

**DECISION OF THE EEA JOINT COMMITTEE**  
**No 260/2023**

**of 27 October 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 Regulation (EU) 2023/1101 of 6 June 2023 refusing to authorise a health claim made on foods and referring to children’s development and health<sup>1</sup> is to be incorporated into the EEA Agreement.
- (2) Commission Regulation (EU) 2023/1141 of 1 June 2023 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health<sup>2</sup> is to be incorporated into the EEA Agreement.
- (3) Commission Implementing Regulation (EU) 2023/951 of 12 May 2023 amending Implementing Regulation (EU) 2017/2470 as regards the specifications of the novel food protein extract from pig kidneys<sup>3</sup> is to be incorporated into the EEA Agreement.
- (4) 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.
- (5) 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:

1. The following indent is added in point 124b (Commission Implementing Regulation (EU) 2017/2470):
  - ‘- **32023 R 0951**: Commission Implementing Regulation (EU) 2023/951 of 12 May 2023 (OJ L 128, 15.5.2023, p. 73).’

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<sup>1</sup> OJ L 147, 7.6.2023, p. 2.

<sup>2</sup> OJ L 151, 12.6.2023, p. 1.

<sup>3</sup> OJ L 128, 15.5.2023, p. 73.

2. The following points are inserted after point 237 (Commission Implementing Regulation (EU) 2023/113):
- ‘238. **32023 R 1101**: Commission Regulation (EU) 2023/1101 of 6 June 2023 refusing to authorise a health claim made on foods and referring to children’s development and health (OJ L 147, 7.6.2023, p. 2).
239. **32023 R 1141**: Commission Regulation (EU) 2023/1141 of 1 June 2023 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children’s development and health (OJ L 151, 12.6.2023, p. 1).’

*Article 2*

The texts of Regulations (EU) 2023/1101 and (EU) 2023/1141 and Implementing Regulation (EU) 2023/951 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 28 October 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, 27 October 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.