

Commission Implementing Regulation (EU) 2017/1145 of 8 June 2017 on the withdrawal from the market of certain feed additives authorised pursuant to Council Directives 70/524/EEC and 82/471/EEC and repealing the obsolete provisions authorising those feed additives (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1145

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(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition⁽¹⁾, and in particular Article 10(5) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation. In particular Article 10(2), in conjunction with Article 10(7) of that Regulation provide for specific procedures for the re-evaluation of additives authorised pursuant to Council Directive 70/524/EEC⁽²⁾ and Council Directive 82/471/EEC⁽³⁾.
- (2) Article 10(5) of Regulation (EC) No 1831/2003 imposes an obligation on the Commission to adopt a Regulation withdrawing from the market feed additives which were entered in the Community Register of Feed Additives as existing products and for which no applications in accordance with Article 10(2) and (7) of Regulation (EC) No 1831/2003 were submitted before the deadline provided for in those provisions, or for which an application was submitted but subsequently withdrawn. Therefore such feed additives should be withdrawn from the market. As Article 10(5) does not differentiate between authorisations issued with a time limit and authorisations without a time limit, for clarity reasons it is appropriate to provide for the withdrawal from the market of feed additives whose limited authorisation periods pursuant to Directive 70/524/EEC have already expired.
- (3) As a consequence of the withdrawal from the market of the feed additives it is appropriate to repeal the provisions authorising them. Consequently Commission Regulations (EC) No 2316/98⁽⁴⁾, (EC) No 1353/2000⁽⁵⁾, (EC) No 2188/2002⁽⁶⁾, (EC) No 261/2003⁽⁷⁾, (EC) No 1334/2003⁽⁸⁾, (EC) No 1259/2004⁽⁹⁾, (EC) No 1288/2004⁽¹⁰⁾, (EC) No 1453/2004⁽¹¹⁾, (EC) No 2148/2004⁽¹²⁾, (EC) No 255/2005⁽¹³⁾, (EC) No 358/2005⁽¹⁴⁾, (EC) No 521/2005⁽¹⁵⁾, (EC) No 600/2005⁽¹⁶⁾, (EC) No 833/2005⁽¹⁷⁾,

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Changes to legislation: There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2017/1145, Introductory Text. (See end of Document for details)

(EC) No 943/2005⁽¹⁸⁾, (EC) No 1206/2005⁽¹⁹⁾, (EC) No 1458/2005⁽²⁰⁾, (EC) No 1810/2005⁽²¹⁾, (EC) No 1811/2005⁽²²⁾, (EC) No 2036/2005⁽²³⁾, (EC) No 252/2006⁽²⁴⁾, (EC) No 773/2006⁽²⁵⁾, (EC) No 1284/2006⁽²⁶⁾ and (EU) No 1270/2009⁽²⁷⁾ should be amended accordingly and Commission Regulations (EC) No 937/2001⁽²⁸⁾, (EC) No 871/2003⁽²⁹⁾, (EC) No 277/2004⁽³⁰⁾, (EC) No 278/2004⁽³¹⁾, (EC) No 1332/2004⁽³²⁾, (EC) No 1463/2004⁽³³⁾, (EC) No 1465/2004⁽³⁴⁾, (EC) No 833/2005, (EC) No 492/2006⁽³⁵⁾, (EC) No 1443/2006⁽³⁶⁾, (EC) No 1743/2006⁽³⁷⁾, (EC) No 757/2007⁽³⁸⁾ and (EC) No 828/2007⁽³⁹⁾ should be repealed.

- (4) In the case of feed additives for which applications have been submitted only for certain animal species or categories of animals, or applications have been withdrawn only for certain animal species or categories of animals, the withdrawal from the market should only concern the animal species and categories of animals for which no application has been submitted or the application has been withdrawn.
- (5) As regards feed additives whose authorisation did not expire until the date of entry into force of this Regulation it is appropriate to allow a transitional period for interested parties within which existing stocks of the additives concerned, premixtures, compound feed and feed materials which have been produced with those additives may be used up, taking account of the shelf-life of certain feed containing the additives in question.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

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- (1) [OJ L 268, 18.10.2003, p. 29.](#)
- (2) Council Directive 70/524/EEC of 23 November 1970 concerning additives in feeding-stuffs ([OJ L 270, 14.12.1970, p. 1.](#))
- (3) Council Directive 82/471/EEC of 30 June 1982 concerning certain products used in animal nutrition ([OJ L 213, 21.7.1982, p. 8.](#))
- (4) Commission Regulation (EC) No 2316/98 of 26 October 1998 concerning authorisation of new additives and amending the conditions for authorisation of a number of additives already authorised in feedingstuffs ([OJ L 289, 28.10.1998, p. 4.](#))
- (5) Commission Regulation (EC) No 1353/2000 of 26 June 2000 concerning the permanent authorisation of an additive and the provisional authorisation of new additives, new additive uses and new preparations in feedingstuffs ([OJ L 155, 28.6.2000, p. 15.](#))
- (6) Commission Regulation (EC) No 2188/2002 of 9 December 2002 concerning the provisional authorisation of new uses of additives in feedingstuffs ([OJ L 333, 10.12.2002, p. 5.](#))
- (7) Commission Regulation (EC) No 261/2003 of 12 February 2003 concerning the provisional authorisation of new uses of additives in feedingstuffs ([OJ L 37, 13.2.2003, p. 12.](#))
- (8) Commission Regulation (EC) No 1334/2003 of 25 July 2003 amending the conditions for authorisation of a number of additives in feedingstuffs belonging to the group of trace elements ([OJ L 187, 26.7.2003, p. 11.](#))
- (9) Commission Regulation (EC) No 1259/2004 of 8 July 2004 concerning the permanent authorisation of certain additives already authorised in feedingstuffs ([OJ L 239, 9.7.2004, p. 8.](#))
- (10) Commission Regulation (EC) No 1288/2004 of 14 July 2004 concerning the permanent authorisation of certain additives and the provisional authorisation of a new use of an additive already authorised in feedingstuffs ([OJ L 243, 15.7.2004, p. 10.](#))
- (11) Commission Regulation (EC) No 1453/2004 of 16 August 2004 concerning the permanent authorisation of certain additives in feedingstuffs ([OJ L 269, 17.8.2004, p. 3.](#))
- (12) Commission Regulation (EC) No 2148/2004 of 16 December 2004 concerning the permanent and provisional authorisations of certain additives and the authorisation of new uses of an additive already authorised in feedingstuffs ([OJ L 370, 17.12.2004, p. 24.](#))
- (13) Commission Regulation (EC) No 255/2005 of 15 February 2005 concerning the permanent authorisations of certain additives in feedingstuffs ([OJ L 45, 16.2.2005, p. 3.](#))
- (14) Commission Regulation (EC) No 358/2005 of 2 March 2005 concerning the authorisations without a time limit of certain additives and the authorisation of new uses of additives already authorised in feedingstuffs ([OJ L 57, 3.3.2005, p. 3.](#))
- (15) Commission Regulation (EC) No 521/2005 of 1 April 2005 concerning the permanent authorisation of an additive and the provisional authorisation of new uses of certain additives already authorised in feedingstuffs ([OJ L 84, 2.4.2005, p. 3.](#))
- (16) Commission Regulation (EC) No 600/2005 of 18 April 2005 concerning a new authorisation for 10 years of a coccidiostat as an additive in feedingstuffs, the provisional authorisation of an additive and the permanent authorisation of certain additives in feedingstuffs ([OJ L 99, 19.4.2005, p. 5.](#))
- (17) Commission Regulation (EC) No 833/2005 of 31 May 2005 concerning the permanent authorisation of additives in feedingstuffs ([OJ L 138, 1.6.2005, p. 5.](#))
- (18) Commission Regulation (EC) No 943/2005 of 21 June 2005 concerning the permanent authorisation of additives in feedingstuffs ([OJ L 159, 22.6.2005, p. 6.](#))
- (19) Commission Regulation (EC) No 1206/2005 of 27 July 2005 concerning the permanent authorisation of certain additives in feedingstuffs ([OJ L 197, 28.7.2005, p. 12.](#))
- (20) Commission Regulation (EC) No 1458/2005 of 8 September 2005 concerning the permanent and provisional authorisations of certain additives in feedingstuffs and the provisional authorisation of new uses of certain additives already authorised in feedingstuffs ([OJ L 233, 9.9.2005, p. 3.](#))
- (21) Commission Regulation (EC) No 1810/2005 of 4 November 2005 concerning a new authorisation for 10 years of an additive in feedingstuffs, the permanent authorisation of certain additives in

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feedingstuffs and the provisional authorisation of new uses of certain additives already authorised in feedingstuffs (OJ L 291, 5.11.2005, p. 5).

- (22) Commission Regulation (EC) No 1811/2005 of 4 November 2005 concerning the provisional and permanent authorisations of certain additives in feedingstuffs and the provisional authorisation of a new use of an additive already authorised in feedingstuffs (OJ L 291, 5.11.2005, p. 12).
- (23) Commission Regulation (EC) No 2036/2005 of 14 December 2005 concerning the permanent authorisations of certain additives in feedingstuffs and the provisional authorisation of a new use of certain additives already authorised in feedingstuffs (OJ L 328, 15.12.2005, p. 13).
- (24) Commission Regulation (EC) No 252/2006 of 14 February 2006 concerning the permanent authorisations of certain additives in feedingstuffs and the provisional authorisations of new uses of certain additives already authorised in feedingstuffs (OJ L 44, 15.2.2006, p. 3).
- (25) Commission Regulation (EC) No 773/2006 of 22 May 2006 concerning the provisional and permanent authorisation of certain additives in feedingstuffs and the provisional authorisation of a new use of an additive already authorised in feedingstuffs (OJ L 135, 23.5.2006, p. 3).
- (26) Commission Regulation (EC) No 1284/2006 of 29 August 2006 concerning the permanent authorisations of certain additives in feedingstuffs (OJ L 235, 30.8.2006, p. 3).
- (27) Commission Regulation (EU) No 1270/2009 of 21 December 2009 concerning the permanent authorisations of certain additives in feedingstuffs (OJ L 339, 22.12.2009, p. 28).
- (28) Commission Regulation (EC) No 937/2001 of 11 May 2001 concerning the authorisation of new additive uses, new additive preparation, the prolongation of provisional authorisations and the 10 year authorisation of an additive in feedingstuffs (OJ L 130, 12.5.2001, p. 25).
- (29) Commission Regulation (EC) No 871/2003 of 20 May 2003 permanently authorising a new additive manganomanganic oxide in feedingstuffs (OJ L 125, 21.5.2003, p. 3).
- (30) Commission Regulation (EC) No 277/2004 of 17 February 2004 concerning the authorisation without a time limit of an additive in feedingstuffs (OJ L 47, 18.2.2004, p. 20).
- (31) Commission Regulation (EC) No 278/2004 of 17 February 2004 concerning the provisional authorisation of a new use of an additive already authorised in feedingstuffs (OJ L 47, 18.2.2004, p. 22).
- (32) Commission Regulation (EC) No 1332/2004 of 20 July 2004 concerning the permanent authorisation of certain additives in feedingstuffs (OJ L 247, 21.7.2004, p. 8).
- (33) Commission Regulation (EC) No 1463/2004 of 17 August 2004 concerning the authorisation for 10 years of the additive 'Sacox 120 microGranulate' in feedingstuffs, belonging to the group of coccidiostats and other medicinal substances (OJ L 270, 18.8.2004, p. 5).
- (34) Commission Regulation (EC) No 1465/2004 of 17 August 2004 concerning the permanent authorisation of an additive in feedingstuffs (OJ L 270, 18.8.2004, p. 11).
- (35) Commission Regulation (EC) No 492/2006 of 27 March 2006 concerning the provisional and permanent authorisation of certain additives in feedingstuffs (OJ L 89, 28.3.2006, p. 6).
- (36) Commission Regulation (EC) No 1443/2006 of 29 September 2006 concerning the permanent authorisations of certain additives in feedingstuffs and an authorisation for 10 years for a coccidiostat (OJ L 271, 30.9.2006, p. 12).
- (37) Commission Regulation (EC) No 1743/2006 of 24 November 2006 concerning the permanent authorisation of an additive in feedingstuffs (OJ L 329, 25.11.2006, p. 16).
- (38) Commission Regulation (EC) No 757/2007 of 29 June 2007 concerning the permanent authorisation of certain additives in feedingstuffs (OJ L 172, 30.6.2007, p. 43).
- (39) Commission Regulation (EC) No 828/2007 of 13 July 2007 concerning the permanent and provisional authorisation of certain additives in feedingstuffs (OJ L 184, 14.7.2007, p. 12).

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