

**DECISION OF THE EEA JOINT COMMITTEE**  
**No 219/2023**

**of 22 September 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 Regulation (EU) 2023/440 of 28 February 2023 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 carbomer in food supplements<sup>1</sup> is to be incorporated into the EEA Agreement.
- (2) Commission Regulation (EU) 2023/441 of 28 February 2023 amending Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council as regards the inclusion of 2-hydroxy-4-methoxybenzaldehyde in the Union list of flavourings<sup>2</sup> is to be incorporated into the EEA Agreement.
- (3) Commission Regulation (EU) 2023/447 of 1 March 2023 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 glucosylated steviol glycosides as sweetener<sup>3</sup> is to be incorporated into the EEA Agreement.
- (4) 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.
- (5) 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):
  - ‘- **32023 R 0440**: Commission Regulation (EU) 2023/440 of 28 February 2023 (OJ L 64, 1.3.2023, p. 4),

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<sup>1</sup> OJ L 64, 1.3.2023, p. 4.

<sup>2</sup> OJ L 64, 1.3.2023, p. 9.

<sup>3</sup> OJ L 65, 2.3.2023, p. 16.

- **32023 R 0447**: Commission Regulation (EU) 2023/447 of 1 March 2023 (OJ L 65, 2.3.2023, p. 16).’
2. The following indent is added in point 54zzzzs (Regulation (EC) No 1334/2008 of the European Parliament and of the Council):
- ‘- **32023 R 0441**: Commission Regulation (EU) 2023/441 of 28 February 2023 (OJ L 64, 1.3.2023, p. 9).’
3. The following indents are added in point 69 (Commission Regulation (EU) No 231/2012):
- ‘- **32023 R 0440**: Commission Regulation (EU) 2023/440 of 28 February 2023 (OJ L 64, 1.3.2023, p. 4),
  - **32023 R 0447**: Commission Regulation (EU) 2023/447 of 1 March 2023 (OJ L 65, 2.3.2023, p. 16).’

#### *Article 2*

The texts of Regulations (EU) 2023/440, (EU) 2023/441 and (EU) 2023/447 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 23 September 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, 22 September 2023.

*For the EEA Joint Committee  
The President*

*Pascal Schafhauser*

*The Secretaries  
To the EEA Joint Committee*

*Siri Veseth Meling*

*Matúš Minárik*

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\* No constitutional requirements indicated.