

**DECISION OF THE EEA JOINT COMMITTEE**  
**No 38/2023**

**of 17 March 2023**

**amending Annex I (Veterinary and phytosanitary matters) and 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) 2022/488 of 25 March 2022 correcting the French language version of Regulation (EU) No 142/2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive<sup>1</sup> is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2022/176 of 9 February 2022 correcting certain language versions of the Annex to Implementing Regulation (EU) 2021/632 laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the lists of animals, products of animal origin, germinal products, animal by-products and derived products, composite products, and hay and straw subject to official controls at border control posts<sup>2</sup> is to be incorporated into the EEA Agreement.
- (3) This Decision concerns legislation regarding veterinary matters, feedingstuffs and foodstuffs. Legislation regarding veterinary matters, feedingstuffs and foodstuffs shall not apply to Liechtenstein as long as the application of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products is extended to Liechtenstein, as specified in the sectoral adaptations to Annex I and the introduction to Chapter XII of Annex II to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (4) Annexes I and II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

*Article 1*

Annex I to the EEA Agreement is amended as follows:

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<sup>1</sup> OJ L 100, 28.3.2022, p. 6.

<sup>2</sup> OJ L 29, 10.2.2022, p. 4.

1. The following is added in points 11bo (Commission Implementing Regulation (EU) 2021/632) in Part 1.1 of Chapter I and 31qo (Commission Implementing Regulation (EU) 2021/632) of Chapter II:

‘, as amended by:

- **32022 R 0176:** Commission Implementing Regulation (EU) 2022/176 of 9 February 2022 (OJ L 29, 10.2.2022, p. 4).’

2. The following indent is added in point 9c (Commission Regulation (EU) No 142/2011) in Part 7.1 of Chapter I:

- ‘- **32022 R 0488:** Commission Regulation (EU) 2022/488 of 25 March 2022 (OJ L 100, 28.3.2022, p. 6).’

#### *Article 2*

The following is added in point 164o (Commission Implementing Regulation (EU) 2021/632) of Chapter XII of Annex II to the EEA Agreement:

‘, as amended by:

- **32022 R 0176:** Commission Implementing Regulation (EU) 2022/176 of 9 February 2022 (OJ L 29, 10.2.2022, p. 4).’

#### *Article 3*

The texts of Regulation (EU) 2022/488 and Implementing Regulation (EU) 2022/176 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 4*

This Decision shall enter into force on 18 March 2023, provided that all the notifications under Article 103(1) of the EEA Agreement have been made\*.

#### *Article 5*

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, 17 March 2023.

*For the EEA Joint Committee  
The President*

*Nicolas von Lingen*

*The Secretaries  
To the EEA Joint Committee*

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\* No constitutional requirements indicated.

Not yet published