

**DECISION OF THE EEA JOINT COMMITTEE****No 86/2017****of 5 May 2017****amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement [2019/198]**

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) 2017/236 of 10 February 2017 refusing to authorise a health claim made on foods and referring to the reduction of disease risk <sup>(1)</sup> is to be incorporated into the EEA Agreement.
- (2) 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.
- (3) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

*Article 1*

The following point is inserted after point 122 (Directive (EU) 2015/2203 of the European Parliament and of the Council) of Chapter XII of Annex II to the EEA Agreement:

‘123. **32017 R 0236**: Commission Regulation (EU) 2017/236 of 10 February 2017 refusing to authorise a health claim made on foods and referring to the reduction of disease risk (OJ L 36, 11.2.2017, p. 9).’*Article 2*The text of Regulation (EU) 2017/236 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 6 May 2017, 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, 5 May 2017.

*For the EEA Joint Committee**The President*

Claude MAERTEN

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<sup>(1)</sup> OJ L 36, 11.2.2017, p. 9.

(\*) No constitutional requirements indicated.