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ANNEX

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

(a) in Part B, in Table 3: Additives other than colours and sweeteners, the entries for the food additives E 311 octyl gallate and E 312 dodecyl gallate are deleted;

(b) in Part C, in Table 5: Other additives that may be regulated combined, point (k) 'E 310-320: Gallates, TBHQ and BHA' is replaced by the following:

(k) E 310–320: Propyl gallate, TBHQ and BHA

E-number	Name
E 310	Propyl gallate
E 319	Tertiary-butyl hydroquinone (TBHQ)
E 320	Butylated hydroxyanisole (BHA)

(c) Part E is amended as follows:

1. In category 01.5 (Dehydrated milk as defined by Directive 2001/114/EC), the entry concerning food additives E 310-320 (Gallates, TBHQ and BHA) is replaced by the following:

E 310-320	Propyl gallate, TBHQ and BHA	200	(1)	only milk powder for vending machines
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2. In category 02.1 (Fats and oils essentially free from water (excluding anhydrous milkfat)), the entry concerning food additives E 310-320 (Gallates, TBHQ and BHA, individually or in combination) is replaced by the following:

E 310-320	Propyl gallate, TBHQ and BHA	200	(1) (41)	only fats and oils for the professional manufacture of heat-treated foods; frying oil and frying fat (excluding olive pomace oil) and
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|--|--|--|--|--|---|
|  |  |  |  |  | lard, fish oil, beef, poultry and sheep fat |
|--|--|--|--|--|---|
3. In category 02.2.2 (Other fat and oil emulsions including spreads as defined by Council Regulation (EC) No 1234/2007 and liquid emulsions), the entry concerning food additives E 310-320 (Gallates, TBHQ and BHA, individually or in combination) is replaced by the following:
- |  |           |                              |     |         |                 |
|--|-----------|------------------------------|-----|---------|-----------------|
|  | E 310-320 | Propyl gallate, TBHQ and BHA | 200 | (1) (2) | only frying fat |
|--|-----------|------------------------------|-----|---------|-----------------|
4. In category 04.2.5.4 (Nut butters and nut spreads), the entry concerning food additives E 310-320 (Gallates, TBHQ and BHA) is replaced by the following:
- |  |           |                              |     |          |                     |
|--|-----------|------------------------------|-----|----------|---------------------|
|  | E 310-320 | Propyl gallate, TBHQ and BHA | 200 | (1) (41) | only processed nuts |
|--|-----------|------------------------------|-----|----------|---------------------|
5. In category 04.2.6 (Processed potato products), the entry concerning food additives E 310-320 (Gallates, TBHQ and BHA) is replaced by the following:
- |  |           |                              |    |     |                          |
|--|-----------|------------------------------|----|-----|--------------------------|
|  | E 310-320 | Propyl gallate, TBHQ and BHA | 25 | (1) | only dehydrated potatoes |
|--|-----------|------------------------------|----|-----|--------------------------|
6. In category 05.3 (Chewing gum), the entry concerning food additives E 310-321 (Gallates, TBHQ, BHA and BHT) is replaced by the following:
- |  |           |                                   |     |     |  |
|--|-----------|-----------------------------------|-----|-----|--|
|  | E 310-321 | Propyl gallate, TBHQ, BHA and BHT | 400 | (1) |  |
|--|-----------|-----------------------------------|-----|-----|--|
7. In category 06.3 (Breakfast cereals), the entry concerning food additives E 310-320 (Gallates, TBHQ and BHA) is replaced by the following:

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	E 310-320	Propyl gallate, TBHQ and BHA	200	(1) (13)	only precooked cereals
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8. In category 06.7 (Pre-cooked or processed cereals), the entry concerning food additives E 310-320 (Gallates, TBHQ and BHA) is replaced by the following:

	E 310-320	Propyl gallate, TBHQ and BHA	200	(1)	only pre-cooked cereals
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9. In category 07.2 (Fine bakery wares), the entry concerning food additives E 310-320 (Gallates, TBHQ and BHA) is replaced by the following:

	E 310-320	Propyl gallate, TBHQ and BHA	200	(1)	only cake mixes
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10. In category 08.3.1 (Non-heat-treated meat products), the entry concerning food additives E 310-320 (Gallates, TBHQ and BHA) is replaced by the following:

	E 310-320	Propyl gallate, TBHQ and BHA	200	(1) (13)	only dehydrated meat
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11. In category 08.3.2 (Heat-treated meat products), the entry concerning food additives E 310-320 (Gallates, TBHQ and BHA) is replaced by the following:

	E 310-320	Propyl gallate, TBHQ and BHA	200	(1) (13)	only dehydrated meat
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12. In category 12.2.2 (Seasonings and condiments), the entry concerning food additives E 310-321 (Gallates, TBHQ, BHA and BHT) is replaced by the following:

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	E 310-321	Propyl gallate, TBHQ, BHA and BHT	200	(1) (13)	
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13. In category 12.5 (Soups and broths), the entry concerning food additives E 310-320 (Gallates, TBHQ and BHA) is replaced by the following:

	E 310-320	Propyl gallate, TBHQ and BHA	200	(1) (13)	only dehydrated soups and broths
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14. In category 12.6 (Sauces), the entry concerning food additives E 310-320 (Gallates, TBHQ and BHA) is replaced by the following:

	E 310-320	Propyl gallate, TBHQ and BHA	200	(1) (13)	
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15. In category 15.1 (Potato-, cereal-, flour- or starch-based snacks), the entry concerning food additives E 310-320 (Gallates, TBHQ and BHA) is replaced by the following:

	E 310-320	Propyl gallate, TBHQ and BHA	200	(1)	only cereal- based snack foods
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16. In category 15.2 (Processed nuts), the entry concerning food additives E 310-320 (Gallates, TBHQ and BHA) is replaced by the following:

	E 310-320	Propyl gallate, TBHQ and BHA	200	(1) (13)	
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17. In category 17.1 (Food supplements supplied in a solid form including capsules and tablets and similar forms, excluding chewable forms), the entry concerning food additives E 310-321 (Gallates, TBHQ, BHA and BHT) is replaced by the following:

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	E 310-321	Propyl gallate, TBHQ, BHA and BHT	400	(1)	
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18. In category 17.2 (Food supplements supplied in a liquid form), the entry concerning food additives E 310-321 (Gallates, TBHQ, BHA and BHT) is replaced by the following:

	E 310-321	Propyl gallate, TBHQ, BHA and BHT	400	(1)	
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19. In category 17.3 (Food supplements supplied in a syrup-type or chewable form), the entry concerning food additives E 310-321 (Gallates, TBHQ, BHA and BHT) is replaced by the following:

	E 310-321	Propyl gallate, TBHQ, BHA and BHT	400	(1)	
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- (2) Annex III to Regulation (EC) No 1333/2008 is amended as follows:

- (a) in Part 4 (Food additives including carriers in food flavourings), the entries concerning food additives E 310, E 311, E 312, E 319 and E 320 are replaced by the following:

E 310	Propyl gallate	Essential oils	1 000 mg/kg (propyl gallate, TBHQ and BHA, individually or in combination) in the essential oils
E 319	Tertiary-butyl hydroquinone (TBHQ)		
E 320	Butylated hydroxyanisole (BHA)	Flavourings other than essential oils	100 mg/kg <sup>(1)</sup> (propyl gallate) 200 mg/kg <sup>(1)</sup> (TBHQ and BHA, individually or in combination) in flavourings

- (b) in Part 4 (Food additives including carriers in food flavourings), the footnote <sup>(1)</sup> is replaced by the following:

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- (<sup>1</sup>) Proportionality rule: when combinations of propyl gallate, TBHQ, and BHA are used, the individual levels must be reduced proportionally.

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