Commission Regulation (EU) No 232/2012 of 16 March 2012 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 Quinoline Yellow (E 104), Sunset Yellow FCF/Orange Yellow S (E 110) and Ponceau 4R, Cochineal Red A (E 124) (Text with EEA relevance)

# COMMISSION REGULATION (EU) No 232/2012

# of 16 March 2012

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 Quinoline Yellow (E 104), Sunset Yellow FCF/ Orange Yellow S (E 110) and Ponceau 4R, Cochineal Red A (E 124)

# (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 additives<sup>(1)</sup>, and in particular Article 10(3) thereof,

Whereas:

- (1) Annex II to Regulation (EC) No 1333/2008 lays down a Union list of food additives approved for use in foods and their conditions of use.
- (2) Quinoline Yellow (E 104), Sunset Yellow FCF/Orange Yellow S (E 110) and Ponceau 4R, Cochineal Red A (E 124) are food colours currently approved for use and listed in Annex II to Regulation (EC) No 1333/2008. The current approval takes into account the Acceptable Daily Intakes (ADI) established by the Scientific Committee for Food (SCF) in 1983<sup>(2)</sup>.
- (3) The European Food Safety Authority (hereinafter: 'the Authority') issued an Opinion on 23 September 2009<sup>(3)</sup> related to the re-evaluation on the safety of Quinoline Yellow (E 104) as a food additive. In that Opinion, the Authority recommends to lower the ADI of that food colour from 10 mg/kg bw/day to 0,5 mg/kg bw/day. In addition, the Authority considers that the refined exposure estimates (Tier 2 and Tier 3) are generally well over the revised ADI of 0,5 mg/kg bw/day. It is therefore appropriate to amend the conditions of use and use levels for Quinoline Yellow (E 104) to ensure that the new ADI recommended by the Authority is not exceeded.
- (4) The Authority issued an Opinion on 27 September 2009<sup>(4)</sup> related to the re-evaluation on the safety of Sunset Yellow FCF/Orange Yellow S (E 110) as a food additive. In that Opinion, the Authority recommends to lower the ADI for Sunset Yellow FCF/Orange Yellow S (E 110) from 2,5 to 1 mg/kg bw/day. In addition, the Authority considers that the refined exposure estimates (Tier 3) are generally well over the revised temporary ADI of 1 mg/kg bw/day for high-consumer children. It is therefore appropriate to amend

the conditions of use and use levels for Sunset Yellow FCF/Orange Yellow S (E 110) to ensure that the new temporary ADI recommended by the Authority is not exceeded.

- (5) The Authority issued an Opinion on 23 September 2009<sup>(5)</sup> related to the re-evaluation on the safety of Ponceau 4R, Cochineal Red A (E 124) as a food additive. In that Opinion, the Authority recommends to lower the ADI from 4 mg/kg bw/day to 0,7 mg/kg bw/ day. In addition, the Authority considers that the refined exposure estimates (Tier 3) are generally well over the revised ADI of 0,7 mg/kg bw/day for high-consumer children. It is therefore appropriate to amend the conditions of use and use levels for Ponceau 4R, Cochineal Red A (E 124) to ensure that the new ADI recommended by the authority is not exceeded.
- (6) It is necessary to remove these substances from Group III listed in Part C(3) of Annex II. However the combined maximum limit when the substances are used together with the remaining substances belonging to Group III should be maintained.
- (7) In order to reduce the exposure below the recommended ADI, maximum limits should be revised. In particular they should be reduced by the same factor as the reduction in daily intake which is aimed at. Certain exceptions with higher levels should be allowed for some traditional products which do not significantly contribute to the exposure. Some provisions have also been deleted.
- (8) Annex II to Regulation (EC) No 1333/2008 should therefore be amended accordingly.
- (9) In order to allow the necessary time for the food industry to adjust their production to the new conditions of use and the use levels laid down in this Regulation, it is appropriate to provide for transitional arrangements.
- (10) 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 II to Regulation (EC) No 1333/2008 is amended in accordance with the Annex to this Regulation.

#### Article 2

This Regulation shall apply from 1 June 2013.

Foods containing Quinoline Yellow (E 104), Sunset Yellow FCF/Orange Yellow S (E 110) and Ponceau 4R, Cochineal Red A (E 124) that have been lawfully placed on the market before 1 June 2013 but that do not comply with the provisions of this Regulation, may continue to be marketed until stocks are exhausted.

#### 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 the Member States.

Done at Brussels, 16 March 2012.

For the Commission The President José Manuel BARROSO

#### ANNEX

Annex II to Regulation (EC) No 1333/2008 is amended as follows:

(1) in Part C, in point (3), the following entries are deleted:

| E 104  | Quinoline Yellow                   |
|--------|------------------------------------|
| 'Е 110 | Sunset Yellow FCF/Orange yellow S' |
| 'Е 124 | Ponceau 4R, Cochineal red A'       |

(2) Part E is amended as follows:

- (a) in the categories 03, 05.2, 05.3, 05.4, 07.2 and 14.1.4 footnote (25) is replaced by the following:
  - (25): The quantities of each of the colours E 122 and E 155 may not exceed 50 mg/kg or mg/l;
- (b) in the category 1.7.5 footnote (33) is replaced by the following:
  - (33): Maximum individually or for the combination of E 100, E 102, E 120, E 122, E 160e and E 161b;
- (c) in the categories 04.2.1, 04.2.2, 04.2.3 and 04.2.4.1 footnote (34) is replaced by the following:
  - (34): Maximum individually or for the combination of E 120, E 122, E 129, E 131 and E 133;
- (d) in the categories 04.2.5.2 and 04.2.5.3 footnote (31) is replaced by the following:
  - (31): Maximum individually or in combination with E 120, E 142, E 160d and E 161b;
- (e) in the category 9.2 footnotes (35), (36) and (37) are replaced by the following:
  - (35): Maximum individually or for the combination of E 102, E 120, E 122, E 142, E 151, E 160e and E 161b
  - (36): Maximum individually or for the combination of E 102, E 120, E 122, E 129, E 142, E 151, E 160e and E 161b
  - (37): Maximum individually or for the combination of E 102, E 120, E 151 and E 160e;
- (f) the following entries for E 104, E 110 and E 124 are inserted in numerical order in the food categories referred to:

| Category<br>number | E-<br>Number | Name | Maximum<br>level(mg/<br>l or mg/<br>kg as<br>appropriat |  | restrictions/<br>exceptions |
|--------------------|--------------|------|---|--|-----------------------------|
|--------------------|--------------|------|---|--|-----------------------------|

| <b>'01.4</b> |              | Flavoured fermented milk products including heat treated products |  |  |                             |  |  |
|--------------|--------------|---|--|--|-----------------------------|--|--|
|              | E 104        | Quinoline<br>Yellow   | 10   | (61)                                       |                             |  |  |
|              | E 110        | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S                    | 5  | (61)                                       |                             |  |  |
|              | E 124        | Ponceau<br>4R,<br>Cochineal<br>Red A                              | 5  | (61)                                       |                             |  |  |
|              |              | 12<br>nc  | 24 and the c   | ntity of E 10<br>olours in Gr<br>e maximum | oup III shall               |  |  |
| 01.6.3       | Other creams |   |  |  |                             |  |  |
|              | E 104        | Quinoline<br>Yellow   | 10   | (61)                                       | Only<br>flavoured<br>creams |  |  |
|              | E 110        | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S                    | 5  | (61)                                       | Only<br>flavoured<br>creams |  |  |
|              | E 124        | Ponceau<br>4R,<br>Cochineal<br>Red A                              | 5  | (61)                                       | Only<br>flavoured<br>creams |  |  |
|              |              | 12<br>nc  | 24 and the c   | ntity of E 10<br>olours in Gr<br>e maximum | oup III shall               |  |  |
| 01.7.3       | Edible cl    | eese rind   |  |  |                             |  |  |
|              | E 104        | Quinoline<br>Yellow   | 10   | (62)                                       |                             |  |  |
|              |              |   | (62): The total quantity of E 104 and the colours in Group III shall not exceed the maximum listed for Group III |  |                             |  |  |
|              |              |   |  |  |                             |  |  |

| E 104               | Quinoline<br>Yellow                            | 30         | (61)          | Only<br>mostarda<br>di frutta  |
|---------------------|--|------------|---------------|--|
| E 110               | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 35         | (61)          | Only<br>mostarda<br>di frutta  |
| E 124               | Ponceau<br>4R,<br>Cochineal<br>Red A           | 20         | (61)          | Only<br>mostarda<br>di frutta  |
|                     | 11<br>ne                                       | 24 and the |               | 04, E 110, E<br>Group III shall<br>n listed for  |
| Other co<br>microsw | onfectionery in<br>eets                        | cluding l  | oreath refres | shening  |
| E 104               | Quinoline<br>Yellow                            | 30         | (61)          | except<br>candied<br>fruit and<br>vegetables;<br>traditional<br>sugar<br>coated<br>nut- or<br>cocoa-<br>based<br>confectioner<br>of almond<br>shape or<br>host shape,<br>typically<br>longer<br>than<br>2 cm and<br>typically<br>consumed<br>at<br>celebratory<br>occasions,<br>i.e.<br>weddings,<br>communion<br>etc. |
| E 110               | Sunset<br>Yellow<br>FCF/                       | 35         | (61)          | except<br>candied<br>fruit and<br>vegetables;  |

05.2

|       | Orange<br>Yellow S                   |    |      | traditional<br>sugar<br>coated<br>nut- or<br>cocoa-<br>based<br>confectionery<br>of almond<br>shape or<br>host shape,<br>typically<br>longer<br>than<br>2 cm and<br>typically<br>consumed<br>at<br>celebratory<br>occasions,<br>i.e.<br>weddings,<br>communion,<br>etc.  |
|-------|--------------------------------------|----|------|--|
| E 124 | Ponceau<br>4R,<br>Cochineal<br>Red A | 20 | (61) | except<br>candied<br>fruit and<br>vegetables;<br>traditional<br>sugar<br>coated<br>nut- or<br>cocoa-<br>based<br>confectionery<br>of almond<br>shape or<br>host shape,<br>typically<br>longer<br>than<br>2 cm and<br>typically<br>consumed<br>at<br>celebratory<br>occasions,<br>i.e.<br>weddings,<br>communion,<br>etc. |
| E 104 | Quinoline<br>Yellow                  | 30 | (61) | only<br>candied  |

|       |  |     |      | fruit and vegetables  |
|-------|--|-----|------|---|
| E 110 | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 10  | (61) | only<br>candied<br>fruit and<br>vegetables  |
| E 124 | Ponceau<br>4R,<br>Cochineal<br>Red A           | 10  | (61) | only<br>candied<br>fruit and<br>vegetables  |
| E 104 | Quinoline<br>Yellow                            | 300 | (61) | only<br>traditional<br>sugar<br>coated<br>nut- or<br>cocoa-<br>based<br>confectionery<br>of almond<br>shape or<br>host shape,<br>typically<br>longer<br>than<br>2 cm and<br>typically<br>consumed<br>at<br>celebratory<br>occasions,<br>i.e.<br>weddings,<br>communion,<br>etc. |
| E 110 | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 50  | (61) | only<br>traditional<br>sugar<br>coated<br>nut- or<br>cocoa-<br>based<br>confectionery<br>of almond<br>shape or<br>host shape,<br>typically<br>longer<br>than<br>2 cm and<br>typically   |

05.3

|         |  |   |               | consumed<br>at<br>celebratory<br>occasions,<br>i.e.<br>weddings,<br>communion,<br>etc.  |
|---------|--|---|---------------|---|
| E 124   | Ponceau<br>4R,<br>Cochineal<br>Red A           | 50  | (61)          | only<br>traditional<br>sugar<br>coated<br>nut- or<br>cocoa-<br>based<br>confectionery<br>of almond<br>shape or<br>host shape,<br>typically<br>longer<br>than<br>2 cm and<br>typically<br>consumed<br>at<br>celebratory<br>occasions,<br>i.e.<br>weddings,<br>communion,<br>etc. |
|         | 12<br>no                                       | he total quan<br>24 and the co<br>ot exceed the<br>roup III | olours in Gro | up III shall  |
| Chewing | gum  |   |               |   |
| E 104   | Quinoline<br>Yellow                            | 30  | (61)          |   |
| E 110   | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 10  | (61)          |   |
| E 124   | Ponceau<br>4R,<br>Cochineal<br>Red A           | 10  | (61)          |   |

| 05.4 |         | <ul> <li>(61): The total quantity of E 104, E 110, E<br/>124 and the colours in Group III shall<br/>not exceed the maximum listed for<br/>Group III</li> <li>Decorations, coatings and fillings, except fruit based<br/>fillings covered by category 4.2.4</li> </ul> |    |      |  |  |  |
|------|---------|---|----|------|--|--|--|
|      | E 104   | Quinoline<br>Yellow   | 50 | (61) | only<br>decorations,<br>coatings<br>and<br>sauces,<br>except<br>fillings |  |  |
|      | E 110   | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S  | 35 | (61) | only<br>decorations,<br>coatings<br>and<br>sauces,<br>except<br>fillings |  |  |
|      | E 124   | Ponceau<br>4R,<br>Cochineal<br>Red A  | 55 | (61) | only<br>decorations,<br>coatings<br>and<br>sauces,<br>except<br>fillings |  |  |
|      | E 104   | Quinoline<br>Yellow   | 50 | (61) | only<br>fillings   |  |  |
|      | E 110   | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S  | 35 | (61) | only<br>fillings   |  |  |
|      | E 124   | Ponceau<br>4R,<br>Cochineal<br>Red A  | 55 | (61) | only<br>fillings   |  |  |
|      |         | (61): The total quantity of E<br>124 and the colours in<br>not exceed the maximu<br>Group III   |    |      |  |  |  |
| 06.6 | Batters | 1   |    |      |  |  |  |
|      | E 104   | Quinoline<br>Yellow   | 50 | (61) |  |  |  |

|        | E 110<br>E 124 | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S<br>Ponceau<br>4R,<br>Cochineal<br>Red A<br>(61): TI | 35<br>55<br>he total quan                  | (61)<br>(61)<br>tity of E 104 | , E 110, E   |
|--------|----------------|--|--|-------------------------------|--|
|        |                | nc   | 24 and the co<br>ot exceed the<br>roup III |                               |  |
| 08.2.3 | Casings an     | d coatings a   | nd decorati                                | ons for mea                   | t  |
|        | E 104          | Quinoline<br>Yellow  | 50   | (61)                          | only<br>decorations<br>and<br>coatings<br>except<br>edible<br>external<br>coating of<br><i>pasturmas</i> |
|        | E 110          | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S   | 35   | (61)                          | only<br>decorations<br>and<br>coatings<br>except<br>edible<br>external<br>coating of<br><i>pasturmas</i> |
|        | E 124          | Ponceau<br>4R,<br>Cochineal<br>Red A   | 55   | (61)                          | only<br>decorations<br>and<br>coatings<br>except<br>edible<br>external<br>coating of<br><i>pasturmas</i> |
|        | E 104          | Quinoline<br>Yellow  | 10   | (62)                          | only<br>edible<br>casings  |
|        |                | (61): TI   | he total quan                              | tity of E 104                 | , E 110, E   |

(61): The total quantity of E 104, E 110, E 124 and the colours in Group III shall

|      |                      |  | ot exceed<br>roup III  | the maximur   | n listed for  |  |  |
|------|----------------------|--|--|---------------|---|--|--|
|      |                      | co   | (62): The total quantity of E 104 and the colours in Group III shall not exceed the maximum listed for Group III                 |               |   |  |  |
| 09.2 | Processe<br>and crus | d fish and fish<br>taceans                     | ery prod   | lucts includi | ng molluscs   |  |  |
|      | E 110                | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 200  | (63)          | only in<br>salmon<br>substitutes<br>based on<br><i>Theragra</i><br><i>chalcogramma</i><br>and<br><i>Pollachius</i><br><i>virens</i> |  |  |
|      | E 124                | Ponceau<br>4R,<br>Cochineal<br>Red A           | 200  | (63)          | only in<br>salmon<br>substitutes<br>based on<br><i>Theragra</i><br><i>chalcogramma</i><br>and<br><i>Pollachius</i><br><i>virens</i> |  |  |
|      |                      | ar<br>ez                                       | (63): The total quantity of E 110, E 124<br>and the colours in Group III shall not<br>exceed the maximum listed for Group<br>III |               |   |  |  |
| 09.3 | Fish roe             |  |  |               |   |  |  |
|      | E 104                | Quinoline<br>Yellow                            | 200  | (61)          | except<br>Sturgeons'<br>eggs<br>(Caviar)  |  |  |
|      | E 110                | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 200  | (61)          | except<br>Sturgeons'<br>eggs<br>(Caviar)  |  |  |
|      | E 124                | Ponceau<br>4R,<br>Cochineal<br>Red A           | 200  | (61)          | except<br>Sturgeons'<br>eggs<br>(Caviar)  |  |  |
|      |                      |  |  |               | 104, E 110, E<br>Group III shall  |  |  |

|        |           |  | ot exceed<br>roup III   | the maximum                                    | n listed for   |  |  |  |
|--------|-----------|--|---|--|--|--|--|--|
| 12.2.2 | Seasoning | Seasonings and condiments                      |   |  |  |  |  |  |
|        | E 104     | Quinoline<br>Yellow                            | 10  | (62)   | only<br>seasonings<br>for<br>example<br>curry<br>powder,<br>tandoori   |  |  |  |
|        |           | co   | olours in   | uantity of E<br>Group III sha<br>um listed for | ll not exceed  |  |  |  |
| 12.4   | Mustard   | '  |   |  |  |  |  |  |
|        | E 104     | Quinoline<br>Yellow                            | 10  | (61)   |  |  |  |  |
|        | E 110     | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 50  | (61)   |  |  |  |  |
|        | E 124     | Ponceau<br>4R,<br>Cochineal<br>Red A           | 35  | (61)   |  |  |  |  |
|        |           | 12<br>no                                       | (61): The total quantity of E 104, E 110, E<br>124 and the colours in Group III shall<br>not exceed the maximum listed for<br>Group III |  |  |  |  |  |
| 12.6   | Sauces    |  |   |  |  |  |  |  |
| _      | E 104     | Quinoline<br>Yellow                            | 20  | (64)   | including<br>pickles,<br>relishes,<br>chutney<br>and<br>piccalilli;<br>excluding<br>tomato-<br>based<br>sauces |  |  |  |
|        | E 110     | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 30  | (64)   | only in<br>pickles<br>and<br>piccalilli  |  |  |  |

|      |                  | ar  | nd the color<br>sceed the   | ours in Grou | 04 and E 110<br>p III shall not<br>sted for Group                       |  |  |
|------|------------------|---|---|--------------|---|--|--|
| 12.9 | Protein p<br>1.8 | products, exclu   | uding pro   | ducts cover  | ed in category  |  |  |
|      | E 104            | Quinoline<br>Yellow   | 10  | (61)         | only meat<br>and fish<br>analogues<br>based on<br>vegetable<br>proteins |  |  |
|      | E 110            | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S  | 20  | (61)         | only meat<br>and fish<br>analogues<br>based on<br>vegetable<br>proteins |  |  |
|      | E 124            | Ponceau<br>4R,<br>Cochineal<br>Red A  | 10  | (61)         | only meat<br>and fish<br>analogues<br>based on<br>vegetable<br>proteins |  |  |
|      |                  | 12<br>no  | (61): The total quantity of E 104, E 110, E<br>124 and the colours in Group III shall<br>not exceed the maximum listed for<br>Group III |              |   |  |  |
| 13.2 | Directive        | Dietary foods for special medical purposes defined in<br>Directive 1999/21/EC (excluding products from food<br>category 13.1.5) |   |              |   |  |  |
|      | E 104            | Quinoline<br>Yellow   | 10  | (61)         |   |  |  |
|      | E 110            | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S  | 10  | (61)         |   |  |  |
|      | E 124            | Ponceau<br>4R,<br>Cochineal<br>Red A  | 10  | (61)         |   |  |  |
|      |                  |   |   |              | 04, E 110, E<br>Group III shall   |  |  |

|        |                  |  | ot exceed<br>roup III  | the maximur | n listed for   |  |  |
|--------|------------------|--|--|-------------|--|--|--|
| 13.3   | total dail       | oods for weig<br>y food intake<br>f the total dai  | or an in   |             |  |  |  |
|        | E 104            | Quinoline<br>Yellow  | 10   | (61)        |  |  |  |
|        | E 110            | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S   | 10   | (61)        |  |  |  |
|        | E 124            | Ponceau<br>4R,<br>Cochineal<br>Red A   | 10   | (61)        |  |  |  |
|        |                  | (61): The total quantity of E 104, E 110<br>124 and the colours in Group III s<br>not exceed the maximum listed for<br>Group III |  |             |  |  |  |
| 14.1.4 | Flavoured drinks |  |  |             |  |  |  |
|        | E 104            | Quinoline<br>Yellow  | 10   | (61)        | excluding<br>chocolate<br>milk<br>and malt<br>products |  |  |
|        | E 110            | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S   | 20   | (61)        | excluding<br>chocolate<br>milk<br>and malt<br>products |  |  |
|        | E 124            | Ponceau<br>4R,<br>Cochineal<br>Red A   | 10   | (61)        | excluding<br>chocolate<br>milk<br>and malt<br>products |  |  |
|        |                  | 12   | The total quantity of E 104, E 110, E<br>24 and the colours in Group III shall<br>not exceed the maximum listed for<br>Group III |             |  |  |  |
|        |                  |  |  |             |  |  |  |
| 14.2.3 | Cider an         | G  |  |             |  |  |  |

|          | E 110            | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 10         | (64) | excluding<br>cidre<br>bouché                     |  |  |
|----------|------------------|--|------------|------|--|--|--|
|          |                  | ar   | nd the col |      | 104, E 110<br>p III shall not<br>sted for Group  |  |  |
| 14.2.4   | Fruit win        | e and made v                                   | vine       |      |  |  |  |
|          | E 104            | Quinoline<br>Yellow                            | 20         | (61) |  |  |  |
|          | E 110            | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 10         | (61) |  |  |  |
|          | E 124            | Ponceau<br>4R,<br>Cochineal<br>Red A           | 1          | (61) |  |  |  |
|          |                  | 12<br>no                                       | 24 and the |      | 104, E 110, E<br>Group III shall<br>n listed for |  |  |
| 14.2.7.1 | Aromatised wines |  |            |      |  |  |  |
|          | E 104            | Quinoline<br>Yellow                            | 50         | (61) | Except<br>americano,<br>bitter vino              |  |  |
|          | E 110            | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 50         | (61) | Except<br>americano,<br>bitter vino              |  |  |
|          | E 124            | Ponceau<br>4R,<br>Cochineal<br>Red A           | 50         | (61) | Except<br>americano,<br>bitter vino              |  |  |
|          |                  | 12<br>no                                       | 24 and the |      | 104, E 110, E<br>Group III shall<br>n listed for |  |  |
| 14.2.7.2 | Aromatis         | ed wine-base                                   | d drinks   |      |  |  |  |

|         | E 104  | Quinoline<br>Yellow                             | 50  | (61) | except<br>bitter<br>soda,<br>sangria,<br>claria,<br>zurra |  |  |  |
|---------|--|---|---|------|---|--|--|--|
|         | E 110  | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S  | 50  | (61) | except<br>bitter<br>soda,<br>sangria,<br>claria,<br>zurra |  |  |  |
|         | E 124  | Ponceau<br>4R,<br>Cochineal<br>Red A            | 50  | (61) | except<br>bitter<br>soda,<br>sangria,<br>claria,<br>zurra |  |  |  |
|         | (61): The total quantity of E 104, E 110,<br>124 and the colours in Group III sh<br>not exceed the maximum listed for<br>Group III |   |   |      |   |  |  |  |
| 4.2.7.3 | Aromatised wine-product cocktails  |   |   |      |   |  |  |  |
|         | E 104  | Quinoline<br>Yellow                             | 50  | (61) |   |  |  |  |
|         | E 110  | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S  | 50  | (61) |   |  |  |  |
|         | E 124  | Ponceau<br>4R,<br>Cochineal<br>Red A            | 50  | (61) |   |  |  |  |
|         |  | 12<br>no  | (61): The total quantity of E 104, E 110, E<br>124 and the colours in Group III shall<br>not exceed the maximum listed for<br>Group III |      |   |  |  |  |
| 14.2.8  | drinks w   | coholic drinks<br>ith non-alcoh<br>% of alcohol |   |      |   |  |  |  |
|         | E 104  | Quinoline<br>Yellow                             | 180   | (61) | only<br>alcoholic<br>drinks<br>with less                  |  |  |  |

|      |  |  |   |              | than 15 % of alcohol  |  |  |  |
|------|--|--|---|--------------|---|--|--|--|
|      | E 110  | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 100   | (61)         | only<br>alcoholic<br>drinks<br>with less<br>than 15 %<br>of alcohol |  |  |  |
|      | E 124  | Ponceau<br>4R,<br>Cochineal<br>Red A           | 170   | (61)         | only<br>alcoholic<br>drinks<br>with less<br>than 15 %<br>of alcohol |  |  |  |
|      |  | 12<br>12                                       | ne total quan<br>24 and the co<br>ot exceed the<br>roup III | lours in Gro | up III shall  |  |  |  |
| 16.  | Desserts excluding products covered in categories 1, 3 and 4 |  |   |              |   |  |  |  |
|      | E 104  | Quinoline<br>Yellow                            | 10  | (61)         |   |  |  |  |
|      | E 110  | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 5   | (61)         |   |  |  |  |
|      | E 124  | Ponceau<br>4R,<br>Cochineal<br>Red A           | 10  | (61)         |   |  |  |  |
|      |  | 12<br>12                                       | ne total quan<br>24 and the co<br>ot exceed the<br>roup III | lours in Gro | up III shall  |  |  |  |
| 17.1 |  | lements supj<br>id tablets an<br>orms          |   |              |   |  |  |  |
|      | E 104  | Quinoline<br>Yellow                            | 35  | (61)         |   |  |  |  |
|      | E 110  | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 10  | (61)         |   |  |  |  |

|      | E 124  | 12<br>no<br>G                                  | 24 and the ot exceed roup III | the maximum                                  | roup III shall |  |  |
|------|--|--|-------------------------------|--|----------------|--|--|
| 17.2 | Food sup   | plements sup                                   | plied in a                    | liquid form                                  |                |  |  |
|      | E 104  | Quinoline<br>Yellow                            | 10                            | (61)   |                |  |  |
|      | E 110  | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 10                            | (61)   |                |  |  |
|      | E 124  | Ponceau<br>4R,<br>Cochineal<br>Red A           | 10                            | (61)   |                |  |  |
|      |  | 12<br>no                                       | 24 and the                    | antity of E 1<br>colours in G<br>the maximum | roup III shall |  |  |
| 17.3 | Food supplements supplied in a syrup-type or chewable form |  |                               |  |                |  |  |
|      | E 104  | Quinoline<br>Yellow                            | 10                            | (61)   |                |  |  |
|      | E 110  | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 10                            | (61)   |                |  |  |
|      | E 124  | Ponceau<br>4R,<br>Cochineal<br>Red A           | 10                            | (61)   |                |  |  |
|      |  | 12<br>no                                       | 24 and the                    | antity of E 1<br>colours in G<br>the maximum | roup III shall |  |  |

(g)

category 08.2.1 is amended as follows:

(i) the entry for E 110 is replaced by the following:

| E 110 Sunset 15<br>yellow<br>FCF/<br>Orange<br>Yellow S | only<br>sobrasada |
|---|-------------------|
|---|-------------------|

(ii) the entry for E 124 is replaced by the following:

| E 124 | Ponceau<br>4R,<br>Cochineal<br>Red A | 50 | only<br>chorizo<br>sausage/<br>salchichon |
|-------|--------------------------------------|----|---|
|       |                                      |    |   |

# (h) category 14.2.7.1 is amended as follows:

# (i) the entries for E 104 and E 110 are replaced by the following:

| E 104 | Quinoline<br>Yellow                            | 50 | (26) (27) | only<br>americano,<br>bitter<br>vino |
|-------|--|----|-----------|--------------------------------------|
| E 110 | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 50 | (27)      | only<br>bitter<br>vino               |

# (ii) the entry for E 124 is replaced by the following:

| E 124 | Ponceau<br>4R.     | 50 | (26) (27) | only<br><i>americano</i> , |
|-------|--------------------|----|-----------|----------------------------|
|       | Cochineal<br>Red A |    |           | bitter<br>vino             |

(i) category 14.2.7.2 is amended as follows:

(i) the entries for E 104 and E 110 are replaced by the following:

| E 104 | Quinoline<br>Yellow                            | 50 | (28) | only<br><i>bitter</i><br><i>soda</i> |
|-------|--|----|------|--------------------------------------|
| E 110 | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 50 | (28) | only<br>bitter<br>soda               |

(ii)

the entry for E 124 is replaced by the following:

| E 124 | Ponceau   | 50 | (28) | only<br><i>bitter</i> |
|-------|-----------|----|------|-----------------------|
|       | 4K,       |    |      | omer                  |
|       | Cochineal |    |      | soda                  |
|       | Red A     |    |      |                       |
|       |           |    |      |                       |

(j) the following entries for E 104, E 110 and E 124 are deleted in the food categories referred to:

| 01.7.5   | Processe   | Processed cheese                               |     |      |  |  |  |  |
|----------|--|--|-----|------|--|--|--|--|
|          | E 104  | Quinoline<br>Yellow                            | 100 | (33) | only<br>flavoured<br>processed<br>cheese |  |  |  |
|          | E 110  | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 100 | (33) | only<br>flavoured<br>processed<br>cheese |  |  |  |
|          | E 124  | Ponceau<br>4R,<br>Cochineal<br>Red A           | 100 | (33) | only<br>flavoured<br>processed<br>cheese |  |  |  |
| 04.2.1   | Dried fruit and vegetables                         |  |     |      |  |  |  |  |
|          | E 124  | Ponceau<br>4R,<br>Cochineal<br>Red A           | 200 | (34) | only<br>preserves<br>of red fruit        |  |  |  |
| 04.2.2   | Fruit and vegetables in vinegar, oil, or brine     |  |     |      |  |  |  |  |
|          | E 124  | Ponceau<br>4R,<br>Cochineal<br>Red A           | 200 | (34) | only<br>preserves<br>of red fruit        |  |  |  |
| 04.2.3   | Canned or bottled fruit and vegetables             |  |     |      |  |  |  |  |
|          | E 124  | Ponceau<br>4R,<br>Cochineal<br>Red A           | 200 | (34) | only<br>preserves<br>of red fruit        |  |  |  |
| 04.2.4.1 | Fruit and vegetable preparations excluding compote |  |     |      |  |  |  |  |
|          | E 124  | Ponceau<br>4R,<br>Cochineal<br>Red A           | 200 | (34) | only<br>preserves<br>of red fruit        |  |  |  |
| 04.2.5.2 |  | ies and marm<br>defined by Di                  |     |      | l chestnut                               |  |  |  |

|          |  |  | 1   | r    |   |  |  |
|----------|--|--|-----|------|---|--|--|
|          | E 104  | Quinoline<br>Yellow                            | 100 | (31) | except<br>chestnut<br>puree                   |  |  |
|          | E 110  | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 100 | (31) | except<br>chestnut<br>puree                   |  |  |
|          | E 124  | Ponceau<br>4R,<br>Cochineal<br>Red A           | 100 | (31) | except<br>chestnut<br>puree                   |  |  |
| 04.2.5.3 | Other similar fruit or vegetable spreads                               |  |     |      |   |  |  |
|          | E 104  | Quinoline<br>Yellow                            | 100 | (31) | except<br>crème de<br>pruneaux                |  |  |
|          | E 110  | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 100 | (31) | except<br>crème de<br>pruneaux                |  |  |
|          | E 124  | Ponceau<br>4R,<br>Cochineal<br>Red A           | 100 | (31) | except<br>crème de<br>pruneaux                |  |  |
| 08.2.1   | Non heat treated processed meat  |  |     |      |   |  |  |
|          | E 124  | Ponceau<br>4R,<br>Cochineal<br>Red A           | 200 |      | only<br>sobrasada                             |  |  |
| 09.2     | Processed fish and fishery products including molluscs and crustaceans |  |     |      |   |  |  |
|          | E 104  | Quinoline<br>Yellow                            | 100 | (35) | only fish<br>paste and<br>crustacean<br>paste |  |  |
|          | E 110  | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 100 | (35) | only fish<br>paste and<br>crustacean<br>paste |  |  |
|          | E 124  | Ponceau<br>4R,<br>Cochineal<br>Red A           | 100 | (35) | only fish<br>paste and<br>crustacean<br>paste |  |  |

| E 110 | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 250 | (36) | only<br>precooked<br>crustacean |
|-------|--|-----|------|---------------------------------|
| E 124 | Ponceau<br>4R,<br>Cochineal<br>Red A           | 250 | (36) | only<br>precooked<br>crustacean |
| E 110 | Sunset<br>Yellow<br>FCF/<br>Orange<br>Yellow S | 100 | (37) | only<br>smoked<br>fish          |
| E 124 | Ponceau<br>4R,<br>Cochineal<br>Red A           | 100 | (37) | only<br>smoked<br>fish          |

- (1) OJ L 354, 31.12.2008, p. 16.
- (2) Reports of the Scientific Committee for Food, Fourteenth series, 1983.
- (3) Scientific opinion of the Panel on Food Additives and Nutrient sources added to Food (ANS) on a request from the Commission related to the re-evaluation on the safety of Quinoline Yellow (E 104) when used as a food additive, The EFSA Journal 2009; 7(11):1329.
- (4) Scientific opinion of the Panel on Food Additives and Nutrient sources added to Food (ANS) on a request from the Commission related to the re-evaluation on the safety of Sunset Yellow (E 110) as a food additive, The EFSA Journal 2009; 7(11):1330.
- (5) Scientific opinion of the Panel on Food Additives and Nutrient sources added to Food (ANS) on a request from the Commission related to the re-evaluation on the safety of Ponceau 4R as a food additive, The EFSA Journal 2009; 7(11):1328.

#### Changes to legislation:

There are currently no known outstanding effects for the Commission Regulation (EU) No 232/2012.