

**DECISION OF THE EEA JOINT COMMITTEE**  
**No 12/2023**

**of 3 February 2023**

**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) 2022/1252 of 19 July 2022 amending Implementing Regulation (EU) 2015/408 to update the list of candidates for substitution<sup>1</sup> is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2022/1443 of 31 August 2022 concerning the non-approval of calcium propionate 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>2</sup> is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2022/1444 of 31 August 2022 concerning the non-approval of black soap E470a 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>3</sup> is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Regulation (EU) 2022/1468 of 5 September 2022 amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance penflufen and repealing Implementing Regulation (EU) 2018/185<sup>4</sup> is to be incorporated into the EEA Agreement.
- (5) Commission Implementing Regulation (EU) 2022/1474 of 6 September 2022 renewing the approval of the low-risk active substance sheep fat 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) 2022/1480 of 7 September 2022 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances 2-phenylphenol (including its salts such as the sodium

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<sup>1</sup> OJ L 191, 20.7.2022, p. 41.

<sup>2</sup> OJ L 227, 1.9.2022, p. 123.

<sup>3</sup> OJ L 227, 1.9.2022, p. 125.

<sup>4</sup> OJ L 231, 6.9.2022, p. 101.

<sup>5</sup> OJ L 232, 7.9.2022, p. 3.

salt), 8-hydroxyquinoline, amidosulfuron, bensulfuron, bifenox, chlormequat, chlorotoluron, clofentezine, clomazone, daminozide, deltamethrin, dicamba, difenoconazole, diflufenican, dimethachlor, esfenvalerate, etofenprox, fenoxaprop-P, fenpropidin, fenpyrazamine, fludioxonil, flufenacet, flumetralin, fosthiazate, lenacil, MCPA, MCPB, nicosulfuron, paraffin oils, paraffin oil, penconazole, picloram, prohexadione, propaquizafop, prosulfocarb, quizalofop-P-ethyl, quizalofop-P-tefuryl, sodium 5-nitroguaiacolate, sodium o-nitrophenolate, sodium p-nitrophenolate, sulphur, tebufenpyrad, tetraconazole, tri-allate, triflurosulfuron and tritosulfuron<sup>6</sup> is to be incorporated into the EEA Agreement.

- (7) Implementing Regulation (EU) 2022/1468 repeals Commission Implementing Regulation (EU) 2018/185<sup>7</sup>, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (8) 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):
  - ‘- **32022 R 1468**: Commission Implementing Regulation (EU) 2022/1468 of 5 September 2022 (OJ L 231, 6.9.2022, p. 101),
  - **32022 R 1474**: Commission Implementing Regulation (EU) 2022/1474 of 6 September 2022 (OJ L 232, 7.9.2022, p. 3),
  - **32022 R 1480**: Commission Implementing Regulation (EU) 2022/1480 of 7 September 2022 (OJ L 233, 8.9.2022, p. 43).’
2. The following indent is added in point 13zzzzt (Commission Implementing Regulation (EU) 2015/408):
  - ‘- **32022 R 1252**: Commission Implementing Regulation (EU) 2022/1252 of 19 July 2022 (OJ L 191, 20.7.2022, p. 41).’
3. The following points are inserted after point 13zzzzzzzzzzzzp (Commission Implementing Regulation (EU) 2022/751):
  - ‘13zzzzzzzzzzzzq. **32022 R 1443**: Commission Implementing Regulation (EU) 2022/1443 of 31 August 2022 concerning the non-approval of calcium propionate 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 227, 1.9.2022, p. 123).
  - 13zzzzzzzzzzzr. **32022 R 1444**: Commission Implementing Regulation (EU) 2022/1444 of 31 August 2022 concerning the non-approval of black soap E470a as a basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and

<sup>6</sup> OJ L 233, 8.9.2022, p. 43.

<sup>7</sup> OJ L 34, 8.2.2018, p. 13.

of the Council concerning the placing of plant protection products on the market (OJ L 227, 1.9.2022, p. 125).

13zzzzzzzzzzzzs. **32022 R 1474:** Commission Implementing Regulation (EU) 2022/1474 of 6 September 2022 renewing the approval of the low-risk active substance sheep fat 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 232, 7.9.2022, p. 3).’

4. The 249<sup>th</sup> indent (Commission Implementing Regulation (EU) 2018/185) in point 13a (Commission Implementing Regulation (EU) No 540/2011) is deleted.

#### *Article 2*

The texts of Implementing Regulations (EU) 2022/1252, (EU) 2022/1443, (EU) 2022/1444, (EU) 2022/1468, (EU) 2022/1474 and (EU) 2022/1480 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 4 February 2023, 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, 3 February 2023.

*For the EEA Joint Committee  
The President*

*Nicolas von Lingen*

*The Secretaries  
To the EEA Joint Committee*

*Siri Veseth Meling*

*Matúš Minárik*

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\* No constitutional requirements indicated.