

**DECISION OF THE EEA JOINT COMMITTEE**  
**No 224/2023**

**of 22 September 2023**

**amending 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 Implementing Regulation (EU) 2023/948 of 12 May 2023 authorising the placing on the market of 6'-Sialyllactose sodium salt produced by derivative strains of *Escherichia coli* BL21(DE3) as a novel food and amending Implementing Regulation (EU) 2017/2470<sup>1</sup> is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Regulation (EU) 2023/950 of 12 May 2023 amending Implementing Regulation (EU) 2017/2470 as regards the conditions of use of the novel food 2'-Fucosyllactose<sup>2</sup> is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2023/952 of 12 May 2023 amending Implementing Regulation (EU) No 1321/2013 as regards the name of the holder of the authorisation for the smoke flavouring primary product 'Tradismoke™ A MAX' (unique code SF-007)<sup>3</sup> is to be incorporated into the EEA Agreement.
- (4) Commission Implementing Regulation (EU) 2023/961 of 12 May 2023 amending Implementing Regulation (EU) 2017/2470 as regards the conditions of use of the novel food Lacto-*N*-neotetraose<sup>4</sup> is to be incorporated into the EEA Agreement.
- (5) 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.
- (6) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

*Article 1*

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

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<sup>1</sup> OJ L 128, 15.5.2023, p. 52.

<sup>2</sup> OJ L 128, 15.5.2023, p. 68.

<sup>3</sup> OJ L 128, 15.5.2023, p. 79.

<sup>4</sup> OJ L 129, 16.5.2023, p. 3.

1. The following indent is added in point 84 (Commission Implementing Regulation (EU) No 1321/2013):
  - ‘- **32023 R 0952**: Commission Implementing Regulation (EU) 2023/952 of 12 May 2023 (OJ L 128, 15.5.2023, p. 79).’
2. The following indents are added in point 124b (Commission Implementing Regulation (EU) 2017/2470):
  - ‘- **32023 R 0948**: Commission Implementing Regulation (EU) 2023/948 of 12 May 2023 (OJ L 128, 15.5.2023, p. 52),
  - **32023 R 0950**: Commission Implementing Regulation (EU) 2023/950 of 12 May 2023 (OJ L 128, 15.5.2023, p. 68),
  - **32023 R 0961**: Commission Implementing Regulation (EU) 2023/961 of 12 May 2023 (OJ L 129, 16.5.2023, p. 3).’
3. The following point is inserted after point 222 (Commission Implementing Regulation (EU) 2022/965):
  - ‘223. **32023 R 0948**: Commission Implementing Regulation (EU) 2023/948 of 12 May 2023 authorising the placing on the market of 6'-Sialyllactose sodium salt produced by derivative strains of *Escherichia coli* BL21(DE3) as a novel food and amending Implementing Regulation (EU) 2017/2470 (OJ L 128, 15.5.2023, p. 52).’

#### *Article 2*

The texts of Implementing Regulations (EU) 2023/948, (EU) 2023/950, (EU) 2023/952 and (EU) 2023/961 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*

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\* No constitutional requirements indicated.

*To the EEA Joint Committee*

*Siri Veseth Meling*

*Matúš Minárik*

*Not yet published*