



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 19 February 2013

6508/13

**DENLEG 11
AGRI 92**

COVER NOTE

from: European Commission
date of receipt: 14 February 2013
to: Secretariat General of the Council

No Cion doc.: D025530/03

Subject: COMMISSION REGULATION (EU) No .../. of XXX amending and correcting Regulation (EU) No 231/2012 laying down specifications for food additives listed in Annexes II and III to Regulations (EC) No 1333/2008 of the European Parliament and of the Council

Delegations will find attached Commission document D025530/03.

Encl.: D025530/03



Brussels, **XXX**
SANCO12679/2012
(POOL/E3/2012/12679/12679-EN.doc)
D025530/03
[...](2013) **XXX** draft

COMMISSION REGULATION (EU) No .../..

of **XXX**

**amending and correcting Regulation (EU) No 231/2012 laying down specifications for
food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the
European Parliament and of the Council**

(Text with EEA relevance)

COMMISSION REGULATION (EU) No .../..

of **XXX**

amending and correcting Regulation (EU) No 231/2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council

(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 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives¹, and in particular Article 14 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 flavourings², and in particular Article 7(5) thereof,

Whereas:

- (1) Commission Regulation (EU) No 231/2012 of 9 March 2012³ lays down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008.
- (2) Those specifications 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.
- (3) When updating those specifications it is necessary to take into account the specifications and analytical techniques for food additives as set out in the Codex Alimentarius as drafted by the Joint FAO/WHO Expert Committee on Food Additives.
- (4) Regulation (EU) No 231/2012 contains errors in the specifications for Sodium Bisulphite (E 222), Sodium Lactate (E 325) and Ammonium Phosphatides (E 442). Those errors should be corrected.
- (5) Commission Regulation (EU) No 380/2012 of 3 May 2012⁴ amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the conditions of use and the use levels for aluminium-containing food additives, deletes the food additives Calcium Aluminium Silicate (E 556) and Aluminium Silicate (Kaolin) (E 559) from the list of Annex II to Regulation (EC) No 1333/2008 as of 1 February 2014. Consequently, the specifications for those food additives should also be deleted.

¹ OJ L 354, 31.12.2008, p. 16.

² OJ L 354, 31.12.2008, p. 1.

³ OJ L 83, 22.3.2012, p. 1.

⁴ OJ L 119, 4.5.2012, p. 14.

- (6) Regulation (EU) No 231/2012 contains two errors regarding EINECS numbers⁵ assigned to Disodium Guanylate (E 627) and Dipotassium Guanylate (E 628). Those errors should be corrected.
- (7) Regulation (EU) No 231/2012 should therefore be amended and corrected accordingly.
- (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 and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS REGULATION:

Article 1

Annex to Regulation (EU) No 231/2012 is amended and corrected 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,

For the Commission
The President
José Manuel BARROSO

⁵ European INventory of Existing Commercial chemical Substances (EINECS).

ANNEX

Annex to Regulation (EU) No 231/2012 is amended and corrected as follows:

(1) The entry for E 222 Sodium Bisulphite is amended as follows:

(a) the heading is replaced by the following:

'E 222 SODIUM HYDROGEN SULPHITE'

(b) the specification for the purity of iron is replaced by the following:

'Iron	Not more than 10 mg/kg based on the SO ₂ content'
-------	--

(2) In the entry for E 325 Sodium Lactate, the specification for the test for potassium identification is replaced by the following:

'Test for sodium	Passes test'
------------------	--------------

(3) In the entry for E 442 Ammonium Phosphatides, the specifications as regards description are replaced by the following:

'Description	Unctuous semi-solid to oily liquid'
---------------------	-------------------------------------

(4) In the entry for E 556 Calcium Aluminium Silicate, the heading is replaced by the following:

'E 556 CALCIUM ALUMINIUM SILICATE*

* Period of application: until 31 January 2014.'

(5) In the entry for E 559 Aluminium Silicate (Kaolin), the heading is replaced by the following:

'E 559 ALUMINIUM SILICATE (KAOLIN)*'

* Period of application: until 31 January 2014.'

(6) In the entry for E 627 Disodium Guanylate, the EINECS number in the definition is replaced by the following:

'Einecs	226-914-1'
---------	------------

- (7) In the entry for E 628 Dipotassium Guanylate, the EINECS number in the definition is replaced by the following:

'Einecs	221-849-5'
---------	------------