

Commission Regulation (EC) No 450/2009 of 29 May 2009
on active and intelligent materials and articles intended to
come into contact with food (Text with EEA relevance)

CHAPTER II

COMPOSITION

SECTION I

Community list of authorised substances

Article 5

Community list of substances that may be used in active and intelligent components

1 Only substances which are included in the ‘Community list’ of authorised substances (hereinafter referred to as the Community list) may be used in components of active and intelligent materials and articles.

2 By way of derogation from paragraph 1, the following substances may be used in components of active and intelligent materials and articles without being included in the Community list:

- a released active substances provided that they comply with the conditions set out in Article 9;
- b substances falling within the scope of Community or national provisions applicable to food, which are added to or incorporated into active materials and articles by techniques such as grafting or immobilisation in order to have a technological effect in the food, provided that they comply with the conditions set out in Article 9;
- c substances used in components which are not in direct contact with food or the environment surrounding the food and are separated from the food by a functional barrier provided that they comply with the conditions set out in Article 10 and that they do not fall within either of the following categories:
 - (i) substances classified as ‘mutagenic’, ‘carcinogenic’, or ‘toxic to reproduction’ in accordance with the criteria set out in sections 3.5, 3.6 and 3.7 of Annex I to Regulation (EC) No 1272/2008 of the European Parliament and of the Council⁽¹⁾;
 - (ii) substances deliberately engineered to particle size which exhibit functional physical and chemical properties that significantly differ from those at a larger scale.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EC) No 450/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (1) [OJ L 353, 31.12.2008, p. 1.](#)

Changes to legislation:

There are outstanding changes not yet made to Commission Regulation (EC) No 450/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Art. 5 heading word omitted by S.I. 2019/704 reg. 56(c)
- Art. 5(1) words omitted by S.I. 2019/704 reg. 56(a)(ii)
- Art. 5(1) words substituted by S.I. 2019/704 reg. 56(a)(i)
- Art. 5(2) word omitted by S.I. 2019/704 reg. 56(c)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- s. 2 heading word omitted by S.I. 2019/704 reg. 60
- Signature words omitted by S.I. 2019/704 reg. 63
- Art. 3(g) inserted by S.I. 2019/704 reg. 54
- Art. 5(2)(b) words substituted by S.I. 2019/704 reg. 56(b)