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DECISION OF THE EEA JOINT COMMITTEE
No 40/2010

of 30 April 2010

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 24/2010 of 12 March 2010¹.
- (2) Commission Directive 2007/68/EC of 27 November 2007 amending Annex IIIa to Directive 2000/13/EC of the European Parliament and of the Council as regards certain food ingredients² is to be incorporated into the Agreement.
- (3) Directive 2007/68/EC repeals Commission Directive 2005/26/EC³ which is incorporated into the Agreement and is therefore to be repealed under the Agreement.
- (4) This Decision is not to apply to Liechtenstein,

HAS DECIDED AS FOLLOWS:

Article 1

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

1. The following indent shall be added in point 18 (Directive 2000/13/EC of the European Parliament and of the Council):

‘- **32007 L 0068**: Commission Directive 2007/68/EC of 27 November 2007 (OJ L 310, 28.11.2007, p. 11).’
2. The text of point 54zzu (Commission Directive 2005/26/EC) shall be deleted.

¹ OJ L 143, 10.6.2010, p. 17.

² OJ L 310, 28.11.2007, p. 11.

³ OJ L 75, 22.3.2005, p. 33.

Article 2

The texts of Directive 2007/68/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 1 May 2010, 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, 30 April 2010.

*For the EEA Joint Committee
The President*

Alan Seatter

*The Secretaries
to the EEA Joint Committee*

Bergdís Ellertsdóttir Gianluca Grippa

* No constitutional requirements indicated.