Commission Regulation (EU) No 246/2014 of 13 March 2014 amending Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council as regards removal from the Union list of certain flavouring substances (Text with EEA relevance)

COMMISSION REGULATION (EU) No 246/2014

of 13 March 2014

amending Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council as regards removal from the Union list of certain flavouring substances

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC[(1)], and in particular Article 11(3) thereof,

Having regard to Regulation (EC) No 1331/2008 of the European Parliament and of the Council of 16 December 2008 establishing a common authorisation procedure for food additives, food enzymes and food flavourings[(2)], and in particular Article 7(4) thereof,

Whereas:

(1) Annex I to Regulation (EC) No 1334/2008 lays down a Union list of flavourings and source materials for use in food and their conditions of use.

(2) Commission Implementing Regulation (EU) No 872/2012[(3)] has adopted the list of flavouring substances and has introduced that list in Part A of Annex I to Regulation (EC) No 1334/2008.

(3) That list may be updated in accordance with the common procedure referred to in Article 3(1) of Regulation (EC) No 1331/2008, either on the initiative of the Commission or following an application submitted by a Member State or by an interested party.

(4) Part A of the Union list contains a number of substances for which the European Food Safety Authority has not completed the evaluation or it has requested additional scientific data to be provided for completion of the evaluation. For 19 of those substances, the persons responsible for placing the flavouring substances on the market have now withdrawn their applications. Therefore, those flavouring substances should be removed from the Union list.

(5) Part A of Annex I to Regulation (EC) No 1334/2008 should therefore be amended accordingly.

(6) Pursuant to Article 30 of Regulation (EC) No 1334/2008 flavouring substances not included in the Union list may be placed on the market as such and used in or on food until 22 October 2014. Since flavouring substances are already on the market in the Member States and in order to ensure smooth transition to a Union authorisation procedure, transitional measures have been laid down for food containing those substances in Commission Regulation (EU) No 873/2012[4].

(7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Part A of Annex I to Regulation (EC) No 1334/2008 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 March 2014.

For the Commission

The President

José Manuel BARROSO

ANNEX

In Part A of Annex I to Regulation (EC) No 1334/2008, the following entries are deleted:

01.015	Vinylbenzene	100-42-5		11022			1	EFSA
02.122	p-Mentha-1,8(10)-dien-9-ol	3269-90-7					2	EFSA
09.809	p-Mentha-1,8(10)-dien-9-yl acetate	15111-97-4		10743			2	EFSA
12.114	Diethyl trisulfide	3600-24-6	1701	11451			4	EFSA
12.120	2,8-Epithio-p-menthane	68398-18-5	1685				4	EFSA
12.159	Methyl methanethiosulfonate	2949-92-0		11520			3	EFSA
12.256	Ethyl propyl trisulfide	31499-70-4	1695				4	EFSA
12.272	Propyl propanethiosulfonate	1113-13-9	1702				3	EFSA
13.029	2,5-Dimethylfuran	625-86-5	1488	2208			3	EFSA
13.030	2-Methylfuran	534-22-5	1487	2209			3	EFSA
13.092	2-Ethylfuran	3208-16-0	1489	11706			3	EFSA
14.145	Pyrrole-2-carbaldehyde	1003-29-8		11393			4	EFSA
14.163	1-Methylpyrrole-2-carboxaldehyde	1192-58-1					4	EFSA
14.169	1-Ethyl-2-pyrrolecarboxaldehyde	2167-14-8					4	EFSA
15.064	2,5-Dimethylthiophene	638-02-8					4	EFSA