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► <u>M1</u>	Commission Implementing Regulation (EU) 2023/2852 of 20 December 2023	L 2852	1	21.12.2023

▼B**COMMISSION IMPLEMENTING REGULATION (EU) 2023/1581****of 1 August 2023****amending Implementing Regulation (EU) 2017/2470 as regards the conditions of use of the novel food ‘astaxanthin-rich oleoresin from *Haematococcus pluvialis* algae’****(Text with EEA relevance)***Article 1*

The Annex to Implementing Regulation (EU) 2017/2470 is amended in accordance with the Annex to this Regulation.

▼M1*Article 2*

Food supplements containing $\leq 8,0$ mg astaxanthin intended for the general population older than 14 years of age, complying with the requirements of Implementing Regulation (EU) 2021/1377 may continue to be placed on the market until 1 February 2024 and may be marketed until their date of minimum durability or use by date.

▼B*Article 3*

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

This Regulation shall be binding in its entirety and directly applicable in all Member States.

ANNEX

In the Annex to Implementing Regulation (EU) 2017/2470, the entry for ‘Astaxanthin-rich oleoresin from *Haematococcus pluvialis* algae’ in Table 1 (Authorised novel foods) is replaced by the following:

Authorised novel food	Conditions under which the novel food may be used		Additional specific labelling requirements	Other requirements
‘Astaxanthin-rich oleoresin from <i>Haematococcus pluvialis</i> algae’	<i>Specified food category</i>	<i>Maximum levels of astaxanthin</i>	The designation of the novel food on the labelling of the foodstuffs containing it shall be ‘Astaxanthin rich oleoresin from <i>Haematococcus pluvialis</i> algae’ The labelling of food supplements containing Astaxanthin rich oleoresin from <i>Haematococcus pluvialis</i> algae shall bear a statement that they should not be consumed: (a) if other food supplements containing astaxanthin esters are consumed on the same day (b) by infants and young children under 3 years of age (c) by infants and children under 10 years of age (*) (d) by infants, children and adolescents under 14 years of age (*).	
	Food supplements as defined in Directive 2002/46/EC excluding infants and young children	2,3 mg astaxanthin per day for children 3 to less than 10 years of age		
		5,7 mg astaxanthin per day for adolescents 10 to less than 14 years of age		
		8 mg astaxanthin per day for general population older than 14 years of age		

(*) Depending on the age group the food supplement is intended for.’