

Commission Implementing Regulation (EU) No 1321/2013 of 10 December 2013 establishing the Union list of authorised smoke flavouring primary products for use as such in or on foods and/or for the production of derived smoke flavourings (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) No 1321/2013

of 10 December 2013

establishing the Union list of authorised smoke flavouring primary products for use as such in or on foods and/or for the production of derived smoke flavourings

(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 2065/2003 of the European Parliament and of the Council of 10 November 2003 on smoke flavourings used or intended to be used in or on foods⁽¹⁾, and in particular Article 6 thereof,

Whereas:

- (1) Article 10(2) of Regulation (EC) No 2065/2003 provides for the initial establishment of a Union list of authorised smoke flavouring primary products (hereinafter referred to as ‘primary products’). That list is to be established on the basis of applications for authorisation submitted by business operators and the opinion issued by the European Food Safety Authority (‘the Authority’) on the relevant primary product.
- (2) In accordance with Article 10 of Regulation (EC) No 2065/2003, the Authority received 14 valid applications for authorisation of primary products before 16 June 2005. Three applications have been withdrawn. Therefore the Authority has evaluated in total 11 primary products. One evaluated application has been withdrawn after completion of the evaluation.
- (3) According to Article 4(1) of Regulation (EC) No 2065/2003 the authorisation of smoke flavourings may be subject to specific conditions of use and according to Article 9(3) of that Regulation authorisations should be granted for 10 years, renewable in accordance with Article 12 of that Regulation.
- (4) Primary products and derived smoke flavourings are used in or on food to impart a smoke taste or to complement another flavour without imparting smoke flavour. They are also used to smoke meat, fish and dairy products. The refined exposure study carried out by Rijksinstituut voor Volksgezondheid en Milieu (RIVM)⁽²⁾ shows that regardless of the exposure calculation method used, the main contributors to the high intake are predominantly foods that used to be traditionally smoked, such as cooked smoked sausage and bacon. The food groups that are not traditionally smoked, such as crisps, soups and sauces, do not significantly affect exposure. Because primary products are

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*Changes to legislation: There are currently no known outstanding effects for the Commission
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produced from smoke which is subjected to fractionation and purification processes, the use of smoke flavourings is generally considered to be of less health concern than the use of smoke that is made by burning wood or by heating saw dust or small wood chips⁽³⁾.

- (5) The safety assessment of the Authority on the primary product Scansmoke PB1110, adopted on 26 March 2009⁽⁴⁾, concludes that the data provided by the applicant is sufficient to eliminate the concerns over its genotoxicity. However the uses and use levels as originally proposed by the applicant would provide an insufficient margin of safety. The uses and the use levels have been revised to take into account this opinion. The primary product Scansmoke PB1110 should therefore be authorised subject to specific conditions of use.
- (6) The safety assessment of the Authority on the primary product Zesti Smoke Code 10, adopted on 29 January 2009⁽⁵⁾ and on 6 July 2011⁽⁶⁾, concludes that the data provided by the applicant is sufficient to eliminate the concerns over its genotoxicity. However, the uses and use levels as originally proposed by the applicant provide an insufficient margin of safety. The uses and the use levels have been revised to take into account this opinion. The primary product Zesti Smoke Code 10 should therefore be authorised subject to specific conditions of use.
- (7) The safety assessment of the Authority on the primary product Smoke Concentrate 809045, adopted on 29 January 2009⁽⁷⁾, concludes that the data provided by the applicant is sufficient to eliminate the concerns over its genotoxicity. The uses and use levels as proposed by the applicant do not give rise to safety concern. The primary product Smoke Concentrate 809045 should therefore be authorised subject to specific conditions of use.
- (8) The safety assessment of the Authority on the primary product Scansmoke SEF 7525, adopted on 14 May 2009⁽⁸⁾, concludes that the data provided by the applicant is sufficient to eliminate the concerns over its genotoxicity. The uses and use levels as proposed by the applicant do not give rise to safety concern. The primary product Scansmoke SEF 7525 should therefore be authorised subject to specific conditions of use.
- (9) The safety assessment of the Authority on the primary product SmokEz C-10, adopted on 14 May 2009⁽⁹⁾ and on 4 July 2012⁽¹⁰⁾, concludes that the data provided by the applicant is sufficient to eliminate the concerns over its genotoxicity. However, the uses and use levels as originally proposed by the applicant provide an insufficient margin of safety. The uses and the use levels have been revised to take into account this opinion. The primary product SmokEz C-10 should therefore be authorised subject to specific conditions of use.
- (10) The safety assessment of the Authority on the primary product SmokEz Enviro-23, adopted on 14 May 2009⁽¹¹⁾ and on 4 July 2012⁽¹²⁾, concludes that the data provided by the applicant is sufficient to eliminate the concerns over its genotoxicity. However, the uses and use levels as originally proposed by the applicant provide an insufficient margin of safety. The uses and the use levels have been revised to take into account this opinion. The primary product SmokEz Enviro-23 should therefore be authorised subject to specific conditions of use.

- (11) The safety assessment of the Authority on the primary product Tradismoke™ A MAX, adopted on 26 November 2009⁽¹³⁾, concludes that the data provided by the applicant is sufficient to eliminate the concerns over its genotoxicity. However, the uses and use levels as originally proposed by the applicant provide an insufficient margin of safety. The uses and the use levels have been revised to take into account this opinion. The primary product Tradismoke™ A MAX should therefore be authorised subject to specific conditions of use.
- (12) The safety assessment of the Authority on the primary product Scansmoke R909, adopted on 26 November 2009⁽¹⁴⁾, concludes that the data provided by the applicant is sufficient to eliminate the concerns over its genotoxicity. However, the uses and use levels as originally proposed by the applicant provide an insufficient margin of safety. The uses and the use levels have been revised to take into account this opinion. The applicant notified to the Commission on 26 November 2012 that the name of the primary product had been changed to proFagus-Smoke R709. The primary product proFagus-Smoke R709 should therefore be authorised subject to specific conditions of use.
- (13) The safety assessment of the Authority on the primary product Fumokomp, adopted on 24 September 2009⁽¹⁵⁾ and on 6 July 2011⁽¹⁶⁾, concludes that the data provided by the applicant is sufficient to eliminate the concerns over its genotoxicity. The uses and use levels as proposed by the applicant do not give rise to safety concern. The primary product Fumokomp should therefore be authorised subject to specific conditions of use.
- (14) The safety assessment of the Authority on the primary product AM 01, adopted on 26 November 2009⁽¹⁷⁾ and on 2 February 2012⁽¹⁸⁾, concludes that the data provided by the applicant is sufficient to eliminate the concerns over its genotoxicity. However, the uses and use levels as originally proposed by the applicant provide an insufficient margin of safety. The uses and the use levels have been revised to take into account this opinion. The primary product AM 01 should therefore be authorised subject to specific conditions of use.
- (15) In respect of each authorised primary product, the Union list should provide a unique product code, the name of the product, the name and address of the authorisation holder, a description and characterisation of the product, the conditions of its use in or on specific foods or food categories, the date from which the product is authorised and the date until which the product is authorised. For the purpose of this Regulation, the food categories as laid down in Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives⁽¹⁹⁾, should be referred to.
- (16) Conditions for the production of primary products are laid down in Annex I of the Regulation (EC) No 2065/2003 including maximum content of polycyclic aromatic hydrocarbons.
- (17) When authorised smoke flavourings are used in or on food, their use must be in accordance with the conditions of use, including maximum levels, set in the Annex to this Regulation. When authorised smoke flavourings are used in combination, the individual levels should be reduced proportionally.

Status: Point in time view as at 18/06/2022.

*Changes to legislation: There are currently no known outstanding effects for the Commission
Implementing Regulation (EU) No 1321/2013. (See end of Document for details)*

- (18) Smoking by regenerated smoke is a process of treating food by exposing it to smoke which is regenerated by atomizing smoke flavourings in a smoking chamber under the time and temperature conditions similar to those for hot or cold smoking. In that case it is difficult to estimate how much of the smoke flavourings will be present in the final food as marketed due to loss of smoke flavouring during smoking. Therefore, the use should be in accordance with good manufacturing practices.
- (19) Unless subject to further restrictions, an authorised smoke flavouring may be present in food, other than by direct addition, as a result of carry-over from an ingredient in which the smoke flavouring was permitted, provided that the level of the smoke flavouring in the final food is no greater than would be introduced by the use of the ingredient under proper technological conditions and good manufacturing practice.
- (20) The Union list of smoke flavourings should apply without prejudice to other provisions laid down in sector specific legislation.
- (21) Since smoke flavourings are already on the market in the Member States, provisions have been made to ensure that the transition to a Union authorisation procedure is smooth. To this effect transitional periods have been laid down in Article 20 of Regulation (EC) No 2065/2003.
- (22) Pursuant to Article 12 of Regulation (EC) No 2065/2003, authorisations are renewable for 10-year periods on application to the Commission by the authorisation holder. The application must be accompanied by the documents listed in Article 12(2) of that Regulation. Those documents must include any available information concerning toxicological data following the advice of Authority given in its guidance document of 7 October 2004 or its latest update.
- (23) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

The list of the smoke flavouring primary products authorised to the exclusion of all others^{F1}... for use in or on foods and/or for the production of derived smoke flavourings, as referred to in Article 6 of Regulation (EC) No 2065/2003, is laid down in the Annex to this Regulation.

Textual Amendments

- F1** Words in Art. 1 omitted (31.12.2020) by virtue of [The Food Additives, Flavourings, Enzymes and Extraction Solvents \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/860\)](#), regs. 1, 167; 2020 c. 1, Sch. 5 para. 1(1)

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Status: Point in time view as at 18/06/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1321/2013. (See end of Document for details)

The list of the authorised smoke flavourings is established with the effect from 1 January 2014.

F2
...

Done at Brussels, 10 December 2013.

For the Commission

The President

José Manuel BARROSO

Textual Amendments

F2 Words in [Signature](#) omitted (31.12.2020) by virtue of [The Food Additives, Flavourings, Enzymes and Extraction Solvents \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/860\)](#), regs. 1, **168**; 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 18/06/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission
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ANNEX

[^{F3}Domestic] list of authorised smoke flavouring primary products for use as such in or on foods and/or for the production of derived smoke flavourings

Textual Amendments

- F3** Word in Annex heading substituted (31.12.2020) by [The Food Additives, Flavourings, Enzymes and Extraction Solvents \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/860\)](#), regs. 1, **169**; 2020 c. 1, Sch. 5 para. 1(1)

Note 1:

Maximum levels refer to levels in or on food as marketed. By way of derogation from this principle, for dried and/or concentrated foods which need to be reconstituted the maximum levels shall apply to the food as reconstituted according to the instructions on the label taking into account the minimum dilution factor. If primary products are used for the production of the derived smoke flavourings, the maximum levels shall be adjusted accordingly.

Note 2: When combinations of smoke flavourings are used in or on foodstuffs, the individual levels shall be reduced proportionally.

Note 3: In case smoke flavourings are permitted to be used in processed meat (food category 8.2) or in processed fish and fishery products (food category 9.2) and these foods are smoked in a smoking chamber by regenerating smoke by using these permitted smoke flavourings, the use shall be in accordance with good manufacturing practices.

Note 4: The presence of a smoke flavouring shall be permitted:

- (a) in a compound food other than as referred to in the Annex, where the primary product is permitted in one of the ingredients of the compound food;
- (b) in a food which is to be used solely in the preparation of a compound food and provided that the compound food complies with this Regulation.

This shall not apply to infant formulae, follow-on formulae, processed cereal-based foods and baby foods and dietary foods for special medical purposes intended for infants and young children as referred to in Directive 2009/39/EC of the European Parliament and of the Council of 6 May 2009 on foodstuffs intended for particular nutritional uses⁽²⁰⁾.

Unique code	SF-001
Name of the product	Scansmoke PB 1110
Name of the authorisation holder	[^{F4} proFagus GmbH]
Address of the authorisation holder	[^{F5} Uslarer Strasse 30, 37194 Bodenfelde, GERMANY]
Description and characterisation of the product	<ol style="list-style-type: none"> 1. Source materials: 90 % beech (<i>Fagus sylvatica</i>), 10 % oak (<i>Quercus alba</i>) 2. Specifications: — pH: 2,1 – 2,9 — Water: 47,0 – 56,0 %

^a OJ L 139, 30.4.2004, p. 55.

Status: Point in time view as at 18/06/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1321/2013. (See end of Document for details)

	—	Acid % (expressed as acetic acid): 8 – 12 %	
	—	Carbonyl compounds: 17 – 25 %	
	—	Phenols (as syringol, mg/g): 10,5 – 20,1	
	3.	Purity criteria:	
	—	Lead: < 5,0 mg/kg	
	—	Arsenic: < 3,0 mg/kg	
	—	Cadmium: < 1,0 mg/kg	
	—	Mercury: < 1,0 mg/kg	
Conditions of use	Food category	Maximum level g/kg	
	1.7.	Cheese and cheese products	2,0
	2.	Fats and oils and fat and oil emulsions	0,002
	3.	Edible ices	0,005
	5.	Confectionery	0,05
	8.1.2.	Meat preparations as defined by Regulation (EC) No 853/2004 of the European Parliament and of the Council ^a	2,0
	8.2.	Processed meat	2,0
	9.2.	Processed fish and fishery products including crustaceans and molluscs	2,0
	9.3.	Fish roe	2,0
	12.2.	Herbs, spices, seasonings	2,3
	12.5.	Soups and broths	0,23
12.6.	Sauces	1,0	
12.7.	Salads and savoury based sandwich spreads	0,23	

^a OJ L 139, 30.4.2004, p. 55.

Status: Point in time view as at 18/06/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1321/2013. (See end of Document for details)

	14.1. Non-alcoholic beverages	0,02
	14.2. Alcoholic beverages, including alcohol-free and low-alcohol counterparts	0,02
	15. Ready-to-eat savouries and snacks	2,0
Date from which the product is authorised	1 January 2014	
Date until which the product is authorised	1 January 2024	

a OJ L 139, 30.4.2004, p. 55.

Textual Amendments

- F4** Words in Annex substituted: (E.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(England\) Regulations 2022 \(S.I. 2022/560\)](#), regs. 1(2), **3(2)(a)**; (S.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/168\)](#), regs. 1(2), **4(2)(a)**; and (W.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(Wales\) Regulations 2022 \(S.I. 2022/575\)](#), regs. 1(3), **4**
- F5** Words in Annex substituted: (E.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(England\) Regulations 2022 \(S.I. 2022/560\)](#), regs. 1(2), **3(2)(b)**; (S.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/168\)](#), regs. 1(2), **4(2)(b)**; and (W.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(Wales\) Regulations 2022 \(S.I. 2022/575\)](#), regs. 1(3), **4**

Unique code	SF-002
Name of the product	Zesti Smoke Code 10
Name of the authorisation holder	[^{F6} Kerry Group plc]
Address of the authorisation holder	[^{F7} Prince's Street, Tralee, Co. Kerry, V92 EH11, IRELAND]
Description and characterisation of the product	<p>1. Source material: 50 – 60 % of hickory (<i>Carya ovata</i>), 40 – 50 % oak (<i>Quercus alba</i>)</p> <p>2. Specifications: — pH: 2,0 – 2,5 — Water: 62,3 – 65,7 % — Acid % (expressed as acetic acid): 10,5 – 11 % — Carbonyl compounds (g/100 ml): 15 – 25</p>

Status: Point in time view as at 18/06/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1321/2013. (See end of Document for details)

	— Phenols (mg/ml): 12 – 22	
	3. Purity criteria:	
	— Lead: < 5,0 mg/kg	
	— Arsenic: < 3,0 mg/kg	
	— Cadmium: < 1,0 mg/kg	
	— Mercury: < 1,0 mg/kg	
Conditions of use	Food category	Maximum level g/kg
	1.7. Cheese and cheese products	0,5
	1.8. Dairy analogues, including beverage whiteners	0,5
	4.2. Processed fruits and vegetables	0,3
	8.1.2. Meat preparations as defined by Regulation (EC) No 853/2004	2,5
	8.2. Processed meat	2,5
	9.2. Processed fish and fishery products including crustaceans and molluscs	2,0
	9.3. Fish roe	2,0
	12.2. Herbs, spices, seasonings	3,0
	12.5. Soups and broths	0,3
	12.6. Sauces	1,0
	12.9. Protein products, excluding products covered in category 1.8	1,0
	15. Ready-to-eat savouries and snacks	3,0

Status: Point in time view as at 18/06/2022.**Changes to legislation:** There are currently no known outstanding effects for the Commission
Implementing Regulation (EU) No 1321/2013. (See end of Document for details)

Date from which the product is authorised	1 January 2014
Date until which the product is authorised	1 January 2024

Textual Amendments

- F6** Words in Annex substituted: (E.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(England\) Regulations 2022 \(S.I. 2022/560\)](#), regs. 1(2), **3(3)(a)**; (S.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/168\)](#), regs. 1(2), **4(3)(a)**; and (W.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(Wales\) Regulations 2022 \(S.I. 2022/575\)](#), regs. 1(3), **5**
- F7** Words in Annex substituted: (E.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(England\) Regulations 2022 \(S.I. 2022/560\)](#), regs. 1(2), **3(3)(b)**; (S.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/168\)](#), regs. 1(2), **4(3)(n)**; and (W.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(Wales\) Regulations 2022 \(S.I. 2022/575\)](#), regs. 1(3), **5**

Unique code	SF-003	
Name of the product	Smoke Concentrate 809045	
Name of the authorisation holder	Symrise AG	
Address of the authorisation holder	Mühlenfeldstraße 1 37603 Holzminden GERMANY	
Description and characterisation of the product	<ol style="list-style-type: none"> 1. Source material: Beech (<i>Fagus sylvatica</i>) 2. Specifications: <ul style="list-style-type: none"> — pH: 2 – 3 — Water: 5 – 15 % — Acid % (expressed as acetic acid): 8 – 15 % — Carbonyl compounds: 10 – 20 % — Phenols: 0,2 – 0,6 % 3. Purity criteria: <ul style="list-style-type: none"> — Lead: < 5 mg/kg — Arsenic: < 3 mg/kg — Cadmium: < 1 mg/kg — Mercury: < 1 mg/kg 	
Conditions of use	Food category	Maximum level g/kg
	1. Dairy products and analogue	0,5
	4.2. Processed fruits and vegetables	0,3

Status: Point in time view as at 18/06/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1321/2013. (See end of Document for details)

6.4.5.	Fillings of stuffed pasta (ravioli and similar)	1,0
7.1.	Breads and rolls	0,6
7.2.	Fine bakery wares	0,6
8.	Meat	0,6
9.2.	Processed fish and fishery products including crustaceans and molluscs	0,6
9.3.	Fish roe	0,6
12.2.	Herbs, spices, seasonings	3,0
12.5.	Soups and broths	0,6
12.6.	Sauces	4,0
12.7.	Salads and savoury based sandwich spreads	1,0
12.9.	Protein products, excluding products covered in category 1.8	1,0
15.	Ready-to-eat savouries and snacks	3,0
Date from which the product is authorised	1 January 2014	
Date until which the product is authorised	1 January 2024	
Unique code	SF-004	
Name of the product	Scansmoke SEF 7525	
Name of the authorisation holder	Azelis Denmark A/S	
Address of the authorisation holder	Lundtoftegaardsvej 95 2800 Lyngby	

Status: Point in time view as at 18/06/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission
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		DENMARK																							
Description and characterisation of the product	<p>1. Source materials: 35 % red oak (<i>Quercus rubra</i>), 35 % white oak (<i>Quercus alba</i>), 10 % maple (<i>Acer saccharum</i>), 10 % beech (<i>Fagus grandifolia</i>) and 10 % hickory (<i>Carya ovata</i>).</p> <p>2. Specifications: — Water: 0,3 – 0,9 wt. % — Acid (expressed as acetic acid): 0,09 – 0,25 meq/g — Carbonyl compounds: 1,2 – 3,0 wt. % — Phenols: 8 – 12 wt. %</p> <p>3. Purity criteria: — Lead: < 5,0 mg/kg — Arsenic: < 3,0 mg/kg — Cadmium: < 1,0 mg/kg — Mercury: < 1,0 mg/kg</p>																								
	Conditions of use	<table border="1"> <thead> <tr> <th>Food category</th> <th>Maximum level g/kg</th> </tr> </thead> <tbody> <tr> <td>1. Dairy products and analogue</td> <td>0,16</td> </tr> <tr> <td>2. Fats and oils and fat and oil emulsions</td> <td>0,05</td> </tr> <tr> <td>4.2. Processed fruits and vegetables</td> <td>0,05</td> </tr> <tr> <td>5. Confectionery</td> <td>0,08</td> </tr> <tr> <td>6. Cereals and cereal products</td> <td>0,05</td> </tr> <tr> <td>7.1. Breads and rolls</td> <td>0,08</td> </tr> <tr> <td>7.2. Fine bakery wares</td> <td>0,08</td> </tr> <tr> <td>8. Meat</td> <td>0,16</td> </tr> <tr> <td>9.2. Processed fish and fishery products including crustaceans and molluscs</td> <td>0,16</td> </tr> <tr> <td>9.3. Fish roe</td> <td>0,16</td> </tr> <tr> <td>10.2. Processed eggs and egg products</td> <td>0,05</td> </tr> </tbody> </table>	Food category	Maximum level g/kg	1. Dairy products and analogue	0,16	2. Fats and oils and fat and oil emulsions	0,05	4.2. Processed fruits and vegetables	0,05	5. Confectionery	0,08	6. Cereals and cereal products	0,05	7.1. Breads and rolls	0,08	7.2. Fine bakery wares	0,08	8. Meat	0,16	9.2. Processed fish and fishery products including crustaceans and molluscs	0,16	9.3. Fish roe	0,16	10.2. Processed eggs and egg products
Food category	Maximum level g/kg																								
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9.3. Fish roe	0,16																								
10.2. Processed eggs and egg products	0,05																								

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	12.2. Herbs, spices, seasonings	0,18
	12.5. Soups and broths	0,05
	12.6. Sauces	0,05
	12.7. Salads and savoury based sandwich spreads	0,05
	12.9. Protein products, excluding products covered in category 1.8	0,05
	14.1. Non-alcoholic beverages	0,05
	14.2. Alcoholic beverages, including alcohol-free and low-alcohol counterparts	0,05
	15. Ready-to-eat savouries and snacks	0,08
Date from which the product is authorised	1 January 2014	
Date until which the product is authorised	1 January 2024	
Unique code	SF-005	
Name of the product	SmokEz C-10	
Name of the authorisation holder	[^{F8} Kerry Group plc]	
Address of the authorisation holder	[^{F9} Prince's Street, Tralee, Co. Kerry, V92 EH11, IRELAND]	
Description and characterisation of the product	<p>1. Source materials: Maple (<i>Acer saccharum</i>): 25 – 60 % Oak (<i>Quercus alba</i>): 10 – 40 % Hickory (<i>Carya ovata</i>): 10 – 25 % Ash (<i>Fraxinus americana</i>), birch (<i>Betula papyrifera</i> and <i>Betula alleghanisensis</i>), cherry (<i>Prunus serotina</i>), beech (<i>Fagus grandifolia</i>): 0 – 15 % (in total)</p>	

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	<ul style="list-style-type: none"> 2. Specifications: <ul style="list-style-type: none"> — pH: 2,15 – 2,6 — Water: 60,7 – 65,1 % — Acid % (expressed as acetic acid): 10,5 – 12,0 wt. % — Carbonyl compounds: 12,0 – 17,0 wt. % — Phenols: 10,0 – 15,0 mg/ml 3. Purity criteria: <ul style="list-style-type: none"> — Lead: < 5,0 mg/kg — Arsenic: < 3,0 mg/kg — Cadmium: < 1,0 mg/kg — Mercury: < 1,0 mg/kg 	
Conditions of use	Food category	Maximum level g/kg
	1.7. Cheese and cheese products	0,2
	8.1.2. Meat preparations as defined by Regulation (EC) no 853/2004	2,5
	8.2. Processed meat	2,5
	9.2. Processed fish and fishery products including crustaceans and molluscs	2,0
	9.3. Fish roe	2,0
	12.2. Herbs, spices, seasoning and condiments	3,0
	12.6. Sauces and like products	3,0
	15. Ready-to-eat savouries and snacks	3,0
Date from which the product is authorised	1 January 2014	
Date until which the product is authorised	1 January 2024	

Status: Point in time view as at 18/06/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1321/2013. (See end of Document for details)

Textual Amendments

- F8** Words in Annex substituted: (E.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(England\) Regulations 2022 \(S.I. 2022/560\)](#), regs. 1(2), **3(4)(a)**; (S.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/168\)](#), regs. 1(2), **4(4)(a)**; and (W.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(Wales\) Regulations 2022 \(S.I. 2022/575\)](#), regs. 1(3), **6**
- F9** Words in Annex substituted: (E.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(England\) Regulations 2022 \(S.I. 2022/560\)](#), regs. 1(2), **3(4)(b)**; (S.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/168\)](#), regs. 1(2), **4(4)(b)**; and (W.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(Wales\) Regulations 2022 \(S.I. 2022/575\)](#), regs. 1(3), **6**

Unique code	SF-006	
Name of the product	SmokEz Enviro-23	
Name of the authorisation holder	[^{F10} Kerry Group plc]	
Address of the authorisation holder	[^{F11} Prince's Street, Tralee, Co. Kerry, V92 EH11, IRELAND]	
Description and characterisation of the product	<p>1. Source materials: Maple (<i>Acer saccharum</i>): 25 – 65 % Oak (<i>Quercus alba</i>): 20 – 75 % Hickory (<i>Carya ovata</i>), ash (<i>Fraxinus americana</i>), birch (<i>Betula papyrifera</i> and <i>Betula alleghanisensis</i>), cherry (<i>Prunus serotina</i>), beech (<i>Fagus grandifolia</i>): 0 – 15 % (in total)</p> <p>2. Specifications: — pH: 2,8 – 3,2 — Water: 57,0 – 64,4 % — Acid % (expressed as acetic acid): 6,0 – 7,0 wt. % — Carbonyl compounds: 16,0 – 24,0 wt. % — Phenols: 10,0 – 16,0 mg/ml</p> <p>3. Purity criteria: — Lead: < 5,0 mg/kg — Arsenic: < 3,0 mg/kg — Cadmium: < 1,0 mg/kg — Mercury: < 1,0 mg/kg</p>	
Conditions of use	Food category	Maximum level g/kg
	1.7. Cheese and cheese products	2,0
	8.1.2. Meat preparations as defined by	5,0

Status: Point in time view as at 18/06/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission
Implementing Regulation (EU) No 1321/2013. (See end of Document for details)

	Regulation (EC) no 853/2004	
8.2.	Processed meat	5,0
9.2.	Processed fish and fishery products including crustaceans and molluscs	2,0
9.3.	Fish roe	2,0
Date from which the product is authorised	1 January 2014	
Date until which the product is authorised	1 January 2024	

Textual Amendments

- F10** Words in Annex substituted: (E.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(England\) Regulations 2022 \(S.I. 2022/560\)](#), regs. 1(2), **3(5)(a)**; (S.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/168\)](#), regs. 1(2), **4(4)(a)**; and (W.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(Wales\) Regulations 2022 \(S.I. 2022/575\)](#), regs. 1(3), 7
- F11** Words in Annex substituted (E.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(England\) Regulations 2022 \(S.I. 2022/560\)](#), regs. 1(2), **3(5)(b)**; (S.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/168\)](#), regs. 1(2), **4(4)(b)**; and (W.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(Wales\) Regulations 2022 \(S.I. 2022/575\)](#), regs. 1(3), 7

Unique code	SF-007
Name of the product	Tradismoke™ A MAX
Name of the authorisation holder	[^{F12} J. Rettenmaier @AMP@amp; Söhne GmbH + CO KG]
Address of the authorisation holder	[^{F13} Holzmühle 1, 73494 Rosenberg, GERMANY]
Description and characterisation of the product	<ol style="list-style-type: none"> 1. Source materials: Beech (<i>Fagus grandifolia</i>) 2. Specifications: — pH: 1,5 – 2,5 — Water: 50 – 58 wt. % — Acid % (expressed as acetic acid): 13 – 16 wt. % — Carbonyl compounds: 17 – 22 wt. % — Phenols: 30 – 45 mg/ml 3. Purity criteria:

Status: Point in time view as at 18/06/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1321/2013. (See end of Document for details)

	—	Lead: < 5,0 mg/kg
	—	Arsenic: < 3,0 mg/kg
	—	Cadmium: < 1,0 mg/kg
	—	Mercury: < 1,0 mg/kg
Conditions of use	Food category	Maximum level g/kg
	1.4. Flavoured fermented milk products including heat treated products	1,0
	1.6.3. Other creams	1,0
	1.7.3. Edible cheese rind	1,0
	1.7.5. Processed cheeses	1,0
	2. Fats and oils and fat and oil emulsions	1,0
	8.1.2. Meat preparations as defined by Regulation (EC) No 853/2004	4,0
	8.2. Processed meat	4,0
	9.2. Processed fish and fishery products including crustaceans and molluscs	4,0
	9.3. Fish roe	4,0
	12.2. Herbs, spices, seasonings	1,0
	12.5. Soups and broths	0,5
	12.6. Sauces	1,0
	14.1. Non-alcoholic beverages	0,1
	14.2. Alcoholic beverages, including alcohol-	0,1

Status: Point in time view as at 18/06/2022.**Changes to legislation:** There are currently no known outstanding effects for the Commission
Implementing Regulation (EU) No 1321/2013. (See end of Document for details)

	free and low-alcohol counterparts	
	15. Ready-to-eat savouries and snacks	1,0
Date from which the product is authorised	1 January 2014	
Date until which the product is authorised	1 January 2024	

Textual Amendments

- F12** Words in Annex substituted: (E.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(England\) Regulations 2022 \(S.I. 2022/560\)](#), regs. 1(2), **3(6)(a)**; (S.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/168\)](#), regs. 1(2), **4(5)(a)**; and (W.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(Wales\) Regulations 2022 \(S.I. 2022/575\)](#), regs. 1(3), **8**
- F13** Words in Annex substituted: (E.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(England\) Regulations 2022 \(S.I. 2022/560\)](#), regs. 1(2), **3(6)(b)**; (S.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/168\)](#), regs. 1(2), **4(5)(b)**; and (W.) (18.6.2022) by [The Novel Foods \(Authorisations\) and Smoke Flavourings \(Modification of Authorisations\) \(Wales\) Regulations 2022 \(S.I. 2022/575\)](#), regs. 1(3), **8**

Unique code	SF-008
Name of the product	proFagus-Smoke R709
Name of the authorisation holder	ProFagus Gmbh
Address of the authorisation holder	Uslarer Strasse 30 37194 Bodenfelde GERMANY
Description and characterisation of the product	<ol style="list-style-type: none"> 1. Source materials: 90 % beech (<i>Fagus sylvatica</i>), 10 % oak (<i>Quercus alba</i>) 2. Specifications: <ul style="list-style-type: none"> — pH: 2,0 – 2,5 — Water: 76,7 – 83,5 % — Acid (expressed as acetic acid): 10,5 – 12,5 meq/g — Carbonyl compounds: 5 – 10 wt. % — Phenols: 5 – 10 wt. % 3. Purity criteria: <ul style="list-style-type: none"> — Lead: < 5,0 mg/kg — Arsenic: < 3,0 mg/kg — Cadmium: < 1,0 mg/kg — Mercury: < 1,0 mg/kg

Status: Point in time view as at 18/06/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1321/2013. (See end of Document for details)

Conditions of use	Food category	Maximum level g/kg
	1.7. Cheese and cheese products	2,5
	2. Fats and oils and fat and oil emulsions	0,002
	3. Edible ices	0,005
	4.2. Processed fruits and vegetables	0,55
	5. Confectionery	0,1
	8.1.2. Meat preparations as defined by Regulation (EC) No 853/2004	2,5
	8.2. Processed meat	2,5
	9.2. Processed fish and fishery products including crustaceans and molluscs	2,5
	9.3. Fish roe	2,5
	12.2. Herbs, spices, seasonings	4,0
	12.4. Mustard	0,1
	12.5. Soups and broths	0,28
	12.6. Sauces	1,5
	12.7. Salads and savoury based sandwich spreads	0,4
	14.1. Non-alcoholic beverages	0,1
	14.2. Alcoholic beverages, including alcohol-	0,02

Status: Point in time view as at 18/06/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1321/2013. (See end of Document for details)

	free and low-alcohol counterparts	
	15. Ready-to-eat savouries and snacks	2,5
Date from which the product is authorised	1 January 2014	
Date until which the product is authorised	1 January 2024	
Unique code	SF-009	
Name of the product	Fumokomp	
Name of the authorisation holder	Kompozíció Kft	
Address of the authorisation holder	Kompozíció Kft 2053 Herceghalom HUNGARY	
Description and characterisation of the product	<p>1. Source materials: 85 % beech (<i>Fagus sylvatica</i>), 15 % hornbeam (<i>Carpinus betulus</i>)</p> <p>2. Specifications: — Water content: < 2 w/w % — Acid % (expressed as acetic acid): 1 – 8 w/w % — Carbonyl compounds: 25 – 30 w/w % — Phenols: 15 – 60 w/w %</p> <p>3. Purity criteria: — Lead: < 5,0 mg/kg — Arsenic: < 3,0 mg/kg — Cadmium: < 1,0 mg/kg — Mercury: < 1,0 mg/kg</p>	
Conditions of use	Food category	Maximum level g/kg
	1.4. Flavoured fermented milk products including heat treated products	0,06
	1.6.3. Other creams	0,06
	1.7. Cheese and cheese products	0,06

Status: Point in time view as at 18/06/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1321/2013. (See end of Document for details)

1.8.	Dairy analogues, including beverage whiteners	0,06
2.	Fats and oils and fat and oil emulsions	0,06
3.	Edible ices	0,06
4.2.	Processed fruit and vegetables	0,06
5.	Confectionery	0,06
6.3.	Breakfast cereals	0,06
6.4.5.	Fillings of stuffed pasta (ravioli and similar)	0,06
6.5.	Noodles	0,06
6.6.	Batters	0,06
6.7.	Pre-cooked or processed cereals	0,06
7.1.	Breads and rolls	0,06
7.2.	Fine bakery wares	0,06
8.	Meat	0,06
9.2.	Processed fish and fishery products including crustaceans and molluscs	0,06
9.3.	Fish roe	0,06
10.2.	Processed eggs and egg products	0,06
12.2.	Herbs, spices, seasonings	0,06

Status: Point in time view as at 18/06/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission
Implementing Regulation (EU) No 1321/2013. (See end of Document for details)

12.3.	Vinegar	0,06
12.4.	Mustard	0,06
12.5.	Soups and broths	0,06
12.6.	Sauces	0,06
12.7.	Salads and savoury based sandwich spreads	0,06
12.9.	Protein products, excluding products covered in category 1.8	0,06
13.3.	Dietary foods for weight control diets intended to replace total daily food intake or an individual meal	0,06
13.4.	Foodstuffs suitable for people intolerant to gluten as defined by Regulation (EC) No 41/2009 ^a	0,06
14.1.4.	Flavoured drinks	0,06
14.1.5.2.	Other	0,06
14.2.	Alcoholic beverages, including alcohol-free and low-alcohol counterparts	0,06
15.	Ready-to-eat savouries and snacks	0,06
16.	Desserts excluding products covered in category 1, 3 and 4	0,06

^a OJ L 16, 21.1.2009, p. 3.

Status: Point in time view as at 18/06/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1321/2013. (See end of Document for details)

Date from which the product is authorised	1 January 2014	
Date until which the product is authorised	1 January 2024	
a	OJ L 16, 21.1.2009, p. 3.	
Unique code	SF-010	
Name of the product	AM 01	
Name of the authorisation holder	AROMARCO, s.r.o	
Address of the authorisation holder	Mlynská 15 929 01 Dunajská Streda SLOVAKIA	
Description and characterisation of the product	<p>1. Source materials: Beech (<i>Fagus sylvatica</i>)</p> <p>2. Specifications: — Solvent: ethanol/water mixture (approx. 60/40 wt. %) — Acid (expressed as acetic acid): 3,5 – 5,2 g/kg — Carbonyl compounds: 6,0 – 10,0 g/kg — Phenols: 8,0 – 14,0 g/kg</p> <p>3. Purity criteria: — Lead: < 5,0 mg/kg — Arsenic: < 3,0 mg/kg — Cadmium: < 1,0 mg/kg — Mercury: < 1,0 mg/kg</p>	
Conditions of use	Food category	Maximum level g/kg
	1.4. Flavoured fermented milk products including heat treated products	0,6
	1.6.3. Other creams	0,6
	1.7. Cheese and cheese products	0,6
	1.8. Dairy analogues, including beverage whiteners	0,6
	2. Fats and oils and fat and oil emulsions	0,4

Status: Point in time view as at 18/06/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission
Implementing Regulation (EU) No 1321/2013. (See end of Document for details)

8.1.2.	Meat preparations as defined by Regulation (EC) no 853/2004	0,85
8.2.	Processed meat	0,85
9.2.	Processed fish and fishery products including crustaceans and molluscs	0,8
9.3.	Fish roe	0,8
14.2.	Alcoholic beverages, including alcohol- free and low- alcohol counterparts	0,02
15.	Ready-to-eat savouries and snacks	1,3
Date from which the product is authorised	1 January 2014	
Date until which the product is authorised	1 January 2024	

Status: Point in time view as at 18/06/2022.

Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1321/2013. (See end of Document for details)

- (1) [OJ L 309, 26.11.2003, p. 1.](#)
- (2) ‘Refined exposure assessment of smoke flavouring primary products with use levels provided by the industry. A pilot study into data collection of use levels.’ RIVM Letter report 320026003.
- (3) *EFSA Journal* 2008; 724, 1-114.
- (4) *EFSA Journal* 2009; ON-1056, 1-23.
- (5) *EFSA Journal* 2009; ON-982, 1-24.
- (6) *EFSA Journal* 2011; 9(7):2307.
- (7) *EFSA Journal* 2009; ON-981, 1-19.
- (8) *EFSA Journal* 2009; 1224, 1-24.
- (9) *EFSA Journal* 2009; 1225, 1-28.
- (10) *EFSA Journal* 2012; 10(7)2830.
- (11) *EFSA Journal* 2009; 1226, 1-26.
- (12) *EFSA Journal* 2012; 10(7)2829.
- (13) *EFSA Journal* 2010; 8(1):1394.
- (14) *EFSA Journal* 2010; 8(1):1395.
- (15) *EFSA Journal* 2009; 7(9):1343.
- (16) *EFSA Journal* 2011; 9(7):2308.
- (17) *EFSA Journal* 2010; 8(1):1396.
- (18) *EFSA Journal* 2012; 10(2):2580.
- (19) [OJ L 354, 31.12.2008, p. 16.](#)
- (20) [OJ L 124, 20.5.2009, p. 21.](#)

Status:

Point in time view as at 18/06/2022.

Changes to legislation:

There are currently no known outstanding effects for the Commission Implementing Regulation (EU) No 1321/2013.