

*Status: Point in time view as at 31/01/2020.*

*Changes to legislation: There are outstanding changes not yet made to Regulation (EC) No 1333/2008 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)*

## [<sup>F1</sup>ANNEX II

### Union list of food additives approved for use in foods and conditions of use

#### Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) No 1129/2011 of 11 November 2011 amending Annex II to Regulation \(EC\) No 1333/2008 of the European Parliament and of the Council by establishing a Union list of food additives \(Text with EEA relevance\).](#)

#### PART A

##### 1. Introduction

This Union list includes:

- [<sup>F2</sup>the name of the food additive and its E-number; as an alternative more specific E-numbers and names listed in [Commission Regulation \(EU\) No 231/2012<sup>\(1\)</sup>](#) may be used, excluding synonyms, if the named food additives have indeed been added to a certain food,]
- the foods to which the food additive may be added,
- the conditions under which the food additive may be used,
- restrictions on the sale of the food additive directly to the final consumer.

#### Textual Amendments

- F2** Substituted by [Commission Regulation \(EU\) 2015/647 of 24 April 2015 amending and correcting Annexes II and III to Regulation \(EC\) No 1333/2008 of the European Parliament and of the Council as regards the use of certain food additives \(Text with EEA relevance\).](#)

##### 2. General provisions on listed food additives and conditions of use

- [<sup>F2</sup>1. Only the substances listed in Part B, as specified by [Regulation \(EU\) No 231/2012](#), may be used as additives in foods, unless more specifically provided for in Part E.]
2. Additives may only be used in the foods and under the conditions set out in Part E of this Annex.
3. In Part E of this Annex, foods are listed on the basis of food categories set out in Part D of this Annex and additives are grouped on the basis of definitions set out in Part C of this Annex.
- [<sup>F3</sup>4. Aluminium lakes prepared from all colours listed in Table 1 of Part B are authorised until 31 July 2014.

From 1 August 2014 only aluminium lakes prepared from the colours listed in Table 3 of this Part A are authorised and only in those food categories where provisions on maximum limits on aluminium coming from lakes are explicitly stated in Part E.]

#### Textual Amendments

- F3** Substituted by [Commission Regulation \(EU\) No 380/2012 of 3 May 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 aluminium-containing food additives \(Text with EEA relevance\).](#)

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- [<sup>F25</sup> The colours E 123, E 127, E 160b, E 161g, E 173 and E 180 and mixtures thereof may not be sold directly to the consumer.]
6. The substances listed under numbers E 407, E 407a and E 440 may be standardised with sugars, on condition that this is stated in addition to the number and designation.
  7. When labelled 'for food use', nitrite may be sold only in a mixture with salt or a salt substitute.
  8. The carry over principle set out in Article 18(1)(a) of Regulation (EC) No 1333/2008, shall not apply to foods listed in Table 1, as regards food additives in general, and in Table 2, as regards food colours.

TABLE 1

**Foods in which the presence of an additive may not be permitted by virtue of the carry over principle set out in Article 18(1)(a) of Regulation (EC) No 1333/2008**

[ <sup>F51</sup>	Unprocessed foods as defined in Article 3 of Regulation (EC) No 1333/2008, excluding meat preparations as defined by Regulation (EC) No 853/2004]
2	Honey as defined in Council Directive 2001/110/EC <sup>a</sup>
3	Non-emulsified oils and fats of animal or vegetable origin
4	Butter
5	Unflavoured pasteurised and sterilised (including UHT) milk and unflavoured plain pasteurised cream (excluding reduced fat cream)
6	Unflavoured fermented milk products, not heat-treated after fermentation
7	Unflavoured buttermilk (excluding sterilised buttermilk)
8	Natural mineral water as defined in Directive 2009/54/EC of the European Parliament and of the Council <sup>b</sup> and spring water and all other bottled or packed waters

<sup>a</sup> OJ L 10, 12.1.2002, p. 47.

<sup>b</sup> OJ L 164, 26.6.2009, p. 45.

<sup>c</sup> OJ L 10, 12.1.2002, p. 53.

<sup>d</sup> OJ L 124, 20.5.2009, p. 21.

<sup>e</sup> [<sup>F4</sup>Regulation (EU) No 609/2013 of the European Parliament and of the Council of 12 June 2013 on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control and repealing Council Directive 92/52/EEC, Commission Directives 96/8/EC, 1999/21/EC, 2006/125/EC and 2006/141/EC, Directive 2009/39/EC of the European Parliament and of the Council and Commission Regulations (EC) No 41/2009 and (EC) No 953/2009 (OJ L 181, 29.6.2013, p. 35).]

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9	Coffee (excluding flavoured instant coffee) and coffee extracts
10	Unflavoured leaf tea
11	Sugars as defined in Council Directive 2001/111/EC <sup>c</sup>
12	Dry pasta, excluding gluten-free and/or pasta intended for hypoproteic diets, in accordance with Directive 2009/39/EC of the European Parliament and of the Council <sup>d</sup>
[ <sup>F4</sup> 13	Foods for infants and young children as referred to in Regulation (EU) No 609/2013 <sup>e</sup> , including foods for special medical purposes for infants and young children]
a	OJ L 10, 12.1.2002, p. 47.
b	OJ L 164, 26.6.2009, p. 45.
c	OJ L 10, 12.1.2002, p. 53.
d	OJ L 124, 20.5.2009, p. 21.
e	[ <sup>F4</sup> Regulation (EU) No 609/2013 of the European Parliament and of the Council of 12 June 2013 on food intended for infants and young children, food for special medical purposes, and total diet replacement for weight control and repealing Council Directive 92/52/EEC, Commission Directives 96/8/EC, 1999/21/EC, 2006/125/EC and 2006/141/EC, Directive 2009/39/EC of the European Parliament and of the Council and Commission Regulations (EC) No 41/2009 and (EC) No 953/2009 (OJ L 181, 29.6.2013, p. 35).]

TABLE 2

**Foods in which the presence of a food colour may not be permitted by virtue of the carry over principle set out in Article 18(1)(a) of Regulation (EC) No 1333/2008**

1	Unprocessed foods as defined in Article 3 of Regulation (EC) No 1333/2008
2	All bottled or packed waters
3	Milk, full fat, semi-skimmed and skimmed milk, pasteurised or sterilised (including UHT sterilisation) (unflavoured)
4	Chocolate milk
5	Fermented milk (unflavoured)
6	Preserved milks as mentioned in Council Directive 2001/114/EC <sup>a</sup> (unflavoured)
a	OJ L 15, 17.1.2002, p. 19.
b	OJ L 10, 12.1.2002, p. 58.
c	OJ L 10, 12.1.2002, p. 67.
d	OJ L 197, 3.8.2000, p. 19.
e	OJ L 299, 16.11.2007, p. 1.
f	OJ L 39, 13.2.2008, p. 16.
g	OJ L 149, 14.6.1991, p. 1.

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7	Buttermilk (unflavoured)
8	Cream and cream powder (unflavoured)
9	Oils and fats of animal or vegetable origin
10	Ripened and unripened cheese (unflavoured)
11	Butter from sheep and goats' milk
12	Eggs and egg products as defined in Regulation (EC) No 853/2004
13	Flour and other milled products and starches
14	Bread and similar products
15	Pasta and gnocchi
16	Sugar including all mono- and disaccharides
17	Tomato paste and canned and bottled tomatoes
18	Tomato-based sauces
19	Fruit juice and fruit nectar as mentioned in Council Directive 2001/112/EC <sup>b</sup> and vegetable juice and vegetable nectars
20	Fruit, vegetables (including potatoes) and mushrooms — canned, bottled or dried; processed fruit, vegetables (including potatoes) and mushrooms
21	Extra jam, extra jelly, and chestnut purée as mentioned in Council Directive 2001/113/EC <sup>c</sup> ; crème de pruneaux
22	Fish, molluscs and crustaceans, meat, poultry and game as well as their preparations, but not including prepared meals containing these ingredients
23	Cocoa products and chocolate components in chocolate products as mentioned in Directive 2000/36/EC of the European Parliament and of the Council <sup>d</sup>
24	Roasted coffee, tea, herbal and fruit infusions, chicory; extracts of tea and herbal

<sup>a</sup> OJ L 15, 17.1.2002, p. 19.

<sup>b</sup> OJ L 10, 12.1.2002, p. 58.

<sup>c</sup> OJ L 10, 12.1.2002, p. 67.

<sup>d</sup> OJ L 197, 3.8.2000, p. 19.

<sup>e</sup> OJ L 299, 16.11.2007, p. 1.

<sup>f</sup> OJ L 39, 13.2.2008, p. 16.

<sup>g</sup> OJ L 149, 14.6.1991, p. 1.

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	and fruit infusions and of chicory; tea, herbal and fruit infusions and cereal preparations for infusions, as well as mixes and instant mixes of these products
25	Salt, salt substitutes, spices and mixtures of spices
26	Wine and other products covered by Council Regulation (EC) No 1234/2007 <sup>e</sup> , as listed in its Annex I, Part XII
27	Spirit drinks defined in Annex II, paragraphs 1-14 of Regulation (EC) No 110/2008 of the European Parliament and of the Council <sup>f</sup> , spirits (preceded by the name of the fruit) obtained by maceration and distillation and London gin (Annex II paragraphs 16 and 22 of, respectively) Sambuca, Maraschino, Marrasquino or Maraskino and Mistrà as defined in Annex II, paragraphs 38, 39 and 43 of Regulation (EC) No 110/2008, respectively
28	Sangria, Clarea and Zurra as mentioned in Council Regulation (EEC) No 1601/91 <sup>g</sup>
29	Wine vinegar covered by Regulation (EC) No 1234/2007, as listed in its Annex I, Part XII
30	Foods for infants and young children as mentioned in Directive 2009/39/EC including foods for special medical purposes for infants and young children
31	Honey as defined in Directive 2001/110/EC
32	Malt and malt products
a	OJ L 15, 17.1.2002, p. 19.
b	OJ L 10, 12.1.2002, p. 58.
c	OJ L 10, 12.1.2002, p. 67.
d	OJ L 197, 3.8.2000, p. 19.
e	OJ L 299, 16.11.2007, p. 1.
f	OJ L 39, 13.2.2008, p. 16.
g	OJ L 149, 14.6.1991, p. 1.

<sup>F6</sup>TABLE 3

### Colours which may be used in the form of lakes

E-number	Name
E 100	Curcumin

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[ <sup>F7</sup> E 101	Riboflavins]
E 102	Tartrazine
E 104	Quinoline Yellow
E 110	Sunset Yellow FCF/Orange Yellow S
[ <sup>F8</sup> E 120	Carminic acid, Carmine]
E 122	Azorubine, Carmoisine
E 123	Amaranth
E 124	Ponceau 4R, Cochineal Red A
E 127	Erythrosine
E 129	Allura Red AC
E 131	Patent Blue V
E 132	Indigotine, Indigo carmine
E 133	Brilliant Blue FCF
E 141	Copper complexes of chlorophylls and chlorophyllins
E 142	Green S
[ <sup>F9</sup> E 151	Brilliant Black PN]
E 155	Brown HT
E 163	Anthocyanins
E 180	Litholrubine BK]]

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- (1) [<sup>F1</sup>[<sup>F2</sup>Commission Regulation (EU) No 231/2012 of 9 March 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 (OJ L 83, 22.3.2012, p. 1).]]

**Textual Amendments**

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- F2** Substituted by Commission Regulation (EU) 2015/647 of 24 April 2015 amending and correcting Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of certain food additives (Text with EEA relevance).

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