

Regulation (EC) No 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and of the Council (Text with EEA relevance)

TITLE IV

MISCELLANEOUS PROVISIONS

Article 23

Placing on the market

Food of animal origin containing residues of a pharmacologically active substance:

- (a) classified in accordance with Article 14(2)(a), (b) or (c) at a level exceeding the maximum residue limit established pursuant to this Regulation; or
- (b) not classified in accordance with Article 14(2)(a), (b) or (c), except where a reference point for action has been set for that substance pursuant to this Regulation and the level of residues does not equal or exceed that reference point for action;

shall be considered not to comply with Community legislation.

Detailed rules on the maximum residue limit to be considered for control purposes for foodstuffs derived from animals which have been treated under Article 11 of Directive 2001/82/EC shall be adopted by the Commission in accordance with the regulatory procedure referred to in Article 26(2) of this Regulation.

Changes to legislation:

There are outstanding changes not yet made to Regulation (EC) No 470/2009 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Art. 23 words omitted by [S.I. 2019/676 reg. 6\(19\)\(b\)](#)
- Art. 23 words substituted by [S.I. 2019/676 reg. 6\(19\)\(a\)](#)

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

- Signature words omitted by [S.I. 2019/676 reg. 6\(23\)](#)
- Art. 2(1) Art. 2 renumbered as Art. 2(1) by [S.I. 2019/676 reg. 6\(3\)\(a\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2019/676, reg. 6(3) omitted immediately before IP completion day by virtue of S.I. 2020/1461, regs. 1(2)(b), 3(4)(a))
- Art. 2(2) inserted by [S.I. 2019/676 reg. 6\(3\)\(b\)](#)
- Art. 4(3)(4) inserted by [S.I. 2019/676 reg. 6\(5\)\(d\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2019/676, reg. 6(5)(d) omitted immediately before IP completion day by virtue of S.I. 2020/1461, regs. 1(2)(b), 3(4)(c)(ii))
- Art. 8(6) words substituted in earlier amending provision S.I. 2019/865, Sch. 9 Pt. 1 by [S.I. 2020/1461 reg. 2\(5\)\(a\)\(iv\)](#)
- Art. 8(7) words substituted in earlier amending provision S.I. 2019/865, Sch. 9 Pt. 1 by [S.I. 2020/1461 reg. 2\(5\)\(a\)\(v\)\(aa\)](#)
- Art. 8(7) words substituted in earlier amending provision S.I. 2019/865, Sch. 9 Pt. 1 by [S.I. 2020/1461 reg. 2\(5\)\(a\)\(v\)\(bb\)](#)
- Art. 8(8) omitted in earlier amending provision by virtue of S.I. 2019/865, Sch. 9 Pt. 1 by [S.I. 2020/1461 reg. 2\(5\)\(a\)\(vi\)](#)
- Art. 10(1)-(1C) Art. 10(1)-(1C) substituted for Art. 10(1) by [S.I. 2019/865 reg. 18\(4\)\(a\)Sch. 9 Pt. 3](#)
- Art. 10(1C) words substituted in earlier amending provision S.I. 2019/865, Sch. 9 Pt. 3 by [S.I. 2020/1461 reg. 2\(5\)\(c\)](#)
- Art. 14A inserted by [S.I. 2019/865 reg. 18\(6\)Sch. 9 Pt. 4](#)
- Art. 14A(1) words substituted in earlier amending provision S.I. 2019/865, Sch. 9 Pt. 4 by [S.I. 2020/1461 reg. 2\(5\)\(d\)\(i\)](#)
- Art. 14A(5) words substituted in earlier amending provision S.I. 2019/865, Sch. 9 Pt. 4 by [S.I. 2020/1461 reg. 2\(5\)\(d\)\(ii\)](#)