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DECISION OF THE EEA JOINT COMMITTEE
No 138/2009

of 4 December 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 132/2007 of 26 October 2007¹.
- (2) Commission Decision 2008/264/EC of 25 March 2008 on the fire safety requirements to be met by European standards for cigarettes pursuant to Directive 2001/95/EC of the European Parliament and of the Council² is to be incorporated into the Agreement.
- (3) Commission Decision 2008/357/EC of 23 April 2008 on specific child safety requirements to be met by European standards for lighters pursuant to Directive 2001/95/EC of the European Parliament and of the Council³ is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following points shall be inserted after point 3k (Commission Decision 2006/502/EC) of Chapter XIX of Annex II to the Agreement:

- ‘3l. **32008 D 0264:** Commission Decision 2008/264/EC of 25 March 2008 on the fire safety requirements to be met by European standards for cigarettes pursuant to Directive 2001/95/EC of the European Parliament and of the Council (OJ L 83, 26.3.2008, p. 35).
- 3m. **32008 D 0357:** Commission Decision 2008/357/EC of 23 April 2008 on specific child safety requirements to be met by European standards for lighters pursuant to

¹ OJ L 100, 10.4.2008, p.1.

² OJ L 83, 26.3.2008, p. 35.

³ OJ L 120, 7.5.2008, p. 11.

Directive 2001/95/EC of the European Parliament and of the Council (OJ L 120, 7.5.2008, p. 11).’

Article 2

The texts of Decisions 2008/264/EC and 2008/357/EC 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 5 December 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*.

Done at Brussels, 4 December 2009.

*For the EEA Joint Committee
The President*

O. H. Sletnes

*The Secretaries
to the EEA Joint Committee*

B. Ellertsdóttir L-O. Hollner

* No constitutional requirements indicated.