



2023/2244

9.11.2023

DECISION OF THE EEA JOINT COMMITTEE No 89/2023

of 28 April 2023

**amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement
[2023/2244]**

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) 2022/1438 of 31 August 2022 amending Annex II to Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards specific criteria for the approval of active substances that are micro-organisms ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Regulation (EU) 2022/1439 of 31 August 2022 amending Regulation (EU) No 283/2013 as regards the information to be submitted for active substances and the specific data requirements for micro-organisms ⁽²⁾, as corrected by OJ L 304, 24.11.2022, p. 94, is to be incorporated into the EEA Agreement.
- (3) Commission Regulation (EU) 2022/1440 of 31 August 2022 amending Regulation (EU) No 284/2013 as regards the information to be submitted for plant protection products and the specific data requirements for plant protection products containing micro-organisms ⁽³⁾, as corrected by OJ L 304, 24.11.2022, p. 97, is to be incorporated into the EEA Agreement.
- (4) Commission Regulation (EU) 2022/1441 of 31 August 2022 amending Regulation (EU) No 546/2011 as regards specific uniform principles for evaluation and authorisation of plant protection products containing micro-organisms ⁽⁴⁾, as corrected by OJ L 304, 24.11.2022, p. 100, is to be incorporated into the EEA Agreement.
- (5) 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 indent is added in point 13 (Regulation (EC) No 1107/2009 of the European Parliament and of the Council):
‘— **32022 R 1438**: Commission Regulation (EU) 2022/1438 of 31 August 2022 (OJ L 227, 1.9.2022, p. 2).’
2. The following indent is added in point 13b (Commission Regulation (EU) No 283/2013):
‘— **32022 R 1439**: Commission Regulation (EU) 2022/1439 of 31 August 2022 (OJ L 227, 1.9.2022, p. 8), as corrected by OJ L 304, 24.11.2022.’
3. The following indent is added in point 13c (Commission Regulation (EU) No 284/2013):
‘— **32022 R 1440**: Commission Regulation (EU) 2022/1440 of 31 August 2022 (OJ L 227, 1.9.2022, p. 38), as corrected by OJ L 304, 24.11.2022, p. 97.’

⁽¹⁾ OJ L 227, 1.9.2022, p. 2.

⁽²⁾ OJ L 227, 1.9.2022, p. 8.

⁽³⁾ OJ L 227, 1.9.2022, p. 38.

⁽⁴⁾ OJ L 227, 1.9.2022, p. 70.

4. The following indent is added in point 13d (Commission Regulation (EU) No 546/2011):

‘— **32022 R 1441**: Commission Regulation (EU) 2022/1441 of 31 August 2022 (OJ L 227, 1.9.2022, p. 70), as corrected by OJ L 304, 24.11.2022, p. 100.’

Article 2

The texts of Regulations (EU) 2022/1438, (EU) 2022/1439, as corrected by OJ L 304, 24.11.2022, (EU) 2022/1440, as corrected by OJ L 304, 24.11.2022, p. 97, and (EU) 2022/1441, as corrected by OJ L 304, 24.11.2022, p. 100, 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.