Commission Regulation (EU) No 1270/2009 of 21 December 2009 concerning the permanent authorisations of certain additives in feedingstuffs (Text with EEA relevance)

COMMISSION REGULATION (EU) No 1270/2009

of 21 December 2009

concerning the permanent authorisations of certain additives in feedingstuffs

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs[(1)], and in particular Articles 3 and 9d (1) thereof,

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[(2)], and in particular Article 25 thereof,

Whereas:

(1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition.

(2) Article 25 of Regulation (EC) No 1831/2003 lays down transitional measures for applications for the authorisation of feed additives submitted in accordance with Directive 70/524/EEC before the date of application of Regulation (EC) No 1831/2003.

(3) The applications for authorisation of the additives set out in the Annexes to this Regulation were submitted before the date of application of Regulation (EC) No 1831/2003.

(4) Initial comments on those applications, as provided for in Article 4(4) of Directive 70/524/EEC, were forwarded to the Commission before the date of application of Regulation (EC) No 1831/2003. Those applications are therefore to continue to be treated in accordance with Article 4 of Directive 70/524/EEC.

(5) The use of the enzyme preparation of endo-1,3(4)-beta-glucanase produced by *Trichoderma reesei* (CBS 526,94) was provisionally authorised for piglets by Commission Regulation (EC) No 2374/1998[(3)]. It was authorised without a time limit for chickens for fattening by Commission Regulation (EC) No 2036/2005[(4)]. New data were submitted in support of an application for authorisation without a time limit of that enzyme preparation for weaned piglets. The assessment shows that the conditions laid down in Article 3a of Directive 70/524/EEC for such authorisation are satisfied. Accordingly, the use of that enzyme preparation, as specified in Annex I to this Regulation, should be authorised without a time limit.

(6) The use of the enzyme preparation of endo-1,3(4)-beta-glucanase produced by *Aspergillus aculeatus* (CBS 589,94), endo-1,4-beta-glucanase produced by *Trichoderma longibrachiatum* (CBS 592,94), alpha-amylase produced by *Bacillus amyloliquefaciens* (DSM 9553), bacillolysin produced by *Bacillus amyloliquefaciens* (DSM 9554) and endo-1,4-beta-xylanase produced by *Trichoderma viride* (NIBH FERM BP 4842) was provisionally authorised for piglets by Commission Regulation (EC) No 2200/2001[(5)]. It was provisionally authorised for turkeys for fattening by Commission Regulation (EC) No 252/2006[(6)]. It was authorised without a time limit for chickens for fattening by Commission Regulation (EC) No 358/2005[(7)] and it was provisionally authorised for laying hens by Commission Regulation (EC) No 1140/2007[(8)]. New data were submitted in support of an application for authorisation without a time limit of that enzyme preparation for turkeys for fattening and weaned piglets. The assessment shows that the conditions laid down in Article 3a of Directive 70/524/EEC for such authorisation are satisfied. Accordingly, the use of that enzyme preparation, as specified in Annex II to this Regulation, should be authorised without a time limit.

(7) 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:

[F1] *Article 1*

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Textual Amendments

F1 Deleted by Commission Implementing Regulation (EU) 2017/1145 of 8 June 2017 on the withdrawal from the market of certain feed additives authorised pursuant to Council Directives 70/524/EEC and 82/471/EEC and repealing the obsolete provisions authorising those feed additives (Text with EEA relevance).

[F2] *Article 2*

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Textual Amendments

F2 Deleted by Commission Implementing Regulation (EU) 2017/963 of 7 June 2017 concerning the authorisation of the preparation of endo-1,3(4)-beta-glucanase produced by Aspergillus aculeatinus (formerly classified as Aspergillus aculeatus) (CBS 589.94), endo-1,4-beta-glucanase produced by Trichoderma reesei (formerly classified as Trichoderma longibrachiatum) (CBS 592.94), alpha-amylase produced by Bacillus amyloliquefaciens (DSM 9553), endo-1,4-beta-xylanase produced by Trichoderma viride (NIBH FERM BP4842) and bacillolysin produced by Bacillus amyloliquefaciens (DSM 9554) as a feed additive for all avian species and weaned piglets and amending Regulations (EC) No 358/2005 and (EU) No 1270/2009 (holder of the authorisation Kemin Europa NV) (Text with EEA relevance).

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EU) No 1270/2009. (See end of Document for details)*

Article 3

This Regulation shall enter into force on the 20th day following 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.