

COMMISSION REGULATION (EC) No 1594/1999
of 20 July 1999
amending the conditions for the authorisation of an additive in feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs ⁽¹⁾, as last amended by Commission Regulation (EC) No 1411/1999 ⁽²⁾, and in particular Article 3 and Article 9j thereof,

- (1) Whereas the third sub-indent of the second indent of point VII(E)(1)(4) of Annex XV to the Act of Accession of Austria, Finland and Sweden authorises Sweden to maintain until 31 December 1997 its legislation restricting the use of formic acid (E 236) as an additive in feedingstuffs;
- (2) Whereas, in accordance with the provisions of Annex XV to the abovementioned Act, Sweden was to present a detailed scientific statement of reasons with its request for the adaptation of Community legislation in respect of the abovementioned additive;
- (3) Whereas Sweden forwarded its statement of reasons on 27 June and 9 December 1997;
- (4) Whereas the Commission is to decide on the request for the adaptation provided by Sweden with regard to formic acid;
- (5) Whereas the conditions for the authorisation of that preservative appear to require supplementing;

- (6) Whereas users of formic acid should be informed that its use for the aerobic acid preservation of moist unprocessed cereals either on its own or as a mixture with other acids where it forms more than half of the mixture is prohibited since under certain conditions it could give rise to a high aflatoxin level;
- (7) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Feedingstuffs,

HAS ADOPTED THIS REGULATION:

Article 1

The conditions for the authorisation of the additive E236 (formic acid), which is classed as a preservative, are hereby replaced by those set out in the Annex hereto in accordance with the provisions of Directive 70/524/EEC.

Article 2

Notwithstanding Article 1, formic acid put into circulation before 1 September 1999 the labelling of which does not comply with this Regulation may remain in circulation until 31 December 1999.

Article 3

This Regulation shall enter into force on 1 September 1999.

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

Done at Brussels, 20 July 1999.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 270, 14.12.1970, p. 1.

⁽²⁾ OJ L 164, 30.6.1999, p. 56.

ANNEX

| EC number | Additive | Chemical formula and description | Species or category or animal | Maximum age | Minimum content | | Maximum content | Other provisions | Duration of authorisation |
|-----------|-------------|----------------------------------|--------------------------------------|-------------|------------------------------|---|-----------------|--|---------------------------|
| | | | | | mg/kg complete feedingsstuff | | | | |
| 'E 236 | Formic acid | CH ₂ O ₂ | All species or categories of animals | — | — | — | — | Instructions for use must include the following: 'Formic acid must not be used, either alone or as a mixture with other acids where it forms more than 50 % by weight of the mixture, for the aerobic acid preservation of unprocessed cereals having a moisture content in excess of 15 %' | Unlimited' |