



2023/2543

30.11.2023

DECISION OF THE EEA JOINT COMMITTEE No 146/2023

of 13 June 2023

**amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement
[2023/2543]**

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) 2022/1023 of 28 June 2022 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council and the Annex to Commission Regulation (EU) No 231/2012 as regards the use of oat lecithin in cocoa and chocolate products as covered by Directive 2000/36/EC of the European Parliament and of the Council ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Regulation (EU) 2022/1037 of 29 June 2022 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council and the Annex to Commission Regulation (EU) No 231/2012 as regards the use of glycolipids as a preservative in beverages ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Regulation (EU) 2022/1038 of 29 June 2022 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of polyvinylpyrrolidone (E1201) in food for special medical purposes, in tablet and coated tablet forms ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Regulation (EU) 2022/965 of 21 June 2022 authorising the placing on the market of kernels from the edible variety of *Jatropha curcas* L. as a novel food and amending Implementing Regulation (EU) 2017/2470 ⁽⁴⁾ is to be incorporated into the EEA Agreement.
- (5) Commission Implementing Regulation (EU) 2022/966 of 21 June 2022 amending Implementing Regulation (EU) 2017/2470 as regards the conditions of use, the specific labelling requirements and specifications of the novel food *Calanus finmarchicus* oil ⁽⁵⁾ is to be incorporated into the EEA Agreement.
- (6) Commission Implementing Regulation (EU) 2022/1160 of 5 July 2022 amending Implementing Regulation (EU) 2017/2470 as regards the conditions of use and the specifications of the novel food nicotinamide riboside chloride ⁽⁶⁾ is to be incorporated into the EEA Agreement.
- (7) Commission Implementing Regulation (EU) 2022/1365 of 4 August 2022 amending Implementing Regulation (EU) 2017/2470 as regards the conditions of use of the novel food *Schizochytrium* sp. oil rich in DHA and EPA ⁽⁷⁾ is to be incorporated into the EEA Agreement.
- (8) Commission Implementing Regulation (EU) 2022/1381 of 8 August 2022 amending Implementing Regulation (EU) 2017/2470 as regards the conditions of use of the novel food galacto-oligosaccharide ⁽⁸⁾ is to be incorporated into the EEA Agreement.

⁽¹⁾ OJ L 172, 29.6.2022, p. 5.

⁽²⁾ OJ L 173, 30.6.2022, p. 52.

⁽³⁾ OJ L 173, 30.6.2022, p. 56.

⁽⁴⁾ OJ L 166, 22.6.2022, p. 118.

⁽⁵⁾ OJ L 166, 22.6.2022, p. 125.

⁽⁶⁾ OJ L 179, 6.7.2022, p. 25.

⁽⁷⁾ OJ L 205, 5.8.2022, p. 230.

⁽⁸⁾ OJ L 207, 9.8.2022, p. 12.

- (9) This Decision concerns legislation regarding foodstuffs. Legislation regarding 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 introduction to Chapter XII of Annex II to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (10) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Chapter XII of Annex II to the EEA Agreement shall be amended as follows:

1. The following indents are added in point 54zzzzr (Regulation (EC) No 1333/2008 of the European Parliament and of the Council):
 - ‘ **32022 R 1023**: Commission Regulation (EU) 2022/1023 of 28 June 2022 (OJ L 172, 29.6.2022, p. 5),
 - **32022 R 1037**: Commission Regulation (EU) 2022/1037 of 29 June 2022 (OJ L 173, 30.6.2022, p. 52),
 - **32022 R 1038**: Commission Regulation (EU) 2022/1038 of 29 June 2022 (OJ L 173, 30.6.2022, p. 56).’
2. The following indents are added in point 124b (Commission Implementing Regulation (EU) 2017/2470):
 - ‘ **32022 R 0965**: Commission Implementing Regulation (EU) 2022/965 of 21 June 2022 (OJ L 166, 22.6.2022, p. 118),
 - **32022 R 0966**: Commission Implementing Regulation (EU) 2022/966 of 21 June 2022 (OJ L 166, 22.6.2022, p. 125),
 - **32022 R 1160**: Commission Implementing Regulation (EU) 2022/1160 of 5 July 2022 (OJ L 179, 6.7.2022, p. 25),
 - **32022 R 1365**: Commission Implementing Regulation (EU) 2022/1365 of 4 August 2022 (OJ L 205, 5.8.2022, p. 230),
 - **32022 R 1381**: Commission Implementing Regulation (EU) 2022/1381 of 8 August 2022 (OJ L 207, 9.8.2022, p. 12).’
3. The following point is inserted after point 221 (Commission Implementing Regulation (EU) 2022/961):
 - ‘222. **32022 R 0965**: Commission Implementing Regulation (EU) 2022/965 of 21 June 2022 authorising the placing on the market of kernels from the edible variety of *Jatropha curcas* L. as a novel food and amending Implementing Regulation (EU) 2017/2470 (OJ L 166, 22.6.2022, p. 118).’

Article 2

The texts of Regulations (EU) 2022/1023, (EU) 2022/1037 and (EU) 2022/1038 and Implementing Regulations (EU) 2022/965, (EU) 2022/966, (EU) 2022/1160, (EU) 2022/1365 and (EU) 2022/1381 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 14 June 2023, provided that all the notifications under Article 103(1) of the EEA Agreement have been made *.

* No constitutional requirements indicated.

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, 13 June 2023.

For the EEA Joint Committee
The President
Nicolas VON LINGEN
