



2023/2242

9.11.2023

DECISION OF THE EEA JOINT COMMITTEE No 87/2023

of 28 April 2023

**amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement
[2023/2242]**

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) 2022/1950 of 14 October 2022 renewing the approval of creosote as an active substance for use in biocidal products of product-type 8 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2022/1990 of 20 October 2022 cancelling the approval of tolylfluanid as an active substance for use in biocidal products of product-type 7 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2022/1992 of 20 October 2022 approving *Chrysanthemum cinerariaefolium* extract from open and mature flowers of *Tanacetum cinerariifolium* obtained with hydrocarbon solvents as an active substance for use in biocidal products of product-type 19 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Regulation (EU) 2022/1993 of 20 October 2022 approving *Chrysanthemum cinerariaefolium* extract from open and mature flowers of *Tanacetum cinerariifolium* obtained with supercritical carbon dioxide as an active substance for use in biocidal products of product-type 19 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council ⁽⁴⁾ is to be incorporated into the EEA Agreement.
- (5) Commission Implementing Regulation (EU) 2022/2048 of 24 October 2022 approving L-(+)-lactic acid as an existing active substance for use in biocidal products of product-type 6 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council ⁽⁵⁾ is to be incorporated into the EEA Agreement.
- (6) Commission Implementing Decision (EU) 2022/2005 of 21 October 2022 not approving methylene dithiocyanate as an existing active substance for use in biocidal products of product-type 12 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council ⁽⁶⁾ is to be incorporated into the EEA Agreement.
- (7) Commission Implementing Decision (EU) 2022/2054 of 21 October 2022 on the unresolved objections regarding the conditions for granting an authorisation for the biocidal product Preventol A 12 TK 50 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council ⁽⁷⁾ is to be incorporated into the EEA Agreement.
- (8) Implementing Regulation (EU) 2022/1950 repeals Commission Implementing Decision (EU) 2021/1839 ⁽⁸⁾, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.

⁽¹⁾ OJ L 269, 17.10.2022, p. 1.

⁽²⁾ OJ L 273, 21.10.2022, p. 9.

⁽³⁾ OJ L 273, 21.10.2022, p. 14.

⁽⁴⁾ OJ L 273, 21.10.2022, p. 17.

⁽⁵⁾ OJ L 275, 25.10.2022, p. 60.

⁽⁶⁾ OJ L 274, 24.10.2022, p. 76.

⁽⁷⁾ OJ L 275, 25.10.2022, p. 77.

⁽⁸⁾ OJ L 372, 20.10.2021, p. 27.

- (9) Implementing Regulation (EU) 2022/1990 repeals Commission Implementing Regulation (EU) 2016/1087⁽⁹⁾, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (10) 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 text of point 12zzzq (Commission Implementing Regulation (EU) 2016/1087) is replaced by the following:

‘32022 R 1990: Commission Implementing Regulation (EU) 2022/1990 of 20 October 2022 cancelling the approval of tolylfluanid as an active substance for use in biocidal products of product-type 7 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 273, 21.10.2022, p. 9).’

2. The text of point 12zzzzzzp (Commission Implementing Decision (EU) 2021/1839) is replaced by the following:

‘32022 R 1950: Commission Implementing Regulation (EU) 2022/1950 of 14 October 2022 renewing the approval of creosote as an active substance for use in biocidal products of product-type 8 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 269, 17.10.2022, p. 1).’

3. The following points are inserted after point 12zzzzzzzr (Commission Implementing Decision (EU) 2022/2327):

‘12zzzzzzzs. 32022 R 1992: Commission Implementing Regulation (EU) 2022/1992 of 20 October 2022 approving *Chrysanthemum cinerariaefolium* extract from open and mature flowers of *Tanacetum cinerariifolium* obtained with hydrocarbon solvents as an active substance for use in biocidal products of product-type 19 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 273, 21.10.2022, p. 14).

12zzzzzzzt. 32022 R 1993: Commission Implementing Regulation (EU) 2022/1993 of 20 October 2022 approving *Chrysanthemum cinerariaefolium* extract from open and mature flowers of *Tanacetum cinerariifolium* obtained with supercritical carbon dioxide as an active substance for use in biocidal products of product-type 19 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 273, 21.10.2022, p. 17).

12zzzzzzzu. 32022 D 2005: Commission Implementing Decision (EU) 2022/2005 of 21 October 2022 not approving methylene dithiocyanate as an existing active substance for use in biocidal products of product-type 12 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 274, 24.10.2022, p. 76).

12zzzzzzzv. 32022 R 2048: Commission Implementing Regulation (EU) 2022/2048 of 24 October 2022 approving L-(+)-lactic acid as an existing active substance for use in biocidal products of product-type 6 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 275, 25.10.2022, p. 60).

12zzzzzzzw. 32022 D 2054: Commission Implementing Decision (EU) 2022/2054 of 21 October 2022 on the unresolved objections regarding the conditions for granting an authorisation for the biocidal product Preventol A 12 TK 50 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 275, 25.10.2022, p. 77).’

⁽⁹⁾ OJ L 180, 6.7.2016, p. 18.

Article 2

The texts of Implementing Regulations (EU) 2022/1950, (EU) 2022/1990, (EU) 2022/1992, (EU) 2022/1993 and (EU) 2022/2048 and Implementing Decisions (EU) 2022/2005 and (EU) 2022/2054 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 29 April 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, 28 April 2023.

For the EEA Joint Committee
The President
Nicolas VON LINGEN

* No constitutional requirements indicated.