

**DECISION OF THE EEA JOINT COMMITTEE**  
**No 39/2023**

**of 17 March 2023**

**amending Annex I (Veterinary and phytosanitary matters) and Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement**

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 Regulation (EU) 2022/1264 of 20 July 2022 amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for fludioxonil in or on certain products<sup>1</sup> is to be incorporated into the EEA Agreement.
- (2) Commission Regulation (EU) 2022/1290 of 22 July 2022 amending Annexes II, III and IV to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for ametoctradin, chlormequat, dodine, nicotine, profenofos and *Spodoptera exigua multicapsid nucleopolyhedrovirus* (SeMNPV) isolate BV-0004 in or on certain products<sup>2</sup> is to be incorporated into the EEA Agreement.
- (3) Commission Regulation (EU) 2022/1321 of 25 July 2022 amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for fluoride ion, oxyfluorfen, pyroxsulam, quinmerac and sulfuryl fluoride in or on certain products<sup>3</sup> is to be incorporated into the EEA Agreement.
- (4) Commission Regulation (EU) 2022/1324 of 28 July 2022 amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for benzovindiflupyr, boscalid, fenazaquin, fluazifop-P, flupyradifurone, fluxapyroxad, fosetyl-Al, isofetamid, metaflumizone, pyraclostrobin, spirotetramat, thiabendazole and tolclofos-methyl in or on certain products<sup>4</sup> is to be incorporated into the EEA Agreement.
- (5) Commission Regulation (EU) 2022/1343 of 29 July 2022 amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for acequinocyl, chlorantraniliprole and emamectin in or on certain products<sup>5</sup> is to be incorporated into the EEA Agreement.

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<sup>1</sup> OJ L 192, 21.7.2022, p. 1.

<sup>2</sup> OJ L 196, 25.7.2022, p. 74.

<sup>3</sup> OJ L 200, 29.7.2022, p. 1.

<sup>4</sup> OJ L 200, 29.7.2022, p. 68.

<sup>5</sup> OJ L 202, 2.8.2022, p. 1.

- (6) Commission Regulation (EU) 2022/1346 of 1 August 2022 amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for 1,4-dimethylnaphthalene, 8-hydroxyquinoline, pinoxaden and valifenalate in or on certain products<sup>6</sup> is to be incorporated into the EEA Agreement.
- (7) Commission Regulation (EU) 2022/1363 of 3 August 2022 amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for 2,4-D, azoxystrobin, cyhalofop-butyl, cymoxanil, fenhexamid, flazasulfuron, florasulam, fluroxypyr, iprovalicarb and silthiofam in or on certain products<sup>7</sup>, as corrected by OJ L 17, 19.1.2023, p. 99, is to be incorporated into the EEA Agreement.
- (8) This Decision concerns legislation regarding feedingstuffs and foodstuffs. Legislation regarding feedingstuffs and 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 sectoral adaptations to Annex I and the introduction to Chapter XII of Annex II to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.
- (9) Annexes I and II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

#### *Article 1*

The following indents are added in point 40 (Regulation (EC) No 396/2005 of the European Parliament and of the Council) of Chapter II of Annex I to the EEA Agreement:

- ‘ - **32022 R 1264**: Commission Regulation (EU) 2022/1264 of 20 July 2022 (OJ L 192, 21.7.2022, p. 1),
- **32022 R 1290**: Commission Regulation (EU) 2022/1290 of 22 July 2022 (OJ L 196, 25.7.2022, p. 74),
- **32022 R 1321**: Commission Regulation (EU) 2022/1321 of 25 July 2022 (OJ L 200, 29.7.2022, p. 1),
- **32022 R 1324**: Commission Regulation (EU) 2022/1324 of 28 July 2022 (OJ L 200, 29.7.2022, p. 68),
- **32022 R 1343**: Commission Regulation (EU) 2022/1343 of 29 July 2022 (OJ L 202, 2.8.2022, p. 1),
- **32022 R 1346**: Commission Regulation (EU) 2022/1346 of 1 August 2022 (OJ L 202, 2.8.2022, p. 31),
- **32022 R 1363**: Commission Regulation (EU) 2022/1363 of 3 August 2022 (OJ L 205, 5.8.2022, p. 207), as corrected by OJ L 17, 19.1.2023, p. 99.’

#### *Article 2*

The following indents are added in point 54zzy (Regulation (EC) No 396/2005 of the European Parliament and of the Council) of Chapter XII of Annex II to the EEA Agreement:

<sup>6</sup> OJ L 202, 2.8.2022, p. 31.

<sup>7</sup> OJ L 205, 5.8.2022, p. 207.

- **32022 R 1264:** Commission Regulation (EU) 2022/1264 of 20 July 2022 (OJ L 192, 21.7.2022, p. 1),
- **32022 R 1290:** Commission Regulation (EU) 2022/1290 of 22 July 2022 (OJ L 196, 25.7.2022, p. 74),
- **32022 R 1321:** Commission Regulation (EU) 2022/1321 of 25 July 2022 (OJ L 200, 29.7.2022, p. 1),
- **32022 R 1324:** Commission Regulation (EU) 2022/1324 of 28 July 2022 (OJ L 200, 29.7.2022, p. 68),
- **32022 R 1343:** Commission Regulation (EU) 2022/1343 of 29 July 2022 (OJ L 202, 2.8.2022, p. 1),
- **32022 R 1346:** Commission Regulation (EU) 2022/1346 of 1 August 2022 (OJ L 202, 2.8.2022, p. 31),
- **32022 R 1363:** Commission Regulation (EU) 2022/1363 of 3 August 2022 (OJ L 205, 5.8.2022, p. 207), as corrected by OJ L 17, 19.1.2023, p. 99.\*

#### *Article 3*

The texts of Regulations (EU) 2022/1264, (EU) 2022/1290, (EU) 2022/1321, (EU) 2022/1324, (EU) 2022/1343, (EU) 2022/1346 and (EU) 2022/1363, as corrected by OJ L 17, 19.1.2023, p. 99, 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 4*

This Decision shall enter into force on 18 March 2023, provided that all the notifications under Article 103(1) of the EEA Agreement have been made\*.

#### *Article 5*

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, 17 March 2023.

*For the EEA Joint Committee  
The President*

*Nicolas von Lingen*

*The Secretaries  
To the EEA Joint Committee*

*Siri Veseth Meling*

*Matúš Minárik*

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\* No constitutional requirements indicated.

*Not yet published*