

DECISION OF THE EEA JOINT COMMITTEE
No 33/2021

of 5 February 2021

**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 (“the EEA Agreement”), and in particular Article 98 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2020/1160 of 5 August 2020 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances aluminium ammonium sulphate, aluminium silicate, blood meal, calcium carbonate, carbon dioxide, extract from tea tree, fat distillation residues, fatty acids C7 to C20, garlic extract, gibberellic acid, gibberellins, hydrolysed proteins, iron sulphate, kieselgur (diatomaceous earth), plant oils/rape seed oil, potassium hydrogen carbonate, quartz sand, fish oil, repellents by smell of animal or plant origin/sheep fat, Straight Chain Lepidopteran Pheromones, tebuconazole and urea¹ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2020/1246 of 2 September 2020 concerning the non-renewal of the approval of the active substance fenamiphos, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011² is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2020/1263 of 10 September 2020 approving the active substance sodium hydrogen carbonate as a low-risk substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending Commission Implementing Regulation (EU) No 540/2011³ is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Regulation (EU) 2020/1276 of 11 September 2020 concerning the non-renewal of the approval of the active substance bromoxynil, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011⁴, as corrected by OJ L 302, 16.9.2020, p. 27, is to be incorporated into the EEA Agreement.

¹ OJ L 257, 6.8.2020, p. 29.

² OJ L 288, 3.9.2020, p. 18.

³ OJ L 297, 11.9.2020, p. 1.

⁴ OJ L 300, 14.9.2020, p. 32.

- (5) Commission Implementing Regulation (EU) 2020/1280 of 14 September 2020 concerning the non-renewal of the approval of the active substance benalaxyl, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011⁵ is to be incorporated into the EEA Agreement.
- (6) Commission Implementing Regulation (EU) 2020/1293 of 15 September 2020 amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance azadirachtin⁶ is to be incorporated into the EEA Agreement.
- (7) Commission Implementing Regulation (EU) 2020/1295 of 16 September 2020 amending Implementing Regulation (EU) 2015/408 as regards the inclusion of the active substances carbetamide, emamectin, flurochloridone, gamma-cyhalothrin, halosulfuron-methyl, ipconazole and tembotrione in the list of candidates for substitution⁷ is to be incorporated into the EEA Agreement.
- (8) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following indents are added in point 13a (Commission Implementing Regulation (EU) No 540/2011):
 - ‘ - **32020 R 1160**: Commission Implementing Regulation (EU) 2020/1160 of 5 August 2020 (OJ L 257, 6.8.2020, p. 29),
 - **32020 R 1246**: Commission Implementing Regulation (EU) 2020/1246 of 2 September 2020 (OJ L 288, 3.9.2020, p. 18),
 - **32020 R 1263**: Commission Implementing Regulation (EU) 2020/1263 of 10 September 2020 (OJ L 297, 11.9.2020, p. 1),
 - **32020 R 1276**: Commission Implementing Regulation (EU) 2020/1276 of 11 September 2020 (OJ L 300, 14.9.2020, p. 32), as corrected by OJ L 302, 16.9.2020, p. 27,
 - **32020 R 1280**: Commission Implementing Regulation (EU) 2020/1280 of 14 September 2020 (OJ L 301, 15.9.2020, p. 4),
 - **32020 R 1293**: Commission Implementing Regulation (EU) 2020/1293 of 15 September 2020 (OJ L 302, 16.9.2020, p. 24).’
2. The following indent is added in point 13zzzzt (Commission Implementing Regulation (EU) 2015/408):

⁵ OJ L 301, 15.9.2020, p. 4.

⁶ OJ L 302, 16.9.2020, p. 24.

⁷ OJ L 303, 17.9.2020, p. 18.

‘- **32020 R 1295**: Commission Implementing Regulation (EU) 2020/1295 of 16 September 2020 (OJ L 303, 17.9.2020, p. 18).’

3. The following points are inserted after point 13zzzzzzzzzzza (Commission Implementing Regulation (EU) 2020/1018 of 13 July 2020):

‘13zzzzzzzzzzzb. **32020 R 1246**: Commission Implementing Regulation (EU) 2020/1246 of 2 September 2020 concerning the non-renewal of the approval of the active substance fenamiphos, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (OJ L 288, 3.9.2020, p. 18).

13zzzzzzzzzzzc. **32020 R 1263**: Commission Implementing Regulation (EU) 2020/1263 of 10 September 2020 approving the active substance sodium hydrogen carbonate as a low-risk substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending Commission Implementing Regulation (EU) No 540/2011 (OJ L 297, 11.9.2020, p. 1).

13zzzzzzzzzzzd. **32020 R 1276**: Commission Implementing Regulation (EU) 2020/1276 of 11 September 2020 concerning the non-renewal of the approval of the active substance bromoxynil, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (OJ L 300, 14.9.2020, p. 32), as corrected by OJ L 302, 16.9.2020, p. 27.

13zzzzzzzzzzze. **32020 R 1280**: Commission Implementing Regulation (EU) 2020/1280 of 14 September 2020 concerning the non-renewal of the approval of the active substance benalaxyl, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (OJ L 301, 15.9.2020, p. 4).’

Article 2

The texts of Implementing Regulations (EU) 2020/1160, (EU) 2020/1246, (EU) 2020/1263, (EU) 2020/1276, as corrected by OJ L 302, 16.9.2020, p. 27, (EU) 2020/1280, (EU) 2020/1293 and (EU) 2020/1295 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 February 2021, provided that all the notifications under Article 103(1) of the EEA Agreement have been made*.

* No constitutional requirements indicated.

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 February 2021.

*For the EEA Joint Committee
The President*

Clara Ganslandt

*The Secretaries
To the EEA Joint Committee*

Hege M. Hoff Mikołaj Karłowski

Not yet published