

DECISION OF THE EEA JOINT COMMITTEE
No 309/2023

of 8 December 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) 2023/1442 of 11 July 2023 amending Annex I to Regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food, as regards changes to substance authorisations and addition of new substances¹ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2023/1581 of 1 August 2023 amending Implementing Regulation (EU) 2017/2470 as regards the conditions of use of the novel food ‘astaxanthin-rich oleoresin from *Haematococcus pluvialis* algae’² is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2023/1582 of 1 August 2023 amending Implementing Regulation (EU) 2017/2470 as regards the conditions of use of the novel food 3’-Sialyllactose sodium salt produced by derivative strains of *Escherichia coli* BL21(DE3)³ is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Regulation (EU) 2023/1583 of 1 August 2023 amending Implementing Regulation (EU) 2017/2470 as regards the specifications of the novel food Lacto-*N*-neotetraose (microbial source)⁴ is to be incorporated into the EEA Agreement.
- (5) 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.
- (6) Annex II to the EEA Agreement should therefore be amended accordingly,

¹ OJ L 177, 12.7.2023, p. 45.

² OJ L 194, 2.8.2023, p. 4.

³ OJ L 194, 2.8.2023, p. 8.

⁴ OJ L 194, 2.8.2023, p. 13.

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following indent is added in point 55 (Commission Regulation (EU) No 10/2011):
 - ‘- **32023 R 1442**: Commission Regulation (EU) 2023/1442 of 11 July 2023 (OJ L 177, 12.7.2023, p. 45).’
2. The following indents are added in point 124b (Commission Implementing Regulation (EU) 2017/2470):
 - ‘- **32023 R 1581**: Commission Implementing Regulation (EU) 2023/1581 of 1 August 2023 (OJ L 194, 2.8.2023, p. 4),
 - **32023 R 1582**: Commission Implementing Regulation (EU) 2023/1582 of 1 August 2023 (OJ L 194, 2.8.2023, p. 8),
 - **32023 R 1583**: Commission Implementing Regulation (EU) 2023/1583 of 1 August 2023 (OJ L 194, 2.8.2023, p. 13).’

Article 2

The texts of Regulation (EU) 2023/1442 and Implementing Regulations (EU) 2023/1581, (EU) 2023/1582 and (EU) 2023/1583 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 9 December 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, 8 December 2023.

*For the EEA Joint Committee
The President*

Pascal Schafhauser

*The Secretaries
To the EEA Joint Committee*

Siri Veseth Meling

Matúš Minárik

* No constitutional requirements indicated.