



DECISION OF THE EEA JOINT COMMITTEE No 227/2023
of 22 September 2023
amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement
[2024/970]

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) 2023/463 of 3 March 2023 authorising the placing on the market of bovine milk osteopontin as a novel food and amending Implementing Regulation (EU) 2017/2470 ⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Commission Regulation (EU) 2023/465 of 3 March 2023 amending Regulation (EC) No 1881/2006 as regards maximum levels of arsenic in certain foods ⁽²⁾ is to be incorporated into the EEA Agreement.
- (3) Commission Regulation (EU) 2023/466 of 3 March 2023 amending Annexes II, III and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for isoxaben, novaluron and tetraconazole in or on certain products ⁽³⁾, as corrected by OJ L 71, 9.3.2023, p. 43, 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 54zzy (Regulation (EC) No 396/2005 of the European Parliament and of the Council):
 '— **32023 R 0466:** Commission Regulation (EU) 2023/466 of 3 March 2023 (OJ L 68, 6.3.2023, p. 55), as corrected by OJ L 71, 9.3.2023, p. 43.'
2. The following indent is added in point 54zzzz (Commission Regulation (EC) No 1881/2006):
 '— **32023 R 0465:** Commission Regulation (EU) 2023/465 of 3 March 2023 (OJ L 68, 6.3.2023, p. 51).'
3. The following indent is added in point 124b (Commission Implementing Regulation (EU) 2017/2470)
 '— **32023 R 0463:** Commission Implementing Regulation (EU) 2023/463 of 3 March 2023 (OJ L 68, 6.3.2023, p. 32).'

⁽¹⁾ OJ L 68, 6.3.2023, p. 32.

⁽²⁾ OJ L 68, 6.3.2023, p. 51.

⁽³⁾ OJ L 68, 6.3.2023, p. 55.

4. The following point is inserted after point 227 (Commission Regulation (EU) 2023/648):

‘228. **32023 R 0463**: Commission Implementing Regulation (EU) 2023/463 of 3 March 2023 authorising the placing on the market of bovine milk osteopontin as a novel food and amending Implementing Regulation (EU) 2017/2470 (OJ L 68, 6.3.2023, p. 32).’

Article 2

The texts of Implementing Regulation (EU) 2023/463 and Regulations (EU) 2023/465 and (EU) 2023/466, as corrected by OJ L 71, 9.3.2023, p. 43, 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

* No constitutional requirements indicated.