Commission Implementing Regulation (EU) No 230/2013 of 14 March 2013 on the withdrawal from the market of certain feed additives belonging to the group of flavouring and appetising substances (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) No 230/2013

of 14 March 2013

on the withdrawal from the market of certain feed additives belonging to the group of flavouring and appetising 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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition[(1)], and in particular Article 10(5) thereof,

Whereas:

(1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation. Article 10 of that Regulation provides for the re-evaluation of additives authorised pursuant to Council Directive 70/524/EEC[(2)].

(2) The feed additives set out in the Annex were authorised without a time limit by Directive 70/524/EEC. Those feed additives were subsequently entered in the Community Register of Feed Additives as existing products, in accordance with Article 10(1) of Regulation (EC) No 1831/2003.

(3) As regards the use of the feed additives specified in Part A of the Annex as flavouring and appetising substances, no applications for authorisation in accordance with Article 10(2) of Regulation (EC) No 1831/2003 were submitted before the deadline provided for in that provision. As regards the use of the feed additives specified in Part B of the Annex as flavouring and appetising substances, no applications were submitted before that deadline for some of the animal species or categories of animal species for which the feed additives concerned had been authorised pursuant to Directive 70/524/EEC. However, as regards the use of saccharin and calcium saccharin specified in Part B of the Annex as flavouring and appetising substances, no applications were submitted before that deadline for the only animal category for which those feed additives had been authorised pursuant to Directive 70/524/EEC.

(4) For transparency purposes, feed additives for which no applications for authorisation were submitted within the period specified in Article 10(2) of Regulation (EC) No 1831/2003 were listed in a separate part of the Community Register of Feed Additives.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 230/2013. (See end of Document for details)*

(5) Those feed additives should therefore be withdrawn from the market as far as their use as flavouring and appetising substances is concerned, except for animal species and categories of animal species for which applications for authorisation have been submitted. This measure does not interfere with the use of some of the abovementioned additives according to other animal species or categories of animal species or to other functional groups for which they may be allowed.

(6) It is appropriate to allow a transitional period for interested parties within which existing stocks of the additives concerned, premixtures, compound feed and feed materials which have been produced with those additives may be used up, taking account of the shelf-life of certain feed containing the additives in question.

(7) The withdrawal from the market of the products listed in the Annex is without prejudice to the granting of an authorisation concerning them or to the adoption of a measure concerning their status in accordance with Regulation (EC) No 1831/2003.

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

HAS ADOPTED THIS REGULATION:

Article 1

Withdrawal

The feed additives specified in Part A of the Annex, belonging to the group ‘flavouring and appetising substances’, shall be withdrawn from the market.

The feed additives specified in Part B of the Annex, belonging to the group ‘flavouring and appetising substances’, shall be withdrawn from the market in respect of certain animal species or categories of animal species as specified in that Part of the Annex.

Article 2

Transitional measures

1 Existing stocks of the feed additives set out in Part A of the Annex may continue to be placed on the market and used as feed additives belonging to the group ‘flavouring and appetising substances’ until 10 April 2014.

2 Premixtures produced with the additives referred to in paragraph 1 may continue to be placed on the market and used until 10 October 2014.

3 Compound feed and feed materials produced with the additives referred to in paragraph 1 or with the premixtures referred to in paragraph 2 and which have been labelled in accordance with Regulation (EC) No 767/2009 until 10 April 2015 may continue to be placed on the market and used until stocks are exhausted.

4 As regards the feed additives set out in Part B of the Annex, paragraphs 1, 2 and 3 shall apply in respect of the animal species or categories of animal species specified in that Part of the Annex.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 230/2013. (See end of Document for details)*

Article 3

Entry into force

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, 14 March 2013.

For the Commission

The President

José Manuel BARROSO

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 230/2013. (See end of Document for details)*

ANNEX

FEED ADDITIVES BELONGING TO THE GROUP OF FLAVOURING AND APPETISING SUBSTANCES WITHDRAWN FROM THE MARKET, AS PROVIDED FOR IN ARTICLE 1

PART A

Feed additives belonging to the group of flavouring and appetising substances withdrawn for all species and categories of animals

Identification Number	Additive	Species or category of animals
Flavouring and appetising substances		
1. Natural products and corresponding synthetic products		
	2-Ethyl-(3,5 or 6)-methoxypyrazine (85 %) and 2-Methyl-(3,5 or 6)-methoxypyrazine (13 %) / Flavis No. 14.077	All species
	Hexadecano-1,5-lactone / Flavis No. 10.049	All species
	2,6,6-Trimethyl-1-cyclohexen-1-carboxaldehyde / Flavis No. 05.121	All species
	Prenyl benzoate / Flavis No. 09.693	All species
	CAS No. 100-09-4 / p-Anisic acid / Flavis No. 08.071	All species
	CAS No. 10024-64-3 / Linalyl octanoate / Flavis No. 09.116	All species
	CAS No. 10031-82-0 / 4-Ethoxybenzaldehyde / Flavis No. 05.056	All species
	CAS No. 10032-02-7 / Geranyl hexanoate / Flavis No. 09.067	All species
	CAS No. 100-42-5 / Vinylbenzene / Flavis No. 01.015	All species
	CAS No. 100-66-3 / Anisole / Flavis No. 04.032	All species
	CAS No. 10094-40-3 / Hex-2-enyl acetate / Flavis No. 09.196	All species

PART A

Feed additives belonging to the group of flavouring and appetising substances withdrawn for all species and categories of animals

	CAS No. 10094-41-4 / Hex-3-enyl 2-methylbutyrate / Flavis No. 09.506	All species
	CAS No. 101517-87-7 / Isobutyldihydro-4,6-dimethyl-1,3,5-dithiazine; 2(4)-Isobutyl-4-(2),6-dimethyldihydro(4H)1,3,5-dithiazine) / Flavis No. 15.079	All species
	CAS No. 10236-16-5 / 3,7,11,15-Tetramethylhexadec-2-enyl acetate / Flavis No. 09.691	All species
	CAS No. 10276-85-4 / Benzyl octanoate / Flavis No. 09.318	All species
	CAS No. 10316-66-2 / 2-Hydroxycyclohex-2-en-1-one / Flavis No. 07.119	All species
	CAS No. 103-25-3 / Methyl 3-phenylpropionate / Flavis No. 09.746	All species
	CAS No. 103-50-4 / Dibenzyl ether / Flavis No. 03.004	All species
	CAS No. 10352-87-1 / Propyl but-2(trans)-enoate / Flavis No. 09.699	All species
	CAS No. 10352-88-2 / 2-Heptenoic acid / Flavis No. 08.123	All species
	CAS No. 103-53-7 / Phenethyl cinnamate / Flavis No. 09.743	All species
	CAS No. 103-56-0 / Cinnamyl propionate / Flavis No. 09.133	All species
	CAS No. 10402-47-8 / Geranyl valerate / Flavis No. 09.150	All species