

**DECISION OF THE EEA JOINT COMMITTEE No 9/2022**  
**of 4 February 2022**  
**amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement**  
**[2022/1057]**

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 Delegated Regulation (EU) 2018/573 of 15 December 2017 on key elements of data storage contracts to be concluded as part of a traceability system for tobacco products <sup>(1)</sup> is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2018/574 of 15 December 2017 on technical standards for the establishment and operation of a traceability system for tobacco products <sup>(2)</sup>, as corrected by OJ L 252, 8.10.2018, p. 47, is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Decision (EU) 2018/576 of 15 December 2017 on technical standards for security features applied to tobacco products <sup>(3)</sup> is to be incorporated into the EEA Agreement.
- (4) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

*Article 1*

The following is inserted after point 3h (Commission Implementing Regulation (EU) 2016/779) of Chapter XXV of Annex II to the EEA Agreement:

- 3i. **32018 R 0573:** Commission Delegated Regulation (EU) 2018/573 of 15 December 2017 on key elements of data storage contracts to be concluded as part of a traceability system for tobacco products (OJ L 96, 16.4.2018, p. 1).
- 3j. **32018 R 0574:** Commission Implementing Regulation (EU) 2018/574 of 15 December 2017 on technical standards for the establishment and operation of a traceability system for tobacco products (OJ L 96, 16.4.2018, p. 7), as corrected by OJ L 252, 8.10.2018, p. 47.

The provisions of the Regulation shall, for the purposes of the EEA Agreement, be read with the following adaptations:

- (a) In Article 7(6)(a), as regards the EFTA States, the words "20 May 2020" shall read "sixteen months after the entry into force of Decision of the EEA Joint Committee No 9/2022 of 4 February 2022".  
  
In Article 7(6)(a), as regards the EFTA States, the words "calendar year 2019" shall read "calendar year in which the Decision of the EEA Joint Committee No 9/2022 of 4 February 2022 enters into force".
- (b) In Article 7(6)(b), as regards the EFTA States, the words "20 May 2021" shall read "two years after the entry into force of Decision of the EEA Joint Committee No 9/2022 of 4 February 2022".

<sup>(1)</sup> OJ L 96, 16.4.2018, p. 1.

<sup>(2)</sup> OJ L 96, 16.4.2018, p. 7.

<sup>(3)</sup> OJ L 96, 16.4.2018, p. 57.

- (c) In Article 37(1), as regards the EFTA States, the words “20 May 2019” shall read “sixteen months after the entry into force of Decision of the EEA Joint Committee No 9/2022 of 4 February 2022”.

In Article 37(1), as regards the EFTA States, the words “20 May 2020” shall read “two years and four months after the entry into force of Decision of the EEA Joint Committee No 9/2022 of 4 February 2022”.

- (d) In Article 37(2), as regards the EFTA States, the words “20 May 2024” shall read “five years after the entry into force of Decision of the EEA Joint Committee No 9/2022 of 4 February 2022”,

In Article 37(2), as regards the EFTA States, the words “20 May 2026” shall read “seven years after the entry into force of Decision of the EEA Joint Committee No 9/2022 of 4 February 2022”.

- 3k. **32018 D 0576**: Commission Implementing Decision (EU) 2018/576 of 15 December 2017 on technical standards for security features applied to tobacco products (OJ L 96, 16.4.2018, p. 57).

The provisions of the Decision shall, for the purposes of the EEA Agreement, be read with the following adaptations:

- (a) In Article 3(4), as regards the EFTA States, the words “20 September 2018” shall read “eight months after the entry into force of Decision of the EEA Joint Committee No 9/2022 of 4 February 2022”.

- (b) In Article 4(3), as regards the EFTA States, the words “20 September 2018” shall read “eight months after the entry into force of Decision of the EEA Joint Committee No 9/2022 of 4 February 2022”.

- (c) In Article 9(1), the words “20 May 2019” shall, as regards the EFTA States, read “sixteen months after the date of the entry into force of Decision of the EEA Joint Committee No 9/2022 of 4 February 2022”,

In Article 9(1), the words “20 May 2020” shall, as regards the EFTA States, read “two years and four months after the date of the entry into force of Decision of the EEA Joint Committee No 9/2022 of 4 February 2022”.

- (d) In Article 9(2), the words “20 May 2024” shall, as regards the EFTA States, read “five years after the date of the entry into force of Decision of the EEA Joint Committee No 9/2022 of 4 February 2022”,

In Article 9(2), the words “20 May 2026” shall, as regards the EFTA States, read “seven years after the date of the entry into force of Decision of the EEA Joint Committee No 9/2022 of 4 February 2022”.

#### Article 2

The texts of Delegated Regulation (EU) 2018/573, Implementing Regulation (EU) 2018/574, as corrected by OJ L 252, 8.10.2018, p. 47, and Implementing Decision (EU) 2018/576 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 5 February 2022, provided that all the notifications under Article 103(1) of the EEA Agreement have been made \*, or on the day of the entry into force of Decision of the EEA Joint Committee No 6/2022 of 4 February 2022 <sup>(†)</sup>, whichever is the later.

#### 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*.

(\*) No constitutional requirements indicated.

(†) See page 12 of this Official Journal.

Done at Brussels, 4 February 2022.

*For the EEA Joint Committee*  
*The President*  
Nicolas VON LINGEN

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