

**DECISION OF THE EEA JOINT COMMITTEE**  
**No 198/2023**

**of 22 September 2023**

**amending Annex I (Veterinary and phytosanitary matters) 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 Implementing Regulation (EU) 2023/341 of 15 February 2023 concerning the renewal of the authorisation of vitamin E as a feed additive for all animal species and repealing Regulation (EU) No 26/2011<sup>1</sup> is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2023/366 of 16 February 2023 concerning the renewal of the authorisation of a preparation of *Bacillus velezensis* ATCC PTA-6737 as a feed additive for chickens for fattening, chickens reared for laying and minor poultry species except for laying purposes, its authorisation for ornamental birds, amending Implementing Regulation (EU) No 306/2013, Implementing Regulation (EU) No 787/2013, Implementing Regulation (EU) 2015/1020, Implementing Regulation (EU) 2017/2276 and repealing Regulation (EU) No 107/2010 and Implementing Regulation (EU) No 885/2011 (holder of authorisation Kemin Europa N.V.)<sup>2</sup> is to be incorporated into the EEA Agreement.
- (3) Implementing Regulation (EU) 2023/341 repeals Regulation (EU) No 26/2011<sup>3</sup> which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (4) Implementing Regulation (EU) 2023/366 repeals Regulation (EU) No 107/2010<sup>4</sup> which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (5) Implementing Regulation (EU) 2023/366 repeals Implementing Regulation (EU) No 885/2011<sup>5</sup>, which is incorporated into the EEA Agreement and which is consequently to be repealed under the EEA Agreement.
- (6) This Decision concerns legislation regarding feedingstuffs. Legislation regarding feedingstuffs 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 to the EEA Agreement. This Decision is therefore not to apply to Liechtenstein.

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<sup>1</sup> OJ L 48, 16.2.2023, p. 19.

<sup>2</sup> OJ L 50, 17.2.2023, p. 59.

<sup>3</sup> OJ L 11, 15.1.2011, p. 18.

<sup>4</sup> OJ L 36, 9.2.2010, p. 1.

<sup>5</sup> OJ L 229, 6.9.2011, p. 3.

(7) Annex I to the EEA Agreement should therefore be amended accordingly,  
HAS ADOPTED THIS DECISION:

*Article 1*

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

1. The following points are inserted after point 483 (Commission Implementing Regulation (EU) 2023/61):
  - ‘484. **32023 R 0341**: Commission Implementing Regulation (EU) 2023/341 of 15 February 2023 concerning the renewal of the authorisation of vitamin E as a feed additive for all animal species and repealing Regulation (EU) No 26/2011 (OJ L 48, 16.2.2023, p. 19).
  485. **32023 R 0366**: Commission Implementing Regulation (EU) 2023/366 of 16 February 2023 concerning the renewal of the authorisation of a preparation of *Bacillus velezensis* ATCC PTA-6737 as a feed additive for chickens for fattening, chickens reared for laying and minor poultry species except for laying purposes, its authorisation for ornamental birds, amending Implementing Regulation (EU) No 306/2013, Implementing Regulation (EU) No 787/2013, Implementing Regulation (EU) 2015/1020, Implementing Regulation (EU) 2017/2276 and repealing Regulation (EU) No 107/2010 and Implementing Regulation (EU) No 885/2011 (holder of authorisation Kemin Europa N.V.) (OJ L 50, 17.2.2023, p. 59).’
2. The following is added in point 80 (Commission Implementing Regulation (EU) No 306/2013):

‘, as amended by:

  - **32023 R 0366**: Commission Implementing Regulation (EU) 2023/366 of 16 February 2023 (OJ L 50, 17.2.2023, p. 59).’
3. The following is added in point 99 (Commission Implementing Regulation (EU) No 787/2013):

‘, as amended by:

  - **32023 R 0366**: Commission Implementing Regulation (EU) 2023/366 of 16 February 2023 (OJ L 50, 17.2.2023, p. 59).’
4. The following is added in point 137 (Commission Implementing Regulation (EU) 2015/1020):

‘, as amended by:

  - **32023 R 0366**: Commission Implementing Regulation (EU) 2023/366 of 16 February 2023 (OJ L 50, 17.2.2023, p. 59).’
5. The following is added in point 234 (Commission Implementing Regulation (EU) 2017/2276):

‘, as amended by:

- **32023 R 0366:** Commission Implementing Regulation (EU) 2023/366 of 16 February 2023 (OJ L 50, 17.2.2023, p. 59).’
6. The texts of points 1zzzzzz (Commission Regulation (EU) No 107/2010), 2zk (Commission Regulation (EU) No 26/2011) and 2zl (Commission Implementing Regulation (EU) No 885/2011) are deleted.

*Article 2*

The texts of Implementing Regulations (EU) 2023/341 and (EU) 2023/366 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 23 September 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*.

Done at Brussels, 22 September 2023.

*For the EEA Joint Committee  
The President*

*Pascal Schafhauser*

*The Secretaries  
To the EEA Joint Committee*

*Siri Veseth Meling*

*Matúš Minárik*

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\* No constitutional requirements indicated.