



NOTIFICATION

1. Notifying Member: <u>EUROPEAN UNION</u> If applicable, name of local government involved:
2. Agency responsible: European Commission, Health and Food Safety Directorate-General
3. Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): Food products
4. Regions or countries likely to be affected, to the extent relevant or practicable: <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:
5. Title of the notified document: Draft Commission Regulation (EU) amending Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council as regards the removal of the flavouring substance Benzene-1,2-diol (FL No. 04.029) from the Union list (Text with EEA relevance). Language(s): English. Number of pages: 6 https://members.wto.org/crnattachments/2024/SPS/EEC/24_02949_00_e.pdf https://members.wto.org/crnattachments/2024/SPS/EEC/24_02949_01_e.pdf
6. Description of content: The text removes the flavouring substance Benzene-1,2-diol (FL No. 04.029) from the Union list of flavourings and source materials approved for use in and on foods. The European Food Safety Authority (EFSA), on 28 September 2023, adopted opinions on the renewal of the authorizations for Zesti Smoke code 10 (SF-002), Smoke Concentrate 809045 (SF-003), SmokEz C-10 (SF-005) and SmokEz Enviro-23 (SF-006) as smoke flavouring primary products. The Authority concluded that these smoke flavouring primary products contain Benzene-1,2-diol (FL No. 04.029) for which a concern for genotoxicity has been identified in vivo upon oral administration. For this reason, it is appropriate to remove Benzene-1,2-diol (FL No. 04.029) from the Union list of flavourings. In order to allow for a smooth transition, the text lays down that foods, including foods imported into the Union, to which Benzene-1,2-diol (FL No. 04.029) has been added and which were lawfully placed on the market or dispatched from the third country before the entry into force of the draft Regulation may continue to be marketed until their date of minimum durability or use-by date.
7. Objective and rationale: <input checked="" type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests.
8. Is there a relevant international standard? If so, identify the standard: <input type="checkbox"/> Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):

<p><input type="checkbox"/> World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):</p> <p><input type="checkbox"/> International Plant Protection Convention (e.g. ISPM number):</p> <p><input checked="" type="checkbox"/> None</p> <p>Does this proposed regulation conform to the relevant international standard?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, describe, whenever possible, how and why it deviates from the international standard:</p>
<p>9. Other relevant documents and language(s) in which these are available: WTO SPS notification G/SPS/N/EU/760.</p>
<p>10. Proposed date of adoption (dd/mm/yy): Foreseen in June 2024. Proposed date of publication (dd/mm/yy): Foreseen in June 2024.</p>
<p>11. Proposed date of entry into force: <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): 20 days after publication in the Official Journal of the European Union. <input type="checkbox"/> Trade facilitating measure</p>
<p>12. Final date for comments: <input checked="" type="checkbox"/> Sixty days from the date of circulation of the notification and/or (dd/mm/yy): 2 July 2024</p> <p>Agency or authority designated to handle comments: <input checked="" type="checkbox"/> National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</p> <p>European Commission DG Health and Food Safety, Unit A4-Multilateral International Relations Rue Froissart 101 B-1049 Brussels Tel: +(32 2) 29 54263 E-mail: sps@ec.europa.eu</p>
<p>13. Text(s) available from: <input checked="" type="checkbox"/> National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</p> <p>European Commission DG Health and Food Safety, Unit A4-Multilateral International Relations Rue Froissart 101 B-1049 Brussels Tel: +(32 2) 29 54263 E-mail: sps@ec.europa.eu</p>