



2023/2319

19.10.2023

DECISION OF THE EEA JOINT COMMITTEE No 12/2023

of 3 February 2023

**amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement
[2023/2319]**

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) 2022/1252 of 19 July 2022 amending Implementing Regulation (EU) 2015/408 to update the list of candidates for substitution ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2022/1443 of 31 August 2022 concerning the non-approval of calcium propionate as a basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2022/1444 of 31 August 2022 concerning the non-approval of black soap E470a as a basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Regulation (EU) 2022/1468 of 5 September 2022 amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance penflufen and repealing Implementing Regulation (EU) 2018/185 ⁽⁴⁾ is to be incorporated into the EEA Agreement.
- (5) Commission Implementing Regulation (EU) 2022/1474 of 6 September 2022 renewing the approval of the low-risk active substance sheep fat in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 ⁽⁵⁾ is to be incorporated into the EEA Agreement.
- (6) Commission Implementing Regulation (EU) 2022/1480 of 7 September 2022 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances 2-phenylphenol (including its salts such as the sodium salt), 8-hydroxyquinoline, amidosulfuron, bensulfuron, bifenox, chlormequat, chlorotoluron, clofentezine, clomazone, daminozide, deltamethrin, dicamba, difenoconazole, diflufenican, dimethachlor, esfenvalerate, etofenprox, fenoxaprop-P, fenprovidin, fenpyrazamine, fludioxonil, flufenacet, flumetralin, fosthiazate, lenacil, MCPA, MCPB, nicosulfuron, paraffin oils, paraffin oil, penconazole, picloram, prohexadione, propaquizafop, prosulfocarb, quizalofop-P-ethyl, quizalofop-P-tefuryl, sodium 5-nitroguaiacolate, sodium o-nitrophenolate, sodium p-nitrophenolate, sulphur, tebufenpyrad, tetraconazole, tri-allate, triflusulfuron and tritosulfuron ⁽⁶⁾ is to be incorporated into the EEA Agreement.
- (7) Implementing Regulation (EU) 2022/1468 repeals Commission Implementing Regulation (EU) 2018/185 ⁽⁷⁾, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.

⁽¹⁾ OJ L 191, 20.7.2022, p. 41.

⁽²⁾ OJ L 227, 1.9.2022, p. 123.

⁽³⁾ OJ L 227, 1.9.2022, p. 125.

⁽⁴⁾ OJ L 231, 6.9.2022, p. 101.

⁽⁵⁾ OJ L 232, 7.9.2022, p. 3.

⁽⁶⁾ OJ L 233, 8.9.2022, p. 43.

⁽⁷⁾ OJ L 34, 8.2.2018, p. 13.

(8) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

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

1. The following indents are added in point 13a (Commission Implementing Regulation (EU) No 540/2011):

- ‘– **32022 R 1468**: Commission Implementing Regulation (EU) 2022/1468 of 5 September 2022 (OJ L 231, 6.9.2022, p. 101),
- **32022 R 1474**: Commission Implementing Regulation (EU) 2022/1474 of 6 September 2022 (OJ L 232, 7.9.2022, p. 3),
- **32022 R 1480**: Commission Implementing Regulation (EU) 2022/1480 of 7 September 2022 (OJ L 233, 8.9.2022, p. 43).’

2. The following indent is added in point 13zzzzzt (Commission Implementing Regulation (EU) 2015/408):

- ‘– **32022 R 1252**: Commission Implementing Regulation (EU) 2022/1252 of 19 July 2022 (OJ L 191, 20.7.2022, p. 41).’

3. The following points are inserted after point 13zzzzzzzzzzzzp (Commission Implementing Regulation (EU) 2022/751):

- ‘13zzzzzzzzzzzzq. **32022 R 1443**: Commission Implementing Regulation (EU) 2022/1443 of 31 August 2022 concerning the non-approval of calcium propionate as a basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market (OJ L 227, 1.9.2022, p. 123).
- 13zzzzzzzzzzzzr. **32022 R 1444**: Commission Implementing Regulation (EU) 2022/1444 of 31 August 2022 concerning the non-approval of black soap E470a as a basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market (OJ L 227, 1.9.2022, p. 125).
- 13zzzzzzzzzzzss. **32022 R 1474**: Commission Implementing Regulation (EU) 2022/1474 of 6 September 2022 renewing the approval of the low-risk active substance sheep fat in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (OJ L 232, 7.9.2022, p. 3).’

4. The 249th indent (Commission Implementing Regulation (EU) 2018/185) in point 13a (Commission Implementing Regulation (EU) No 540/2011) is deleted.

Article 2

The texts of Implementing Regulations (EU) 2022/1252, (EU) 2022/1443, (EU) 2022/1444, (EU) 2022/1468, (EU) 2022/1474 and (EU) 2022/1480 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 4 February 2023, provided that all the notifications under Article 103(1) of the EEA Agreement have been made *.

* No constitutional requirements indicated.

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, 3 February 2023.

For the EEA Joint Committee
The President
Nicolas VON LINGEN
