



26 April 2022

(22-3322)

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Committee on Sanitary and Phytosanitary Measures

Original: English

**NOTIFICATION**

<b>1. Notifying Member:</b> <u>EUROPEAN UNION</u> <b>If applicable, name of local government involved:</b>
<b>2. Agency responsible:</b> European Commission, Health and Food Safety Directorate-General
<b>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):</b> Preparation of a kind used in animal nutrition (HS code: 2309)
<b>4. Regions or countries likely to be affected, to the extent relevant or practicable:</b> <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:
<b>5. Title of the notified document:</b> Commission Implementing Regulation (EU) 2022/654 concerning the authorisation of butylated hydroxyanisole as a feed additive for cats (Text with EEA relevance). <b>Language(s):</b> English, French and Spanish. <b>Number of pages:</b> 5 <a href="https://members.wto.org/crnattachments/2022/SPS/EEC/22_3039_00_e.pdf">https://members.wto.org/crnattachments/2022/SPS/EEC/22_3039_00_e.pdf</a> <a href="https://members.wto.org/crnattachments/2022/SPS/EEC/22_3039_00_f.pdf">https://members.wto.org/crnattachments/2022/SPS/EEC/22_3039_00_f.pdf</a> <a href="https://members.wto.org/crnattachments/2022/SPS/EEC/22_3039_00_s.pdf">https://members.wto.org/crnattachments/2022/SPS/EEC/22_3039_00_s.pdf</a>
<b>6. Description of content:</b> Butylated hydroxyanisole was authorized without a time limit as a feed additive for all animal species in accordance with Council Directive 70/524/EEC. This additive has been subsequently entered in the Register of feed additives as an existing product, in accordance with Article 10(1) of Regulation (EC) No 1831/2003. In accordance with Article 10(2) of Regulation (EC) No 1831/2003 in conjunction with Article 7 thereof, an application was submitted for the re-evaluation of butylated hydroxyanisole as a feed additive for all animal species. The applicant has later withdrawn the application with regard to cats, due to the adoption by EFSA on 12 November 2019 of a non-favourable opinion concerning the safety of the additive for use for cats. The re-evaluation of butylated hydroxyanisole resulted in the authorization thereof as a feed additive for all animal species except cats, by Commission Implementing Regulation (EU) 2020/1399. Article 10(5) of Regulation (EC) No 1831/2003 requires the adoption of a Regulation withdrawing from the market feed additives for which no application in accordance with Article 10(2) and (7) of that Regulation was submitted before the deadline set in those provisions, or for which an application was submitted but subsequently withdrawn. Since the applicant has withdrawn the application with regard to cats, butylated hydroxyanisole (E 320) should be withdrawn from the market as a feed additive for cats. In accordance with Article 7 of Regulation (EC) No 1831/2003, a new application was submitted for the authorization of butylated hydroxyanisole as a feed additive for cats, to be classified in the category 'technological additives' and in the functional group 'antioxidants'. That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
<b>7. Objective and rationale:</b> <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.

<p><b>8. Is there a relevant international standard? If so, identify the standard:</b></p> <p><input checked="" type="checkbox"/> <b>Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):</b> Code of practice on Good Animal Feeding CAC/RCP 54-2004</p> <p><input type="checkbox"/> <b>World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):</b></p> <p><input type="checkbox"/> <b>International Plant Protection Convention (e.g. ISPM number):</b></p> <p><input type="checkbox"/> <b>None</b></p> <p><b>Does this proposed regulation conform to the relevant international standard?</b></p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>If no, describe, whenever possible, how and why it deviates from the international standard:</b></p>
<p><b>9. Other relevant documents and language(s) in which these are available:</b></p>
<p><b>10. Proposed date of adoption (dd/mm/yy):</b> 20 April 2022</p> <p><b>Proposed date of publication (dd/mm/yy):</b> 21 April 2022</p>
<p><b>11. Proposed date of entry into force:</b> <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): This Regulation will enter into force on the twentieth day following its publication in the Official Journal of the European Union.</p> <p><input checked="" type="checkbox"/> <b>Trade facilitating measure</b></p>
<p><b>12. Final date for comments:</b> <input type="checkbox"/> Sixty days from the date of circulation of the notification and/or (dd/mm/yy): Not applicable</p> <p><b>Agency or authority designated to handle comments:</b> <input checked="" type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. <b>Address, fax number and e-mail address (if available) of other body:</b></p> <p>European Commission          DG Health and Food Safety, Unit D2-Multilateral International Relations          Rue Froissart 101          B-1049 Brussels          Tel: +(32 2) 29 54263          Fax: +(32 2) 29 98090          E-mail: <a href="mailto:sps@ec.europa.eu">sps@ec.europa.eu</a></p>
<p><b>13. Text(s) available from:</b> <input checked="" type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. <b>Address, fax number and e-mail address (if available) of other body:</b></p> <p>European Commission          DG Health and Food Safety, Unit D2-Multilateral International Relations          Rue Froissart 101          B-1049 Brussels          Tel: +(32 2) 29 54263          Fax: +(32 2) 29 98090          E-mail: <a href="mailto:sps@ec.europa.eu">sps@ec.europa.eu</a></p>