Commission Implementing Regulation (EU) No 451/2012 of 29 May 2012 on the withdrawal from the market of certain feed additives belonging to the functional group of silage additives (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) No 451/2012

of 29 May 2012

on the withdrawal from the market of certain feed additives belonging to the functional group of silage additives

(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(7) of Regulation (EC) No 1831/2003 in conjunction with Article 10(1) to (4) thereof sets out specific provisions for the evaluation of products used in the Union as silage additives at the date that Regulation became applicable.

(2) The feed additives set out in the Annex were 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 those feed additives as silage additives, no application for authorisation in accordance with Article 10(7) in conjunction with Article 10(2) of Regulation (EC) No 1831/2003 was submitted before the deadline provided for in Article 10(7). As regards the additive hexamethylene tetramine for certain species of animals, no application for authorisation was submitted before that deadline.

(4) For transparency purpose, the additives for which no application for authorisation was submitted within the period specified in Article 10(7) of Regulation (EC) No 1831/2003 were listed in a separated part of the Community Register of Feed Additives.

(5) Those feed additives should therefore be withdrawn from the market as far as their use as silage additives is concerned, except for species for which applications for authorisation have been submitted.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 categories or functional groups for which they may be allowed.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 451/2012. (See end of Document for details)*

(6) Since the withdrawal of the silage additives concerned are not related to safety reasons, it is appropriate to allow a transitional period within which existing stocks of those additives as well as premixtures and silage which have been produced with those additives may be used up.

(7) The withdrawal of the feed additives listed in the Annex should be considered as without prejudice to a possible future granting of an authorisation concerning them or to the adoption of a measure on their status on the grounds and under the procedures set out in 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 functional group ‘silage additives’ within the category ‘technological additives’, shall be withdrawn from the market.

The feed additive specified in Part B of the Annex, belonging to the functional group ‘silage additives’ within the category ‘technological additives’, shall be withdrawn from the market in respect of the species of animals mentioned 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 functional group ‘silage additives’ within the category ‘technological additives’ until 19 June 2013.

2 Premixtures produced with the additives referred to in paragraph 1 may continue to be placed on the market and used until 19 June 2013.

3 Silage produced with the additives referred to in paragraph 1 or with the premixtures referred to in paragraph 2 may continue to be placed on the market and used until 19 June 2014.

4 As regards the feed additive set out in Part B of the Annex, paragraphs 1, 2 and 3 shall apply in respect of the species of animals mentioned in that Part of the Annex.

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, 29 May 2012.

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 451/2012. (See end of Document for details)*

ANNEX

FEED ADDITIVES BELONGING TO THE FUNCTIONAL GROUP OF SILAGE ADDITIVES WITHDRAWN FROM THE MARKET, AS PROVIDED FOR IN ARTICLE 1

PART A

Feed additives belonging to the functional group of silage additives withdrawn for all species and categories of animals

Identification Number	Additive	Species or category of animals
Category of technological additives. Functional group: silage additives		
	Alpha-amylase EC 3.2.1.1 from *Bacillus subtilis var amyloliquefaciens*	All species
	Amylase EC 3.2.1.1 from *Aspergillus oryzae*	All species
	Amylase EC 3.2.1.1 from malt	All species
	Beta-1,4 Glucanase cellulase EC 3.2.1.4 from *Aspergillus niger*	All species
	Beta-1,4 Xylanase EC 3.2.1.37 from *Trichoderma reesei*	All species
	Beta-glucanase EC 3.2.1.6 from *Trichoderma viride*	All species
	Cellulase EC 3.2.1.4 from *Penicillium funiculosum*	All species
	Cellulase EC 3.2.1.4 from *Trichoderma reesei*	All species
	Cellulase EC 3.2.1.4 from *Trichoderma viride*	All species
	Cellulase-hemicellulase complex EC 3.2.1.4 from *Trichoderma reesei*	All species
	Cellulase-xylanase complex EC 3.2.1.4 from *Trichoderma reesei*	All species
	Endo-1,3-beta-glucanase EC 3.2.1.6 from *Bacillus amyloliquefaciens*	All species
	Endo-1,4-beta-D-mannanase EC 3.2.1.78 from *Bacillus lentus*	All species

PART A

Feed additives belonging to the functional group of silage additives withdrawn for all species and categories of animals

	Endo-1,4-beta-glucanase EC 3.2.1.4 from *Trichoderma longibrachiatum*	All species
	Endo-1,4-beta-glucanase EC 3.2.1.6 from *Bacillus amyloliquefaciens*	All species
	Endo-1,4-beta-xylanase EC 3.2.1.8. from *Aspergillus oryzae*	All species
	Glucoamylase EC 3.2.1.3. from *Aspergillus niger*	All species
	Glucose oxidase EC 1.1.3.4 from *Aspergillus niger*	All species
	Hemicellulase EC 3.2.1.8 from *Aspergillus niger*	All species
	Mannanase EC 3.2.1.77 from *Aspergillus niger*	All species
	Pectinase EC 3.2.1.15 from *Aspergillus niger*	All species
	Xylanase EC 3.2.1.8 from *Aspergillus niger*	All species
	Xylanase EC 3.2.1.8 from *Penicillium funiculosum*	All species
	Xylanase EC 3.2.1.8 from *Trichoderma reesei*	All species
	Aspergillus oryzae AK 7001 DSM 1862	All species
	Bacillus coagulans CECT 7001	All species
	Bacillus lentus 302	All species
	Bacillus licheniformis DSM 5749	All species
	Bacillus licheniformis MBS-BL-01	All species
	Bacillus licheniformis Micron Bio-Systems culture collection	All species
	Bacillus pumilus BP288 ATCC 53682	All species