

Official Journal of the European Union

L 124



English edition

Legislation

Volume 66

10 May 2023

Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Implementing Regulation (EU) 2023/931 of 8 May 2023 amending Implementing Regulation (EU) 2017/2470 as regards the conditions of use of the traditional food from a third country infusion from coffee leaves of *Coffea arabica* L. and/or *Coffea canephora* Pierre ex A. Froehner ⁽¹⁾** 1
- ★ **Commission Implementing Regulation (EU) 2023/932 of 8 May 2023 amending Implementing Regulation (EU) No 540/2011 as regards the approval period of the active substance pyridalyl ⁽¹⁾** 4

DECISIONS

- ★ **Council Decision (EU) 2023/933 of 4 May 2023 amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditors of the Nationale Bank van België/Banque Nationale de Belgique** 6

⁽¹⁾ Text with EEA relevance.

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2023/931

of 8 May 2023

amending Implementing Regulation (EU) 2017/2470 as regards the conditions of use of the traditional food from a third country infusion from coffee leaves of *Coffea arabica* L. and/or *Coffea canephora* Pierre ex A. Froehner

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2015/2283 of the European Parliament and of the Council of 25 November 2015 on novel foods, amending Regulation (EU) No 1169/2011 of the European Parliament and of the Council and repealing Regulation (EC) No 258/97 of the European Parliament and of the Council and Commission Regulation (EC) No 1852/2001 ⁽¹⁾, and in particular Article 12 thereof,

Whereas:

- (1) Regulation (EU) 2015/2283 provides that only novel foods authorised and included in the Union list of novel foods may be placed on the market within the Union.
- (2) Pursuant to Article 8 of Regulation (EU) 2015/2283, Commission Implementing Regulation (EU) 2017/2470 ⁽²⁾ has established a Union list of novel foods.
- (3) The Union list set out in the Annex to Implementing Regulation (EU) 2017/2470 includes infusion from coffee leaves of *Coffea arabica* L. and/or *Coffea canephora* Pierre ex A. Froehner as an authorised traditional food from a third country.
- (4) Commission Implementing Regulation (EU) 2020/917 ⁽³⁾ authorised the placing on the market of infusion from coffee leaves of *Coffea arabica* L. and/or *Coffea canephora* Pierre ex A. Froehner as a traditional food from a third country for use in herbal infusions.
- (5) On 4 July 2022, the company Luigi Lavazza Spa ('the applicant') submitted an application to the Commission in accordance with Article 10(1) of Regulation (EU) 2015/2283 for a change of the conditions of use of the infusion from coffee leaves of *Coffea arabica* L. and/or *Coffea canephora* Pierre ex A. Froehner. The applicant requested to extend its use to flavoured and unflavoured non-alcoholic ready-to-drink beverages and coffee, coffee and chicory extracts, instant coffee, tea, herbal- and fruit-infusions, coffee substitutes, coffee mixes and instant mixes for beverages (and their flavoured counterparts) intended for the general population.

⁽¹⁾ OJ L 327, 11.12.2015, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) 2017/2470 of 20 December 2017 establishing the Union list of novel foods in accordance with Regulation (EU) 2015/2283 of the European Parliament and of the Council on novel foods (OJ L 351, 30.12.2017, p. 72).

⁽³⁾ Commission Implementing Regulation (EU) 2020/917 of 1 July 2020 authorising the placing on the market of infusion from coffee leaves of *Coffea arabica* L. and/or *Coffea canephora* Pierre ex A. Froehner as a traditional food from a third country under Regulation (EU) 2015/2283 of the European Parliament and of the Council and amending Implementing Regulation (EU) 2017/2470 (OJ L 209, 2.7.2020, p. 10).

- (6) The Commission considers that the requested update of the Union list is not liable to have an effect on human health and that a safety evaluation by the European Food Safety Authority ('the Authority') in accordance with Article 10(3) of Regulation (EU) 2015/2283 is not necessary. The proposed uses of the infusion from coffee leaves of *Coffea arabica* L. and/or *Coffea canephora* Pierre ex A. Froehner will result in intakes that are comparable to intakes from the currently authorised uses which were assessed by the Authority and considered by the Authority as safe and which supported the authorisation of the traditional food from a third country. Therefore, it is appropriate to amend the conditions of use of the infusion from coffee leaves of *Coffea arabica* L. and/or *Coffea canephora* Pierre ex A. Froehner to extend its use to flavoured and unflavoured non-alcoholic ready-to-drink beverages and coffee, coffee and chicory extracts, instant coffee, tea, herbal- and fruit-infusions, coffee substitutes, coffee mixes and instant mixes for beverages (and their flavoured counterparts).
- (7) The information provided in the application gives sufficient grounds to establish that the changes to the conditions of use of the traditional food from a third country are in accordance with the conditions laid down in Article 12 of Regulation (EU) 2015/2283 and should be approved.
- (8) Taking into account this extension of use of the infusion from coffee leaves of *Coffea arabica* L. and/or *Coffea canephora* Pierre ex A. Froehner to additional food categories and for the purpose of clarity and understanding of food categories, initially authorised food category 'Herbal infusions' is changed to 'Infusion from coffee leaves of *Coffea arabica* L. and/or *Coffea canephora* Pierre ex A. Froehner to be placed on the market as such', while 'herbal infusions' are included in the food category 'coffee, coffee and chicory extracts, instant coffee, tea, herbal- and fruit-infusions, coffee substitutes, coffee mixes and instant mixes for beverages (and their flavoured counterparts)'.
The Annex to Implementing Regulation (EU) 2017/2470 should therefore be amended accordingly.
- (9) The Annex to Implementing Regulation (EU) 2017/2470 should therefore be amended accordingly.
- (10) 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:

Article 1

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

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*.

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

Done at Brussels, 8 May 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In Table 1 (Authorised novel foods) of the Annex to Implementing Regulation (EU) 2017/2470, the entry for 'Infusion from coffee leaves of *Coffea arabica* L. and/or *Coffea canephora* Pierre ex A. Froehner (Traditional food from a third country)' is replaced by the following:

Authorised novel food	Conditions under which the novel food may be used		Additional specific labelling requirements	Other requirements	Data protection
'Infusion from coffee leaves of <i>Coffea arabica</i> L. and/or <i>Coffea canephora</i> Pierre ex A. Froehner (Traditional food from a third country)	<i>Specified food category</i>	<i>Maximum levels</i>	The designation of the novel food on the labelling of the foodstuffs containing it shall be "Infusion from coffee leaves" or "Dried infusion from coffee leaves", depending on the form to be marketed.		
	Infusion from coffee leaves of <i>Coffea arabica</i> L. and/or <i>Coffea canephora</i> Pierre ex A. Froehner placed on the market as such				
	Flavoured and unflavoured non-alcoholic ready-to-drink beverages (*)				
	Coffee, coffee and chicory extracts, instant coffee, tea, herbal- and fruit-infusions, coffee substitutes, coffee mixes and instant mixes for beverages (and their flavoured counterparts) (*)				

(*) not a traditional food use.'

COMMISSION IMPLEMENTING REGULATION (EU) 2023/932**of 8 May 2023****amending Implementing Regulation (EU) No 540/2011 as regards the approval period of the active substance pyridalyl****(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 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular Article 17, first paragraph, thereof,

Whereas:

- (1) Part B of the Annex to Commission Implementing Regulation (EU) No 540/2011 ⁽²⁾ sets out the active substances approved under Regulation (EC) No 1107/2009.
- (2) The approval period of the active substance pyridalyl was extended from 30 June 2024 until 30 June 2025 by Commission Implementing Regulation (EU) 2020/2007 ⁽³⁾, in order to ensure a balanced distribution of responsibilities and work among Member States acting as rapporteur and co-rapporteur Member States, taking into account also the resources necessary for the renewal assessment and decision-making.
- (3) No application for the renewal of the approval of this active substance was submitted in accordance with Article 5 of Commission Implementing Regulation (EU) 2020/1740 ⁽⁴⁾.
- (4) The extension of the approval period of the active substance pyridalyl provided for by Implementing Regulation (EU) 2020/2007 is no longer justified. It is therefore appropriate to provide that the approval of this substance expires at the date it would have expired without the extension.
- (5) Implementing Regulation (EU) No 540/2011 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).

⁽³⁾ Commission Implementing Regulation (EU) 2020/2007 of 8 December 2020 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances 1-decanol, 1,4-dimethylnaphthalene, 6-benzyladenine, acequinocyl, *Adoxophyes orana granulovirus*, aluminium sulfate, amisulbrom, *Aureobasidium pullulans* (strains DSM 14940 and DSM 14941), azadirachtin, *Bacillus pumilus* QST 2808, benalaxyl-M, bixafen, bupirimate, *Candida oleophila* strain O, chlorantraniliprole, disodium phosphonate, dithianon, dodine, emamectin, flubendiamide, fluometuron, fluxapyroxad, flutriafol, hexythiazox, imazamox, ipconazole, isoxaben, L-ascorbic acid, lime sulphur, orange oil, *Paecilomyces fumosoroseus* strain FE 9901, pendimethalin, penflufen, penthiopyrad, potassium phosphonates, prosulfuron, *Pseudomonas* sp. strain DSMZ 13134, pyridalyl, pyriofenone, pyroxsulam, quinmerac, S-abscisic acid, sedaxane, sintofen, sodium silver thiosulfate, spinetoram, spirotetramat, *Streptomyces lydicus* strain WYEC 108, tau-fluvalinate, tebufenozide, tembotrione, thiencarbazon, valifenalate, zinc phosphide (OJ L 414, 9.12.2020, p. 10).

⁽⁴⁾ Commission Implementing Regulation (EU) 2020/1740 of 20 November 2020 setting out the provisions necessary for the implementation of the renewal procedure for active substances, as provided for in Regulation (EC) No 1107/2009 of the European Parliament and of the Council, and repealing Commission Implementing Regulation (EU) No 844/2012 (OJ L 392, 23.11.2020, p. 20).

HAS ADOPTED THIS REGULATION:

Article 1

In Part B of the Annex to Implementing Regulation (EU) No 540/2011, in the sixth column 'Expiration of approval' of entry 64, pyridalyl, the date is replaced by '30 June 2024'.

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*.

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

Done at Brussels, 8 May 2023.

For the Commission
The President
Ursula VON DER LEYEN

DECISIONS

COUNCIL DECISION (EU) 2023/933

of 4 May 2023

amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditors of the Nationale Bank van België/Banque Nationale de Belgique

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Protocol No 4 on the Statute of the European System of Central Banks and of the European Central Bank, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, and in particular Article 27.1 thereof,

Having regard to the Recommendation of the European Central Bank of 13 April 2023 to the Council of the European Union on the external auditors of the Nationale Bank van België/Banque Nationale de Belgique (ECB/2023/10) ⁽¹⁾,

Whereas:

- (1) The accounts of the European Central Bank (ECB) and of the national central banks of the Member States whose currency is the euro are to be audited by independent external auditors recommended by the Governing Council of the ECB and approved by the Council of the European Union.
- (2) The mandate of Mazars Réviseurs d'entreprises/Mazars Bedrijfsrevisoren SCRL/CVBA as current external auditors of the Nationale Bank van België/Banque Nationale de Belgique expired following the audit for the 2022 financial year. It is therefore necessary to appoint external auditors for the 2023 financial year.
- (3) The Nationale Bank van België/Banque Nationale de Belgique has selected KPMG Bedrijfsrevisoren/KPMG Réviseurs d'Entreprises BV/SRL as its external auditors for the financial years 2023 to 2028.
- (4) The Governing Council of the ECB recommended that KPMG Bedrijfsrevisoren/KPMG Réviseurs d'Entreprises BV/SRL be appointed as the external auditors of the Nationale Bank van België/Banque Nationale de Belgique for the financial years 2023 to 2028.
- (5) Following the recommendation of the Governing Council of the ECB, Council Decision 1999/70/EC ⁽²⁾ should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

In Article 1 of Decision 1999/70/EC, paragraph 1 is replaced by the following:

'1. KPMG Bedrijfsrevisoren/KPMG Réviseurs d'Entreprises BV/SRL are hereby approved as the external auditors of the Nationale Bank van België/Banque Nationale de Belgique for the financial years 2023 to 2028.'

Article 2

This Decision shall take effect on the date of its notification.

⁽¹⁾ OJ C 138, 21.4.2023, p. 1.

⁽²⁾ Council Decision 1999/70/EC of 25 January 1999 concerning the external auditors of the national central banks (OJ L 22, 29.1.1999, p. 69).

Article 3

This Decision is addressed to the European Central Bank.

Done at Brussels, 4 May 2023.

For the Council
The President
J. BORRELL FONTELLES

ISSN 1977-0677 (electronic edition)
ISSN 1725-2555 (paper edition)



Publications Office
of the European Union
L-2985 Luxembourg
LUXEMBOURG

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