



2023/2246

9.11.2023

DECISION OF THE EEA JOINT COMMITTEE No 91/2023

of 28 April 2023

**amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement
[2023/2246]**

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) 2022/456 of 21 March 2022 approving the basic substance chitosan 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 Implementing Regulation (EU) No 540/2011 ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2022/489 of 25 March 2022 amending Implementing Regulation (EU) No 540/2011 as regards the approval periods of the active substances flubendiamide, L-ascorbic acid, spinetoram and spirotetramat ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2022/496 of 28 March 2022 approving the low-risk active substance *Spodoptera exigua* multicapsid nucleopolyhedrovirus (SeMNPV), isolate BV-0004 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 Commission Implementing Regulation (EU) No 540/2011 ⁽³⁾ is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Regulation (EU) 2022/782 of 18 May 2022 withdrawing the approval of the active substance isopyrazam 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, amending Commission Implementing Regulation (EU) No 540/2011 and repealing Implementing Regulation (EU) No 1037/2012 ⁽⁴⁾ is to be incorporated into the EEA Agreement.
- (5) Implementing Regulation (EU) 2022/782 repeals Commission Implementing Regulation (EU) No 1037/2012 ⁽⁵⁾, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (6) 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. Point 13a (Commission Implementing Regulation (EU) No 540/2011) is amended as follows:
 - (i) The text of the fortieth indent (Commission Implementing Regulation (EU) No 1037/2012) is deleted;

⁽¹⁾ OJ L 93, 22.3.2022, p. 138.

⁽²⁾ OJ L 100, 28.3.2022, p. 7.

⁽³⁾ OJ L 101, 29.3.2022, p. 1.

⁽⁴⁾ OJ L 140, 19.5.2022, p. 3.

⁽⁵⁾ OJ L 308, 8.11.2012, p. 15.

(ii) The following indents are added in point 13a:

- **32022 R 0456:** Commission Implementing Regulation (EU) 2022/456 of 21 March 2022 (OJ L 93, 22.3.2022, p. 138),
- **32022 R 0489:** Commission Implementing Regulation (EU) 2022/489 of 25 March 2022 (OJ L 100, 28.3.2022, p. 7),
- **32022 R 0496:** Commission Implementing Regulation (EU) 2022/496 of 28 March 2022 (OJ L 101, 29.3.2022, p. 1),
- **32022 R 0782:** Commission Implementing Regulation (EU) 2022/782 of 18 May 2022 (OJ L 140, 19.5.2022, p. 3).¹

2. The text of point 13zs (Commission Implementing Regulation (EU) No 1037/2012) is replaced by the following:

32022 R 0782: Commission Implementing Regulation (EU) 2022/782 of 18 May 2022 withdrawing the approval of the active substance isopyrazam 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, amending Commission Implementing Regulation (EU) No 540/2011 and repealing Implementing Regulation (EU) No 1037/2012 (OJ L 140, 19.5.2022, p. 3).¹

3. The following points are inserted after point 13zzzzzzzzzzzv (Commission Implementing Regulation (EU) 2022/501):

¹3zzzzzzzzzzzw. **32022 R 0456:** Commission Implementing Regulation (EU) 2022/456 of 21 March 2022 approving the basic substance chitosan 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 Implementing Regulation (EU) No 540/2011 (OJ L 93, 22.3.2022, p. 138).

13zzzzzzzzzzzx. **32022 R 0496:** Commission Implementing Regulation (EU) 2022/496 of 28 March 2022 approving the low-risk active substance *Spodoptera exigua* multicapsid nucleopolyhedrovirus (SeMNPV), isolate BV-0004 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 Commission Implementing Regulation (EU) No 540/2011 (OJ L 101, 29.3.2022, p. 1).¹

Article 2

The texts of Implementing Regulations (EU) 2022/456, (EU) 2022/489, (EU) 2022/496 and (EU) 2022/782 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 29 April 2023, 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*.

^{*} No constitutional requirements indicated.

Done at Brussels, 28 April 2023.

For the EEA Joint Committee
The President
Nicolas VON LINGEN
