COMMISSION DIRECTIVE 94/17/EC

of 22 April 1994

amending Council Directive 70/524/EEC concerning additives in feedingstuffs

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs [1], as last amended by Directive 93/114/EC [2], and in particular Article 7 thereof,

Whereas Directive 70/524/EEC provides for regulart amendment of the content of its Annexes to take account of advances in scientific and technical knowledge; whereas the Annexes were consolidated by Commission Directive 91/248/EEC [3];

Whereas the use of certain additives belonging to the groups of emulsifiers, stabilizers, thickeners and gelling agents, colouring matters including pigments and acidity regulators has been widely tested in various Member States; whereas, on the basis of experience gained, it appears that these new uses can be authorized throughout the Community;

Whereas new uses for additives belonging to the groups of colouring matters including pigments, binders, anti-caking agents and coagulants, enzymes and micro-organisms have been successfully tested in certain Member States; whereas the new uses should be authorized provisionally at national level in anticipation of their approval at Community level;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Feedingstuffs,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The Annexes to Directive 70/524/EEC are hereby amended as set out in the Annex to this Directive.

Article 2

Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive by 30 November 1994 at the latest. They shall immediately inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

Article 3

This Directive shall enter into force on the third day following its publication in the *Official Journal of the European Communities.*

Done at Brussels, 22 April 1994.

For the Commission

René STEICHEN

Member of the Commission

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[1] OJ No L 270, 14. 12. 1970, p. 1.
[2] OJ No L 334, 31. 12. 1993, p. 24.
[3] OJ No L 124, 18. 5. 1991, p. 1.

ANNEX

The Annexes to Directive 70/524/EEC are hereby amended as follows:

1. In Annex I:

1.1. In Part A, 'Antibiotics', against item E 713 'Tylosin phosphate', the following phrase is inserted in the 'Other provisions' column: 'The minimum and maximum contents are expressed as tylosing base';

1.2. In Part E, 'Emulsifers, stabilizers, thickeners and gelling agents', the following item is added:

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions
					mg/kg of complete feedingstuffs		
'E 418	Gellan gum	Polytetrasaccharide containing glucose, glucuronic acid and rhamnose (2 : 1 : 1) produced by *Pseudomonas elodea* (ATCC 31466)	Dogs, cats	—	—	—	Only canned feedingstuffs'

1.3. Part F, 'Colouring matters including pigments' is replaced by the following text:

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions
					mg/kg of complete feedingstuffs		
	'F. Colouring matters including pigments						
	1. Carotenoids and xanthophylls:						
E 160 c	Copsanthin	$C_{40}H_{56}O_3$	Poultry	—	—	80 (alone or with the other carotenoids and xanthophylls)	—
E 160 e	Beta-apo-8'-carotenal	$C_{30}H_{40}O$		—	—		—
E 160 f	Ethyl ester of beta-apo-8'-carotenoico acid	$C_{32}H_{44}O_2$		—	—		—
E 161 b	Lutein	$C_{40}H_{56}O_2$		—	—		—
E 161 c	Cryptoxanthin	$C_{40}H_{56}O$		—	—		—
E 161 g	Canthoxanthin	$C_{40}H_{52}O_2$	(a) Poultry	—	—		—
				—	—		—

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions
					mg/kg of complete feedingstuffs		
			(b) Salmon, trout	—	—	80	Use permitted from the age of six months onwards. The mixture of canthaxanthin with astaxanthin is allowed provided that the total concentration of the mixture does not exceed 100 mg/kg in the complete feedingstuff
			(c) Dogs, cats and ornamental fish	—	—	—	—
E 161 h	Zeaxanthin	$C_{40}H_{56}O_2$	Poultry	—	—	80 (alone or with the other carotenoids and xanthophylls)	—
E 161 i	Citranaxanthin	$C_{33}H_{44}O$	Laying hens	—	—		—
E 161 j	Astaxanthin	$C_{40}H_{52}O_4$	(a) Salmon, trout	—	—	100	Use only permitted from the age of six months onwards. The mixture of astaxanthin with contaxanthin is allowed provided that the total concentration of the mixture does not exceed 100 mg/kg in the complete feedingstuff
			(b) Ornamental fish	—	—	—	—
	2. Other colourants :						
E 102	Tartrazine	$C_{16}H_9N_4O_9S_2Na_3$	Ornamental fish	—	—	—	—
E 110	Sunset yellow FCF	$C_{16}H_{10}N_2O_7S_2Na_2$					
E 124	Ponceau 4 R	$C_{20}H_{11}N_2O_{10}S_3Na_3$					
E 127	Erythrosine	$C_{20}H_6I_4O_5Na_2H_2O$					

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions
					mg/kg of complete feedingstuffs		
E 131	Patent Blue V	Calcium salt of the disulphonic acid of m-hydroxytetraethyldiamino triphenylcarbinol anhydride	(a) All species or categories of animals with the exception of dogs and cats	—	—	—	Permitted in animal feedingstuffs only in products processed from : (i) waste products of feedingstuffs ; (ii) denatured cereals or manioc flour ; or (iii) other base substances denatured by means of these agents or coloured during technical preparation to ensure the necessary identification during manufacture
			(b) Dogs and cats	—	—	—	—
E 132	Indigotine	$C_{16}H_8N_2O_8S_2Na_2$	Ornamental fish	—	—	—	—
E 141	Chlorophyll copper complex	—	Ornamental fish	—	—	—	—
E 142	Acid brilliant green BS (Lissamine green)	Sodium salt of 4,4'-bis (dimethylamino) diphenylmethylene-2-naphtol-3,6-disulphonic acid	(a) All species or categories of animals with the exception of dogs, cats and ornamental fish	—	—	—	Permitted in animal feedingstuffs only in products processed from : (i) waste products of foodstuffs ; (ii) denatured cereals or manioc flour ; or (iii) other base substances denatured by means of these agents or coloured during technical preparation to ensure the necessary identification during manufacture
			(b) Dogs, cats and ornamental fish	—	—	—	—
E 153	Carbon black	C	Ornamental fish	—	—	—	
E 160 B	Bixin	$C_{25}H_{30}O_4$		—	—	—	

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions
					mg/kg of complete feedingstuffs		
E 172	Iron oxide, red	Fe_2O_3		—	—	—	
	3. Colouring agents authorized for colouring foodstuffs by Community rules, other than Patent blue V and Acid brilliant green BS	—	(a) All species or categories of animals with the exception of dogs and cats	—	—	—	Permitted in animal feedingstuffs only in products processed from : (i) waste products of foodstuffs ; or (ii) other base substances, with the exception of cereals and manioc flour, denatured by means of these agents of coloured during technical preparation to ensure the necessary identification during manufacture
			(b) Dogs and cats	—	—	—	—'

1.4. In Part M, 'Acidity regulators' the following items are added :

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions
					mg/kg of complete feedingstuffs		
'E 525	Potassium hydroxide	—	Dogs and cats	—	—	—	—
E 526	Calcium hydroxide	—	Dogs and cats	—	—	—	—'

2. In Annex II:

2.1. In Part F, 'Colouring matters including pigments', the following item is added:

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	Period of authorization
					mg/kg of complete feedingstuff			
'11	Astaxanthin-rich *Phaffia rhodozyma*	Concentrated biomass of the yeast *Phaffia rhodozyma* (CBS 116.94), killed, containing at least 2,5 g ostaxanthin per kilogram additive	Salmon, trout	—	—	100	The maximum content is expressed as astaxanthin. Use only permitted from the age of six months onwards. The mixture of the additive with canthaxanthin is allowed provided that the total concentration of astaxanthin and canthaxanthin does not exceed 100 mg/kg in the complete feedingstuff	30. 11. 1994'

2.2. In Part L, 'Binding agents, anti-caking agents and coagulents', the following item is added:

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	Period of authorization
					mg/kg of complete feedingstuff			
'2	Natrolite-phonolite	Natural mixture of aluminium silicates, alkalines and alkaline-earth and aluminium hydrosilicates, natrolite (43 % — 46,5 %) and feldspar	All animal species and categories	—	—	25 000	All feedingstuffs	30. 11. 1994'

2.3. the following group and item are added:

EC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	Period of authorization
					Unit of activity per kg of complete feedingstuff			
	'N. **Enzymes**							
1	3-phytase (EC 3.1.3.8)	Preparation of 3-phytase produced by *Aspergillus niger* (CBS 114.94) having a minimum phytase activity of 5 000 FTU/g for solid and liquid preparations	Pigs (all categories of animals)	—	—	—	—	30. 11. 1994
			Chickens (all categories of animals)	—	—	—	—	30. 11. 1994'

2.4. the following group and item are added:

EC No	Additive	Chemical formula, description	Species or categoy of animal	Maximum age	UFC/kg of complete feedingstuff		Other provisions	Period of authorization
					Minimum	Maximum		
	'O. **Micro-organisms**							
1	*Bacillus cereus* var. *toyoi* (CNCM I-1012/ NCIB 40112)	Preparation of *Bacillus cereus var. toyoi* containing a minimum 10^{10}CFU/g additive	Piglets	Two months	10^9	10^9	—	30. 11. 1994
				four months	$0,5 \times 10^9$	10^9	—	
			Pigs	six months	$0,2 \times 10^9$	10^9	—	30. 11. 1994
			Sows	—	10^9	2×10^9	—	30. 11. 1994'