

**DECISION OF THE EEA JOINT COMMITTEE**  
**No 129/2011**

**of 2 December 2011**

**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 115/2011 of 21 October 2011<sup>1</sup>.
- (2) Commission Regulation (EU) No 10/2011 of 14 January 2011 on plastic materials and articles intended to come into contact with food<sup>2</sup> is to be incorporated into the Agreement.
- (3) Regulation (EU) No 10/2011 repeals Commission Directives 80/766/EEC<sup>3</sup>, 81/432/EEC<sup>4</sup> and 2002/72/EC<sup>5</sup> which are incorporated in the Agreement and are therefore to be repealed under the Agreement.
- (4) For practical reasons, the acts listed under the heading ‘*ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE*’ in Chapter XII of Annex II shall be renumbered.
- (5) This Decision concerns legislation regarding foodstuffs. Legislation concerning 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 stated in the introduction to Chapter XII of Annex II to the Agreement. This Decision is therefore not to apply to Liechtenstein,

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<sup>1</sup> OJ L 341, 22.12.2011, p. 78.

<sup>2</sup> OJ L 12, 15.1.2011, p. 1.

<sup>3</sup> OJ L 213, 16.8.1980, p. 42.

<sup>4</sup> OJ L 167, 24.6.1981, p. 6.

<sup>5</sup> OJ L 220, 15.8.2002, p. 18.

HAS ADOPTED THIS DECISION:

### *Article 1*

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

1. The texts of points 25 (Commission Directive 80/766/EEC), 28 (Commission Directive 81/432/EEC) and 54zzb (Commission Directive 2002/72/EC) shall be deleted.
2. The following indent shall be added in point 36 (Council Directive 85/572/EEC):  
  
‘- **32011 R 0010:** Commission Regulation (EU) No 10/2011 of 14 January 2011 (OJ L 12, 15.1.2011, p. 1).’
3. The following point shall be inserted after point 54zzzzzm (Commission Regulation (EU) No 16/2011):  
  
‘55. **32011 R 0010:** Commission Regulation (EU) No 10/2011 of 14 January 2011 on plastic materials and articles intended to come into contact with food (OJ L 12, 15.1.2011, p. 1).’
4. Under the heading ‘*ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE*’ points 55 (Commission Recommendation 78/358/EEC) to 67 (Commission Recommendation 2010/161/EU) shall be renumbered points 1 to 13.

### *Article 2*

The texts of Regulation (EU) No 10/2011 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 3 December 2011, 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, 2 December 2011.

*For the EEA Joint Committee  
The President  
Kurt Jäger*

*The Secretaries  
to the EEA Joint Committee  
Bergdís Ellertsdóttir   Gianluca Grippa*