

DECISION OF THE EEA JOINT COMMITTEE
No 235/2023

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 Decision (EU) 2023/458 of 1 March 2023 on the non-approval of certain active substances for use in biocidal products in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council¹ is to be incorporated into the EEA Agreement.
- (2) Commission Implementing Decision (EU) 2023/459 of 2 March 2023 not approving 2,2-Dibromo-2-cyanoacetamide (DBNPA) as an existing active substance for use in biocidal products of product-type 4 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council² is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Decision (EU) 2023/460 of 2 March 2023 postponing the expiry date of the approval of imidacloprid for use in biocidal products of product-type 18 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council³ is to be incorporated into the EEA Agreement.
- (4) Annex II to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following points are inserted after point 12zzzzzzzzzz (Commission Implementing Regulation (EU) 2022/1991) of Chapter XV of Annex II to the EEA Agreement:

‘12zzzzzzzzzza. **32023 D 0458**: Commission Implementing Decision (EU) 2023/458 of 1 March 2023 on the non-approval of certain active substances for use in biocidal products in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 67, 3.3.2023, p. 51).

12zzzzzzzzzzzb. **32023 D 0459**: Commission Implementing Decision (EU) 2023/459 of 2 March 2023 not approving 2,2-Dibromo-2-cyanoacetamide (DBNPA) as an existing active substance for use in biocidal products of product-type 4 in accordance

¹ OJ L 67, 3.3.2023, p. 51.

² OJ L 67, 3.3.2023, p. 54.

³ OJ L 67, 3.3.2023, p. 58.

with Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 67, 3.3.2023, p. 54).

12zzzzzzzzzzc. **32023 D 0460**: Commission Implementing Decision (EU) 2023/460 of 2 March 2023 postponing the expiry date of the approval of imidacloprid for use in biocidal products of product-type 18 in accordance with Regulation (EU) No 528/2012 of the European Parliament and of the Council (OJ L 67, 3.3.2023, p. 58).’

Article 2

The texts of Implementing Decisions (EU) 2023/458, (EU) 2023/459 and (EU) 2023/460 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

* No constitutional requirements indicated.