

DECISION OF THE EEA JOINT COMMITTEE No 37/2022
of 4 February 2022
amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement
[2022/1085]

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) 2021/1691 of 12 July 2021 amending Annex II to Regulation (EU) 2018/848 of the European Parliament and of the Council as regards the requirements for record-keeping for operators in organic production ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Delegated Regulation (EU) 2021/1697 of 13 July 2021 amending Regulation (EU) 2018/848 of the European Parliament and of the Council as regards the criteria for the recognition of control authorities and control bodies that are competent to carry out controls on organic products in third countries, and for the withdrawal of their recognition ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2021/1378 of 19 August 2021 laying down certain rules concerning the certificate issued to operators, groups of operators and exporters in third countries involved in the imports of organic and in-conversion products into the Union and establishing the list of recognised control authorities and control bodies in accordance with Regulation (EU) 2018/848 of the European Parliament and of the Council ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) 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.
- (5) 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 indents are added in point 54b (Regulation (EU) 2018/848 of the European Parliament and of the Council):
 - **32021 R 1691**: Commission Delegated Regulation (EU) 2021/1691 of 12 July 2021 (OJ L 334, 22.9.2021, p. 1),
 - **32021 R 1697**: Commission Delegated Regulation (EU) 2021/1697 of 13 July 2021 (OJ L 336, 23.9.2021, p. 3).;

⁽¹⁾ OJ L 334, 22.9.2021, p. 1.

⁽²⁾ OJ L 336, 23.9.2021, p. 3.

⁽³⁾ OJ L 297, 20.8.2021, p. 24.

(2) the following point is inserted after point 54bg (Commission Delegated Regulation (EU) 2021/1342):

'54bh. **32021 R 1378**: Commission Implementing Regulation (EU) 2021/1378 of 19 August 2021 laying down certain rules concerning the certificate issued to operators, groups of operators and exporters in third countries involved in the imports of organic and in-conversion products into the Union and establishing the list of recognised control authorities and control bodies in accordance with Regulation (EU) 2018/848 of the European Parliament and of the Council (OJ L 297, 20.8.2021, p. 24).'

Article 2

The texts of Delegated Regulations (EU) 2021/1691 and (EU) 2021/1697 and Implementing Regulation (EU) 2021/1378 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 31/2022 of 4 February 2022 (⁴), 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*.

Done at Brussels, 4 February 2022.

For the EEA Joint Committee
The President
Nicolas VON LINGEN

(*) No constitutional requirements indicated.

(⁴) See page 49 of this Official Journal.