

DECISION OF THE EEA JOINT COMMITTEE
No 328/2021

of 10 December 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 Regulation (EU) 2021/1408 of 27 August 2021 amending Regulation (EC) No 1881/2006 as regards maximum levels of tropane alkaloids in certain foodstuffs¹ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2021/1377 of 19 August 2021 authorising the change of the conditions of use of the novel food astaxanthin-rich oleoresin from *Haematococcus pluvialis* algae under Regulation (EU) 2015/2283 of the European Parliament and of the Council and amending Commission Implementing Regulation (EU) 2017/2470² is to be incorporated into the EEA Agreement.
- (3) 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.
- (4) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following indent is added in point 54zzzz (Commission Regulation (EC) No 1881/2006):
 - ‘- **32021 R 1408**: Commission Regulation (EU) 2021/1408 of 27 August 2021 (OJ L 304, 30.8.2021, p. 1).’
2. The following indent is added in point 124b (Commission Implementing Regulation (EU) 2017/2470):
 - ‘- **32021 R 1377**: Commission Implementing Regulation (EU) 2021/1377 of 19 August 2021 (OJ L 297, 20.8.2021, p. 20).’

¹ OJ L 304, 30.8.2021, p. 1.

² OJ L 297, 20.8.2021, p. 20.

Article 2

The texts of Regulation (EU) 2021/1408 and Implementing Regulation (EU) 2021/1377 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 11 December 2021, 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, 10 December 2021.

*For the EEA Joint Committee
The President*

Rolf Einar Fife

*The Secretaries
To the EEA Joint Committee*

Hege M. Hoff

Mikołaj Karłowski

* No constitutional requirements indicated.