION OF THE EEA JOINT COMMITTEE
No 372/2021

of 10 December 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) Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants¹, as corrected by OJ L 1791, 9.6.2020, p. 4, is to be incorporated into the EEA Agreement.
- (2) Commission Delegated Regulation (EU) 2020/784 of 8 April 2020 amending Annex I to Regulation (EU) 2019/1021 of the European Parliament and of the Council as regards the listing of perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds², as corrected by OJ L 220, 9.7.2020, p. 11, is to be incorporated into the EEA Agreement.
- (3) Commission Delegated Regulation (EU) 2020/1203 of 9 June 2020 amending Annex I to Regulation (EU) 2019/1021 of the European Parliament and of the Council as regards the entry for perfluorooctane sulfonic acid and its derivatives (PFOS)³ is to be incorporated into the EEA Agreement.
- (4) Commission Delegated Regulation (EU) 2020/1204 of 9 June 2020 amending Annex I to Regulation (EU) 2019/1021 of the European Parliament and of the Council as regards the listing of dicofol⁴ is to be incorporated into the EEA Agreement.
- (5) Commission Delegated Regulation (EU) 2021/277 of 16 December 2020 amending Annex I to Regulation (EU) 2019/1021 of the European Parliament and of the Council on persistent organic pollutants as regards pentachlorophenol and its salts and esters⁵ is to be incorporated into the EEA Agreement.
- (6) Regulation (EU) 2019/1021 repeals Regulation (EC) No 850/2004 of the European Parliament and of the Council⁶, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.

¹ OJ L 169, 25.6.2019, p. 45.

² OJ L 188I, 15.6.2020, p. 1.

³ OJ L 270, 18.8.2020, p. 1.

⁴ OJ L 270, 18.8.2020, p. 4.

⁵ OJ L 62, 23.2.2021, p. 1.

⁶ OJ L 158, 30.4.2004, p. 7.

- (7) Council Regulations (EC) No 1195/2006⁷ and (EC) No 172/2007⁸ and Commission Regulations (EC) No 323/2007⁹, (EC) No 304/2009¹⁰, (EU) No 756/2010¹¹, (EU) No 757/2010¹², (EU) No 519/2012¹³, (EU) No 1342/2014¹⁴, (EU) 2015/2030¹⁵, (EU) 2016/293¹⁶, (EU) 2016/460¹⁷ and (EU) 2019/636¹⁸, which are incorporated into the EEA Agreement, have become obsolete and are consequently to be repealed under the EEA Agreement.
- (8) The incorporation of Regulation (EU) 2019/1021 into the EEA Agreement is without prejudice to the scope of the EEA Agreement as regards third country relations.
- (9) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The text of point 12w (Regulation (EC) No 850/2004 of the European Parliament and of the Council) of Chapter XV of Annex II to the EEA Agreement is replaced by the following:

‘**32019 R 1021**: Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants (OJ L 169, 25.6.2019, p. 45), as corrected by OJ L 179I, 9.6.2020, p. 4, as amended by:

- **32020 R 0784**: Commission Delegated Regulation (EU) 2020/784 of 8 April 2020 (OJ L 188I, 15.6.2020, p. 1), as corrected by OJ L 220, 9.7.2020, p. 11,
- **32020 R 1203**: Commission Delegated Regulation (EU) 2020/1203 of 9 June 2020 (OJ L 270, 18.8.2020, p. 1),
- **32020 R 1204**: Commission Delegated Regulation (EU) 2020/1204 of 9 June 2020 (OJ L 270, 18.8.2020, p. 4),
- **32021 R 0277**: Commission Delegated Regulation (EU) 2021/277 of 16 December 2020 (OJ L 62, 23.2.2021, p. 1).

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

- (a) Notwithstanding the provisions of Protocol 1 to the Agreement, and unless otherwise provided for in this Agreement, the terms Member State(s) and competent authorities shall be understood to include, in addition to their meaning in the Regulation, the EFTA States and their competent authorities, respectively.
- (b) The following provisions shall not apply to the EFTA States:
- (i) The fourth subparagraph of Article 4(2);

⁷ OJ L 217, 8.8.2006, p. 1.

⁸ OJ L 55, 23.2.2007, p. 1.

⁹ OJ L 85, 27.3.2007, p. 3.

¹⁰ OJ L 96, 15.4.2009, p. 33.

¹¹ OJ L 223, 25.8.2010, p. 20.

¹² OJ L 223, 25.8.2010, p. 29.

¹³ OJ L 159, 20.6.2012, p. 1.

¹⁴ OJ L 363, 18.12.2014, p. 67.

¹⁵ OJ L 298, 14.11.2015, p. 1.

¹⁶ OJ L 55, 2.3.2016, p. 4.

¹⁷ OJ L 80, 31.3.2016, p. 17.

¹⁸ OJ L 109, 24.4.2019, p. 6.

- (ii) Article 12; and,
 - (iii) Article 13(3).
- (c) In the second subparagraph of Article 13(1), as regards the EFTA States, the words “or at the reporting intervals decided by the Conference of Parties to the Stockholm Convention” shall be inserted after the words “three years”.’

Article 2

The texts of Regulation (EU) 2019/1021, as corrected by OJ L 179I, 9.6.2020, p. 4, and Delegated Regulations (EU) 2020/784, as corrected by OJ L 220, 9.7.2020, p. 11, (EU) 2020/1203, (EU) 2020/1204 and (EU) 2021/277 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 11 December 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, 10 December 2021.

*For the EEA Joint Committee
The President*

Rolf Einar Fife

*The Secretaries
To the EEA Joint Committee*

Hege M. Hoff

Mikołaj Karłowski

* No constitutional requirements indicated.