

DECISION OF THE EEA JOINT COMMITTEE No 31/2022
of 4 February 2022
amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement
[2022/1079]

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) Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 ⁽¹⁾, as corrected by OJ L 270, 29.10.2018, p. 37, OJ L 305, 26.11.2019, p. 59, OJ L 7, 11.1.2021, p. 53 and OJ L 204, 10.6.2021, p. 47, is to be incorporated into the EEA Agreement.
- (2) Regulation (EU) 2020/1693 of the European Parliament and of the Council of 11 November 2020 amending Regulation (EU) 2018/848 on organic production and labelling of organic products as regards its date of application and certain other dates referred to in that Regulation ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Regulation (EU) 2018/848 repeals Council Regulation (EC) No 834/2007 ⁽³⁾, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (4) This Decision concerns legislation containing provisions regarding plant health. Legislation regarding plant health falls outside the scope of the EEA Agreement and provisions regarding plant health shall therefore not apply to the EFTA States.
- (5) 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.
- (6) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The text of point 54b (Council Regulation (EC) No 834/2007) of Chapter XII of Annex II to the EEA Agreement shall be replaced by the following:

'**32018 R 0848**: Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150, 14.6.2018, p. 1), as corrected by OJ L 270, 29.10.2018, p. 37, OJ L 305, 26.11.2019, p. 59, OJ L 7, 11.1.2021, p. 53 and OJ L 204, 10.6.2021, p. 47, as amended by:

— **32020 R 1693**: Regulation (EU) 2020/1693 of the European Parliament and of the Council of 11 November 2020 (OJ L 381, 13.11.2020, p. 1).

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

- (a) The provisions of the Regulation shall not apply to the field of plant health in the EFTA States.

⁽¹⁾ OJ L 150, 14.6.2018, p. 1.

⁽²⁾ OJ L 381, 13.11.2020, p. 1.

⁽³⁾ OJ L 189, 20.7.2007, p. 1.

- (b) References to criteria established in Regulation (EU) No 1305/2013 of the European Parliament and of the Council and Regulation (EU) No 1380/2013 of the European Parliament and of the Council shall, as regards the EFTA States, be understood to refer to criteria established under national law in the EFTA States.
- (c) The EFTA Surveillance Authority shall have access to the systems described in Article 43(1) and Article 51(2).
- (d) The following shall be inserted after the words “trade agreement” in Article 45(1)(b)(ii):
“, or, as regards the EFTA States, the decisions of the EFTA States taken in accordance with the second paragraph of Article 47”.
- (e) The following paragraph shall be added to Article 47:
“When the Union has recognised a third country in accordance with this provision, it shall notify the Standing Committee of the EFTA States. The EFTA States shall within 30 days of receiving the notification take a decision on the recognition of equivalence of the third country and the product conditions specified in the Union notification. The EEA Joint Committee shall be informed of these decisions and shall periodically publish a list of the decisions in the EEA Supplement to the *Official Journal of the European Union*.”.
- (f) The following shall be inserted after the words “1 January 2022” in Article 60:
“or, as regards the EFTA States, the entry into force of Decision of the EEA Joint Committee No 31/2022 of 4 February 2022,”.
- (g) In paragraph 1 of point 1.5 of Part I of Annex II the following shall be inserted after the word “Denmark”:
“, and for the surfaces that have been certified as organic for that practice before 14 June 2018 in the EFTA States”.
- (h) The following shall be added to the list in Annex IV:

“IS: lífrænt.
NO: økologisk.”’

Article 2

The texts of Regulations (EU) 2018/848, as corrected by OJ L 270, 29.10.2018, p. 37, OJ L 305, 26.11.2019, p. 59, OJ L 7, 11.1.2021, p. 53 and OJ L 204, 10.6.2021, p. 47, and (EU) 2020/1693 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 the day following the last notification under Article 103(1) of the EEA Agreement *.

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, 4 February 2022.

For the EEA Joint Committee
The President
Nicolas VON LINGEN

(*) Constitutional requirements indicated.