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**DECISION OF THE EEA JOINT COMMITTEE**  
**No 26/2009**

**of 17 March 2009**

**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, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as ‘the Agreement’, and in particular Article 98 thereof,

Whereas:

- (1) Annex II to the Agreement was amended by Decision of the EEA Joint Committee No 5/2009 of 5 February 2009<sup>1</sup>.
- (2) Commission Regulation (EC) No 123/2008 of 12 February 2008 amending and correcting Annex VI to Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs<sup>2</sup> is to be incorporated into the Agreement.
- (3) Commission Regulation (EC) No 345/2008 of 17 April 2008 laying down detailed rules for implementing the arrangements for imports from third countries provided for in Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs (Recast)<sup>3</sup> is to be incorporated into the Agreement.
- (4) Regulation (EC) No 345/2008 repeals Commission Regulation (EEC) No 94/92<sup>4</sup> which is incorporated into the Agreement and is therefore to be repealed under the Agreement.
- (5) This Decision shall not apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

*Article 1*

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

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<sup>1</sup> OJ L 73, 19.3.2009, p. 38.

<sup>2</sup> OJ L 38, 13.2.2008, p. 3.

<sup>3</sup> OJ L 108, 18.4.2008, p. 8.

<sup>4</sup> OJ L 11, 17.1.1992, p. 14.

1. The text of the first indent (Commission Regulation (EEC) No 94/92), 17<sup>th</sup> indent (Commission Regulation (EC) No 314/97), 20<sup>th</sup> indent (Commission Regulation (EC) No 1367/98), 26<sup>th</sup> indent (Commission Regulation (EC) No 1566/2000), 29<sup>th</sup> indent (Commission Regulation (EC) No 2589/2001), 30<sup>th</sup> indent (Commission Regulation (EC) No 548/2000), 31<sup>st</sup> indent (Commission Regulation (EC) No 1616/2000), 32<sup>nd</sup> indent (Commission Regulation (EC) No 2426/2000), 33<sup>rd</sup> indent (Commission Regulation (EC) No 349/2001), 36<sup>th</sup> indent (Commission Regulation (EC) No 1162/2002), 37<sup>th</sup> indent (Commission Regulation (EC) No 2382/2002), 39<sup>th</sup> indent (Commission Regulation (EC) No 545/2003), 41<sup>st</sup> indent (Commission Regulation (EC) No 2144/2003), and 57<sup>th</sup> indent (Commission Regulation (EC) No 956/2006) of point 54b (Council Regulation (EC) No 2092/91) shall be deleted.
2. The following indent shall be added in point 54b (Council Regulation (EEC) No 2092/91):  
  
‘- **32008 R 0123:** Commission Regulation (EC) No 123/2008 of 12 February 2008 (OJ L 38, 13.2.2008, p. 3).’
3. The following point shall be inserted after point 54zzzw (Commission Directive 2008/5/EC):  
  
‘54zzzx. **32008 R 0345:** Commission Regulation (EC) No 345/2008 of 17 April 2008 laying down detailed rules for implementing the arrangements for imports from third countries provided for in Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs (Recast) (OJ L 108, 18.4.2008, p. 8).’

## *Article 2*

The texts of Regulations (EC) Nos 123/2008 and 345/2008 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 18 March 2009, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee\*.

## *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*.

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\* No constitutional requirements indicated.

Done at Brussels, 17 March 2009.

*For the EEA Joint Committee  
The President*

*Alan Seatter*

*The Secretaries  
to the EEA Joint Committee*

*Bergdis Ellertsdóttir Matthias Brinkmann*