COMMISSION IMPLEMENTING REGULATION (EU) No 451/2012

of 29 May 2012

on the withdrawal from the market of certain feed additives belonging to the functional group of silage additives

(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. Article 10(7) of Regulation (EC) No 1831/2003 in conjunction with Article 10(1) to (4) thereof sets out specific provisions for the evaluation of products used in the Union as silage additives at the date that Regulation became applicable.

(2) The feed additives set out in the Annex were entered in the Community Register of Feed Additives as existing products, in accordance with Article 10(1) of Regulation (EC) No 1831/2003.

(3) As regards the use of those feed additives as silage additives, no application for authorisation in accordance with Article 10(7) in conjunction with Article 10(2) of Regulation (EC) No 1831/2003 was submitted before the deadline provided for in Article 10(7). As regards the additive hexamethylene tetramine for certain species of animals, no application for authorisation was submitted before that deadline.

(4) For transparency purpose, the additives for which no application for authorisation was submitted within the period specified in Article 10(7) of Regulation (EC) No 1831/2003 were listed in a separated part of the Community Register of Feed Additives.

(5) Those feed additives should therefore be withdrawn from the market as far as their use as silage additives is concerned, except for species for which applications for authorisation have been submitted. This measure does not interfere with the use of some of the abovementioned additives according to other categories or functional groups for which they may be allowed.

(6) Since the withdrawal of the silage additives concerned are not related to safety reasons, it is appropriate to allow a transitional period within which existing stocks of those additives as well as premixtures and silage which have been produced with those additives may be used up.

(7) The withdrawal of the feed additives listed in the Annex should be considered as without prejudice to a possible future granting of an authorisation concerning them or to the adoption of a measure on their status on the grounds and under the procedures set out in Regulation (EC) No 1831/2003.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Withdrawal

The feed additives specified in Part A of the Annex, belonging to the functional group 'silage additives' within the category 'technological additives', shall be withdrawn from the market.

The feed additive specified in Part B of the Annex, belonging to the functional group 'silage additives' within the category 'technological additives', shall be withdrawn from the market in respect of the species of animals mentioned in that Part of the Annex.

Article 2

Transitional measures

1. Existing stocks of the feed additives set out in Part A of the Annex may continue to be placed on the market and used as feed additives belonging to the functional group 'silage additives' within the category 'technological additives' until 19 June 2013.

2. Premixtures produced with the additives referred to in paragraph 1 may continue to be placed on the market and used until 19 June 2013.

3. Silage produced with the additives referred to in paragraph 1 or with the premixtures referred to in paragraph 2 may continue to be placed on the market and used until 19 June 2014.

[1] OJ L 268, 18.10.2003, p. 29.

4. As regards the feed additive set out in Part B of the Annex, paragraphs 1, 2 and 3 shall apply in respect of the species of animals mentioned in that Part of the Annex.

Article 3

Entry into force

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.

Done at Brussels, 29 May 2012.

For the Commission
The President
José Manuel BARROSO

ANNEX

Feed additives belonging to the functional group of silage additives withdrawn from the market, as provided for in Article 1

PART A

Feed additives belonging to the functional group of silage additives withdrawn for all species and categories of animals

Identification Number	Additive	Species or category of animals
	Category of technological additives. Functional group: silage additives	
	Alpha-amylase EC 3.2.1.1 from *Bacillus subtilis var amyloliquefaciens*	All species
	Amylase EC 3.2.1.1 from *Aspergillus oryzae*	All species
	Amylase EC 3.2.1.1 from malt	All species
	Beta-1,4 Glucanase cellulase EC 3.2.1.4 from *Aspergillus niger*	All species
	Beta-1,4 Xylanase EC 3.2.1.37 from *Trichoderma reesei*	All species
	Beta-glucanase EC 3.2.1.6 from *Trichoderma viride*	All species
	Cellulase EC 3.2.1.4 from *Penicillium funiculosum*	All species
	Cellulase EC 3.2.1.4 from *Trichoderma reesei*	All species
	Cellulase EC 3.2.1.4 from *Trichoderma viride*	All species
	Cellulase-hemicellulase complex EC 3.2.1.4 from *Trichoderma reesei*	All species
	Cellulase-xylanase complex EC 3.2.1.4 from *Trichoderma reesei*	All species
	Endo-1,3-beta-glucanase EC 3.2.1.6 from *Bacillus amyloliquefaciens*	All species
	Endo-1,4-beta-D-mannanase EC 3.2.1.78 from *Bacillus lentus*	All species
	Endo-1,4-beta-glucanase EC 3.2.1.4 from *Trichoderma longibrachiatum*	All species
	Endo-1,4-beta-glucanase EC 3.2.1.6 from *Bacillus amyloliquefaciens*	All species
	Endo-1,4-beta-xylanase EC 3.2.1.8. from *Aspergillus oryzae*	All species
	Glucoamylase EC 3.2.1.3. from *Aspergillus niger*	All species
	Glucose oxidase EC 1.1.3.4 from *Aspergillus niger*	All species
	Hemicellulase EC 3.2.1.8 from *Aspergillus niger*	All species
	Mannanase EC 3.2.1.77 from *Aspergillus niger*	All species
	Pectinase EC 3.2.1.15 from *Aspergillus niger*	All species
	Xylanase EC 3.2.1.8 from *Aspergillus niger*	All species
	Xylanase EC 3.2.1.8 from *Penicillium funiculosum*	All species
	Xylanase EC 3.2.1.8 from *Trichoderma reesei*	All species
	Aspergillus oryzae AK 7001 DSM 1862	All species

Identification Number	Additive	Species or category of animals
	Bacillus coagulans CECT 7001	All species
	Bacillus lentus 302	All species
	Bacillus licheniformis DSM 5749	All species
	Bacillus licheniformis MBS-BL-01	All species
	Bacillus licheniformis Micron Bio-Systems culture collection	All species
	Bacillus pumilus BP288 ATCC 53682	All species
	Bacillus pumilus CNCM I-3240/NRRL B4064	All species
	Bacillus pumilus MBS-BP-01	All species
	Bacillus pumilus Micron Bio-Systems culture collection	All species
	Bacillus subtilis AK 6012 DSM 8563	All species
	Bacillus subtilis BS1	All species
	Bacillus subtilis CNCM I-3239/ATCC 6633	All species
	Bacillus subtilis DSM 5750	All species
	Bacillus subtilis Micron Bio-Systems culture collection	All species
	Bacillus subtilis NCIMB 40286	All species
	Bifidobacterium animalis ssp. *Lactis* CHCC5445/DSM15954	All species
	Bifidobacterium longum CNCM I-3241/ATCC 15707	All species
	Candida glabrata 35120	All species
	Clostridium sporogenes phage NCIMB 30008	All species
	Clostridium tyrobutyricum phage NCIMB 30008	All species
	Enterococcus faecium AP34	All species
	Enterococcus faecium CECT 7002	All species
	Enterococcus faecium CNCM DASF I-1248	All species
	Enterococcus faecium CNCM I-819	All species
	Enterococcus faecium DSM 15958	All species
	Enterococcus faecium DSM 16567	All species
	Enterococcus faecium DSM 16573	All species
	Enterococcus faecium DSM 5464	All species
	Enterococcus faecium M74 CCM 6226	All species
	Enterococcus faecium NCAIM	All species
	Enterococcus faecium NCIMB 30006	All species

Identification Number	Additive	Species or category of animals
	Enterococcus faecium NCIMB 30098	All species
	Enterococcus faecium NCIMB 30122	All species
	Enterococcus mundtii 82760	All species
	Lactobacillus acidophilus 36587	All species
	Lactobacillus acidophilus CHCC3777/DSM13241	All species
	Lactobacillus acidophilus CNCM DALA I-1246	All species
	Lactobacillus acidophilus NCIMB 30067	All species
	Lactobacillus acidophilus NCAIM	All species
	Lactobacillus amylolyticus CBS 116420	All species
	Lactobacillus amylovorans DSM 16251	All species
	Lactobacillus brevis DSM 16570	All species
	Lactobacillus brevis KKP. 839	All species
	Lactobacillus brevis NCIMB 8038	All species
	Lactobacillus buchneri 71044	All species
	Lactobacillus buchneri 71065	All species
	Lactobacillus buchneri BIO 73	All species
	Lactobacillus buchneri NCIMB 30137	All species
	Lactobacillus buchneri NCIMB 30138	All species
	Lactobacillus buchneri NCIMB 8007	All species
	Lactobacillus bulgaricus MA 547/3M	All species
	Lactobacillus casei CCM 3775	All species
	Lactobacillus casei CHCC2115	All species
	Lactobacillus casei CNCM DA LC I-1247	All species
	Lactobacillus casei MA 67/4U	All species
	Lactobacillus casei NCIMB 11970	All species
	Lactobacillus casei NCIMB 30007	All species
	Lactobacillus casei rhamnosus LC 705 DSM 7061	All species
	Lactobacillus farciminis MA27/6B	All species
	Lactobacillus fermentum DSM 16250	All species
	Lactobacillus helveticus CNCM DALH I-1251	All species
	Lactobacillus mucosae DSM 16246	All species

Identification Number	Additive	Species or category of animals
	Lactobacillus paracasei DSM 16572	All species
	Lactobacillus paracasei ssp. *Paracasei* DSM 11394	All species
	Lactobacillus paracasei ssp. *Paracasei* DSM 11395	All species
	Lactobacillus paracasei ssp. *Paracasei* CNCM I-3292/P4126	All species
	Lactobacillus plantarum 24001	All species
	Lactobacillus plantarum 252	All species
	Lactobacillus plantarum 50050	All species
	Lactobacillus plantarum 88	All species
	Lactobacillus plantarum AMY LMG-P22548	All species
	Lactobacillus plantarum C KKP/783/p	All species
	Lactobacillus plantarum CCM 3769	All species
	Lactobacillus plantarum CNCM DALP. I-1250	All species
	Lactobacillus plantarum CNCM I-820	All species
	Lactobacillus plantarum CNCM MA 27/5M	All species
	Lactobacillus plantarum DSM 12187	All species
	Lactobacillus plantarum DSM 13367	All species
	Lactobacillus plantarum DSM 13543	All species
	Lactobacillus plantarum DSM 13544	All species
	Lactobacillus plantarum DSM 13545	All species
	Lactobacillus plantarum DSM 13546	All species
	Lactobacillus plantarum DSM 13547	All species
	Lactobacillus plantarum DSM 13548	All species
	Lactobacillus plantarum DSM 16247	All species
	Lactobacillus plantarum DSM 16571	All species
	Lactobacillus plantarum DSM 16682	All species
	Lactobacillus plantarum DSM 4784	All species
	Lactobacillus plantarum DSM 4904	All species
	Lactobacillus plantarum DSM 8427	All species
	Lactobacillus plantarum DSM 8428	All species
	Lactobacillus plantarum DSM 8862	All species
	Lactobacillus plantarum DSM 8866	All species

Identification Number	Additive	Species or category of animals
	Lactobacillus plantarum DSMZ 15683	All species
	Lactobacillus plantarum DSMZ 16627	All species
	Lactobacillus plantarum EU/EEC 1/24476	All species
	Lactobacillus plantarum KKP/788/p	All species
	Lactobacillus plantarum L43 NCIMB 30146	All species
	Lactobacillus plantarum L44 NCIMB 30147	All species
	Lactobacillus plantarum L58	All species
	Lactobacillus plantarum MA 541/2E	All species
	Lactobacillus plantarum Micron Bio-Systems culture collection	All species
	Lactobacillus plantarum NCIMB 12422	All species
	Lactobacillus plantarum NCIMB 30004	All species
	Lactobacillus plantarum NCIMB 30114	All species
	Lactobacillus plantarum NCIMB 30115	All species
	Lactobacillus plantarum NCIMB 30170	All species
	Lactobacillus plantarum PL3/CSL	All species
	Lactobacillus plantarum PL6/CSL	All species
	Lactobacillus plantarum PLA/CSL	All species
	Lactobacillus reuteri CNCM MA28/6E-g	All species
	Lactobacillus reuteri CNCM MA28/6U-g	All species
	Lactobacillus reuteri DSM 16248	All species
	Lactobacillus reuteri DSM 16249	All species
	Lactobacillus rhamnosus MA27/6R	All species
	Lactobacillus sakei DSM 16564	All species
	Lactobacillus sakei ssp. *Sakei* AK 5115 DSM 20017	All species
	Lactococcus lactis CNCM I-3291/ATCC 7962	All species
	Lactococcus Lactis NCIMB 30149	All species
	Lactococcus lactis ssp. *Lactis biovar diacetylactis* CHCC2237	All species
	Lactococcus lactis subsp. Lactis CHCC2871	All species
	Leuconostoc mesenteroides DSM 8865	All species
	Leuconostoc oeno LO1	All species
	Leuconostoc pseudomesenteroides CHCC2114	All species

Identification Number	Additive	Species or category of animals
	Pediococcus acidilactici AK 5201 DSM 20284	All species
	Pediococcus acidilactici CNCM MA 151/5R	All species
	Pediococcus acidilactici DSM 10313	All species
	Pediococcus acidilactici DSM 13946	All species
	Pediococcus acidilactici ET 6	All species
	Pediococcus acidilactici NCIMB 30005	All species
	Pediococcus pentosaceus 69221	All species
	Pediococcus pentosaceus AP35	All species
	Pediococcus pentosaceus CCM 3770	All species
	Pediococcus pentosaceus CNCM MA 25/4J	All species
	Pediococcus pentosaceus DSM 16566	All species
	Pediococcus pentosaceus DSM 16569	All species
	Pediococcus pentosaceus HTS LMG P-22549	All species
	Pediococcus pentosaceus Micron Bio-Systems culture collection	All species
	Pediococcus pentosaeceus EU/EEC 2124476	All species
	Propionibacterium freudenreichii shermanii JS DSM 7067	All species
	Propionibacterium freudenreichii ssp. *Shermanii* AK 5502 DSM 4902	All species
	Propionibacterium globosum CNCM DAPB I-1249	All species
	Propionibacterium shermanii ATCC 9614	All species
	Propionibacterium shermanii MBS-PS-01	All species
	Propionibacterium sp. DSM 9576	All species
	Propionibacterium sp. DSM 9577	All species
	Rhodopseudomonas palustris ATTC 17001	All species
	Saccharomyces cerevisiae 37584	All species
	Saccharomyces cerevisiae 80566	All species
	Serratia rubidaea NCIMB 40285	All species
	Streptococcus cremoris CNCM DASC I-1244	All species
	Streptococcus faecium 36 KKP. 880	All species
	Streptococcus thermophilus CHCC3021	All species
	Streptococcus thermophilus CNCM DAST I-1245	All species
	Ammonium acetate	All species

Identification Number	Additive	Species or category of animals
	Ammonium acetate tetrahydrate	All species
	Ammonium benzoate	All species
	Ammonium bisulphite	All species
	Ammonium dipropionate	All species
	Attapulgite (clay) CAS No 12174-11-7	All species
E 210	Benzoic acid	All species
	Ethyl benzoate	All species
E 507	Hydrochloric acid	All species
	Hydrogen peroxide	All species
	Isobutyric acid	All species
	Methenamine	All species
E 285	Methylpropionic acid	All species
	Potassium bisulphite	All species
	Potassium formate	All species
	Potassium sulphate	All species
	Silicon dioxide	All species
E 222	Sodium bisulphite	All species
E 223	Sodium metabisulphite	All species
	Sodium sulphite	All species
	Sodium thiosulphate	All species
E 513	Sulphuric acid	All species
	Tannin extract from sweet chestnut wood (*Castanea sativa* Mill, CAS No 1401-55-4)	All species

PART B

Feed additive belonging to the functional group of silage additives withdrawn for certain species or categories of animals

Identification Number	Additive	Species or category of animals
Category of technological additives. Functional group: silage additives		
	Hexamethylene tetramine	All species with the exception of Bovines; Ovines; Pigs; Poultry; Rabbits; Horses; Goats