

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 flavourings (Text with EEA relevance)

CHAPTER I

GENERAL PRINCIPLES

Article 1

Subject matter and scope

1 This Regulation lays down a common procedure for the assessment and authorisation (hereinafter referred to as the common procedure) of food additives, food enzymes, food flavourings and source materials of food flavourings and of food ingredients with flavouring properties used or intended for use in or on foodstuffs (hereinafter referred to as the substances), which contributes to the free movement of food within the Community and to a high level of protection of human health and to a high level of consumer protection, including the protection of consumer interests. This Regulation shall not apply to smoke flavourings falling within the scope of Regulation (EC) No 2065/2003 of the European Parliament and of the Council of 10 November 2003 on smoke flavourings used or intended for use in or on foods⁽¹⁾.

2 The common procedure shall lay down the procedural arrangements for updating the lists of substances the marketing of which is authorised in the Community pursuant to Regulation (EC) No 1333/2008 [on food additives], Regulation (EC) No 1332/2008 [on food enzymes] and Regulation (EC) No 1334/2008 [on flavourings and certain food ingredients with flavouring properties for use in and on foods] (hereinafter referred to as the sectoral food laws).

3 The criteria according to which substances can be included on the Community list provided for in Article 2, the content of the regulation referred to in Article 7 and, where applicable, the transitional provisions concerning ongoing procedures are laid down in each sectoral food law.

Article 2

Community list of substances

1 Under each sectoral food law, substances that have been authorised to be placed on the Community market shall be included on a list the content of which is determined by the said law (hereinafter referred to as the Community list). The Community list shall be updated by the Commission. It shall be published in the *Official Journal of the European Union*.

2 'Updating the Community list' means:

- a adding a substance to the Community list;
- b removing a substance from the Community list;
- c adding, removing or changing conditions, specifications or restrictions associated with the presence of a substance on the Community list.

Changes to legislation: There are outstanding changes not yet made to Regulation (EC) No 1331/2008 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (1) [OJ L 309, 26.11.2003, p. 1.](#)

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Changes and effects yet to be applied to :

- Regulation applied (with modifications) by [S.I. 2023/959 reg. 4\(a\)Sch. 1](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2019/860 reg. 54](#)
- Art. 2(3)-(7) added by [S.I. 2019/860 reg. 39\(c\)](#)
- Art. 2(3) words substituted in earlier amending provision S.I. 2019/860, reg. 39(c) by [S.I. 2020/1504 reg. 18\(10\)\(a\)](#)
- Art. 2(5) words omitted in earlier amending provision S.I. 2019/860, reg. 39(c) by [S.I. 2020/1504 reg. 18\(10\)\(b\)](#)
- Art. 2(7) omitted in earlier amending provision S.I. 2019/860, reg. 39(c) by [S.I. 2020/1504 reg. 18\(10\)\(c\)](#)
- Art. 14A inserted by [S.I. 2019/860 reg. 52](#)
- Art. 14A(1)(c) omitted in earlier amending provision S.I. 2019/860, reg. 52 by [S.I. 2020/1504 reg. 18\(11\)\(a\)](#)
- Art. 14A(3) words substituted in earlier amending provision S.I. 2019/860, reg. 52 by [S.I. 2020/1504 reg. 18\(11\)\(b\)\(i\)](#)
- Art. 14A(3)(b) words substituted in earlier amending provision S.I. 2019/869, reg. 52 by [S.I. 2020/1504 reg. 18\(11\)\(b\)\(ii\)](#)
- Art. 14A(3)(d) omitted in earlier amending provision S.I. 2019/860, reg. 52 by [S.I. 2020/1504 reg. 18\(11\)\(b\)\(iii\)](#)
- Art. 14A(3)(d) words substituted by [S.I. 2019/1013 reg. 75](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2019/1013 revoked immediately before IP completion day by S.I. 2020/1504, regs. 1(2), 21(e))
- Art. 14A(4)(d) omitted in earlier amending provision S.I. 2019/860, reg. 52 by [S.I. 2020/1504 reg. 18\(11\)\(c\)](#)