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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	8 October 2026
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2026) 537 annex
Subject:	ANNEX to the Proposal for a COUNCIL DECISION on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Annex II (Technical regulations, standards, testing and certification) and Protocol 37 (Containing the list provided for in Article 101) to the EEA Agreement (Directive on honey)

Delegations will find attached document COM(2026) 537 annex.

Encl.: COM(2026) 537 annex

EUROPEAN
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Brussels, 8.10.2026
COM(2026) 537 final

ANNEX

ANNEX

to the

Proposal for a

COUNCIL DECISION

on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Annex II (Technical regulations, standards, testing and certification) and Protocol 37 (Containing the list provided for in Article 101) to the EEA Agreement

(Directive on honey)

ANNEX

DRAFT DECISION OF THE EEA JOINT COMMITTEE

No […]

of […]

amending Annex II (Technical regulations, standards, testing and certification) and Protocol 37 (Containing the list provided for in Article 101) 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) Directive (EU) 2024/1438 of the European Parliament and of the Council of 14 May 2024 amending Council Directives 2001/110/EC relating to honey, 2001/112/EC relating to fruit juices and certain similar products intended for human consumption, 2001/113/EC relating to fruit jams, jellies and marmalades and sweetened chestnut purée intended for human consumption, and 2001/114/EC relating to certain partly or wholly dehydrated preserved milk for human consumption[1], as corrected by OJ L, 2026/90217, 19.3.2026, is to be incorporated into the EEA Agreement.

(2) 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.

(3) Annex II and Protocol 37 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. Point 54zo (Council Directive 2001/110/EC) is amended as follows:

   a. the following indent is added:

   '- **32024 L 1438**: Directive (EU) 2024/1438 of the European Parliament and of the Council of 14 May 2024 (OJ L, 2024/1438, 24.5.2024), as corrected by OJ L, 2026/90217, 19.3.2026.'

   b. The following is added:

   'Modalities for the association of the EFTA States in accordance with Article 101 of the Agreement:

[1] OJ L, 2024/1438, 24.5.2024, ELI: http://data.europa.eu/eli/dir/2024/1438/oj

The EFTA States shall be fully associated with the works of the platform established pursuant to Article 4b and shall within it have the same rights and obligations as the EU Member States, except for the right to vote.'

2. The following indent is added in points 54zq (Council Directive 2001/112/EC), 54zr (Council Directive 2001/113/EC) and 54zs (Council Directive 2001/114/EC):

'- **32024 L 1438**: Directive (EU) 2024/1438 of the European Parliament and of the Council of 14 May 2024 (OJ L, 2024/1438, 24.5.2024), as corrected by OJ L, 2026/90217, 19.3.2026.'

Article 2

The following point is inserted in Protocol 37:

'50. The platform pursuant to Article 4b of Directive 2001/110/EC.'

Article 3

The text of Directive (EU) 2024/1438, as corrected by OJ L, 2026/90217, 19.3.2026, 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 4

This Decision shall enter into force on […], provided that all the notifications under Article 103(1) of the EEA Agreement have been made*.

Article 5

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, […].

For the EEA Joint Committee

The President

[…]

The Secretaries
To the EEA Joint Committee
[…]

* [No constitutional requirements indicated.] [Constitutional requirements indicated.]