

**DECISION OF THE EEA JOINT COMMITTEE No 238/2022**  
**of 23 September 2022**  
**amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement**  
**[2023/767]**

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) 2022/168 of 8 February 2022 authorising the placing on the market of pasteurised *Akkermansia muciniphila* as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council and amending Commission Implementing Regulation (EU) 2017/2470 <sup>(1)</sup> is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2022/169 of 8 February 2022 authorising the placing on the market of frozen, dried and powder forms of yellow mealworm (*Tenebrio molitor* larva) as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council, and amending Commission Implementing Regulation (EU) 2017/2470 <sup>(2)</sup> is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2022/187 of 10 February 2022 authorising the placing on the market of cetylated fatty acids as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council, and amending Commission Implementing Regulation (EU) 2017/2470 <sup>(3)</sup> is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Regulation (EU) 2022/188 of 10 February 2022 authorising the placing on the market of frozen, dried and powder forms of *Acheta domesticus* as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council, and amending Commission Implementing Regulation (EU) 2017/2470 <sup>(4)</sup> is to be incorporated into the EEA Agreement.
- (5) Commission Implementing Regulation (EU) 2022/196 of 11 February 2022 authorising an extension of use and the change of the specifications of UV-treated baker's yeast (*Saccharomyces cerevisiae*) as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council, and amending Commission Implementing Regulation (EU) 2017/2470 <sup>(5)</sup> is to be incorporated into the EEA Agreement.
- (6) Commission Implementing Regulation (EU) 2022/202 of 14 February 2022 correcting Implementing Regulation (EU) 2017/2470 establishing the Union list of novel foods <sup>(6)</sup> is to be incorporated into the EEA Agreement.
- (7) 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.
- (8) Annex II to the EEA Agreement should therefore be amended accordingly,

<sup>(1)</sup> OJ L 28, 9.2.2022, p. 5.

<sup>(2)</sup> OJ L 28, 9.2.2022, p. 10.

<sup>(3)</sup> OJ L 30, 11.2.2022, p. 102.

<sup>(4)</sup> OJ L 30, 11.2.2022, p. 108.

<sup>(5)</sup> OJ L 31, 14.2.2022, p. 46.

<sup>(6)</sup> OJ L 33, 15.2.2022, p. 41.

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 124b (Commission Implementing Regulation (EU) 2017/2470):
  - **32022 R 0168**: Commission Implementing Regulation (EU) 2022/168 of 8 February 2022 (OJ L 28, 9.2.2022, p. 5),
  - **32022 R 0169**: Commission Implementing Regulation (EU) 2022/169 of 8 February 2022 (OJ L 28, 9.2.2022, p. 10),
  - **32022 R 0187**: Commission Implementing Regulation (EU) 2022/187 of 10 February 2022 (OJ L 30, 11.2.2022, p. 102),
  - **32022 R 0188**: Commission Implementing Regulation (EU) 2022/188 of 10 February 2022 (OJ L 30, 11.2.2022, p. 108),
  - **32022 R 0196**: Commission Implementing Regulation (EU) 2022/196 of 11 February 2022 (OJ L 31, 14.2.2022, p. 46),
  - **32022 R 0202**: Commission Implementing Regulation (EU) 2022/202 of 14 February 2022 (OJ L 33, 15.2.2022, p. 41).'
2. The following points are inserted after point 208 (Commission Implementing Regulation (EU) 2022/47):
  - ‘209. **32022 R 0168**: Commission Implementing Regulation (EU) 2022/168 of 8 February 2022 authorising the placing on the market of pasteurised *Akkermansia muciniphila* as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council and amending Commission Implementing Regulation (EU) 2017/2470 (OJ L 28, 9.2.2022, p. 5).
  - 210. **32022 R 0169**: Commission Implementing Regulation (EU) 2022/169 of 8 February 2022 authorising the placing on the market of frozen, dried and powder forms of yellow mealworm (*Tenebrio molitor* larva) as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council, and amending Commission Implementing Regulation (EU) 2017/2470 (OJ L 28, 9.2.2022, p. 10).
  - 211. **32022 R 0187**: Commission Implementing Regulation (EU) 2022/187 of 10 February 2022 authorising the placing on the market of cetylated fatty acids as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council, and amending Commission Implementing Regulation (EU) 2017/2470 (OJ L 30, 11.2.2022, p. 102).
  - 212. **32022 R 0188**: Commission Implementing Regulation (EU) 2022/188 of 10 February 2022 authorising the placing on the market of frozen, dried and powder forms of *Acheta domesticus* as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council, and amending Commission Implementing Regulation (EU) 2017/2470 (OJ L 30, 11.2.2022, p. 108).
  - 213. **32022 R 0196**: Commission Implementing Regulation (EU) 2022/196 of 11 February 2022 authorising an extension of use and the change of the specifications of UV-treated baker's yeast (*Saccharomyces cerevisiae*) as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council, and amending Commission Implementing Regulation (EU) 2017/2470 (OJ L 31, 14.2.2022, p. 46).'

Article 2

The texts of Implementing Regulations (EU) 2022/168, (EU) 2022/169, (EU) 2022/187, (EU) 2022/188, (EU) 2022/196 and (EU) 2022/202 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 24 September 2022, 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, 23 September 2022.

*For the EEA Joint Committee*

*The President*

Kristján Andri STEFÁNSSON

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(\*) No constitutional requirements indicated.