

Application of Art. 10 of EC-Flavouring Regulation
All provisions of the Union List fully apply as of 22 October 2014

Background on transitional periods

With EFFA Information Letter 12/07 we informed you about the publication of the Union List part A (List of Flavouring Substances) in the Official Journal on 2 October 2012 (*Commission Implementing Regulation (EU) No 872/2012*).

With EFFA Information Letter 13/03 we informed you about the timelines and transitional periods. As indicated in this IL, there was a transitional period of 18 months until 22 October 2014 (i.e. Application of Art. 10 of Regulation (EC) No 1334/2008).

This means that the specific provisions of the Union List like **restrictions of use** and **compliance with purity requirements** are applicable as from 22 October 2014.

Please note that dedicated transitional measures apply to foods containing flavouring substances, which are lawfully placed on the market and labelled prior to **22 October 2014** but which do not comply with the Union List part A: stocks of foods (including such flavouring substances) can be sold until their **date of minimum durability (DMD) or use-by date (UBD)**.

EFFA understands that compounded flavourings are also considered as foods and are covered by the same transitional measures as foods. In other words, compounded flavourings containing flavouring substances which are lawfully placed on the market or labelled prior to 22 October 2014 but which do not comply with the Union List Part A may be marketed until their date of minimum durability or use-by-date.

Current Legal situation and specific provisions

In particular the following provisions will fully apply as of 22 October 2014: the need to comply with the **restrictions of use** (as indicated in Column 7 of the List for 11 flavouring substances) and the **purity requirements** (cfr Column 6 of the List). Therefore all companies are advised to check their portfolio of flavouring substances to assure that the purity and other applicable requirements are met.

According to Art. 10 only those flavouring substances included in the Union List may be placed on the market as such and used in or on foods under the conditions of use specified therein, where applicable.

We invite the companies that have further questions to contact EFFA Secretariat at info@effa.eu or their respective national association.

EFFA Secretariat – 21 October 2014

european flavour association

Avenue des Arts, 6 | T +32 2 214 20 40 | secretariat@effa.eu
B - 1210 Bruxelles | F +32 2 230 02 65 | www.effa.eu

VAT BE 828 835 108 | IBAN BE 76 0015 0224 8595
Bank 001 5022485 95 | BIC GEBABEBB