

Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC (Text with EEA relevance)

CHAPTER VI

TRANSITIONAL AND FINAL PROVISIONS

Article 24

Repeals

- 1 Directive 88/388/EEC, Decision 88/389/EEC and Directive 91/71/EEC shall be repealed from 20 January 2011.
- 2 Regulation (EC) No 2232/96 shall be repealed from the date of application of the list referred to in Article 2(2) of that Regulation.
- 3 References to the repealed acts shall be construed as references to this Regulation.

^{F1}*Article 25*

Introduction of the list of flavouring substances into the Community list of flavourings and source materials and transitional regime

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Textual Amendments

- F1** [Art. 25](#) omitted (31.12.2020) by virtue of [The Food Additives, Flavourings, Enzymes and Extraction Solvents \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/860), regs. 1, **135**; 2020 c. 1, Sch. 5 para. 1(1)

^{F2}*Article 26*

[^{F2}Amendments to Regulation (EEC) No 1601/91]

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Textual Amendments

- F2** Deleted by [Regulation \(EU\) No 251/2014 of the European Parliament and of the Council of 26 February 2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products and repealing Council Regulation \(EEC\) No 1601/91](#).

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 1334/2008 of the European Parliament and of the Council, CHAPTER VI. (See end of Document for details)

^{F3}Article 27

[^{F3}Amendment to Regulation (EC) No 2232/96]

Textual Amendments

- F3** Deleted by Commission Implementing Regulation (EU) No 872/2012 of 1 October 2012 adopting the list of flavouring substances provided for by Regulation (EC) No 2232/96 of the European Parliament and of the Council, introducing it in Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council and repealing Commission Regulation (EC) No 1565/2000 and Commission Decision 1999/217/EC (Text with EEA relevance).

Article 28

Amendments to Regulation (EC) No 110/2008

Regulation (EC) No 110/2008 is hereby amended as follows:

1. in Article 5(2), point (c) shall be replaced by the following:
 - (c) contain flavouring substances as defined in Article 3(2)(b) of Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods⁽¹⁾ and flavouring preparations as defined in Article 3(2)(d) of that Regulation;
2. in Article 5(3), point (c) shall be replaced by the following:
 - (c) contain one or more flavourings as defined in Article 3(2)(a) of Regulation (EC) No 1334/2008;;
3. in Annex I, point (9) shall be replaced by the following:
 - (9) *Flavouring*
 Flavouring means using in the preparation of a spirit drink one or more of the flavourings defined in Article 3(2)(a) of Regulation (EC) No 1334/2008.;
4. Annex II shall be amended as follows:
 - (a) paragraph 19(c) shall be replaced by the following:
 - (c) Other flavouring substances as defined in Article 3(2)(b) of Regulation (EC) No 1334/2008 and/or flavouring preparations as defined in Article 3(2)(d) of that Regulation, and/or aromatic plants or parts of aromatic plants may be used in addition, but the organoleptic characteristics of juniper must be discernible, even if they are sometimes attenuated.;
 - (b) paragraph 20(c) shall be replaced by the following:

- (c) Only flavouring substances as defined in Article 3(2)(b) of Regulation (EC) No 1334/2008 and/or flavouring preparations as defined in Article 3(2)(d) of that Regulation shall be used for the production of gin so that the taste is predominantly that of juniper.;
- (c) paragraph 21(a) (ii) shall be replaced by the following:
 - (ii) the mixture of the product of such distillation and ethyl alcohol of agricultural origin with the same composition, purity and alcoholic strength; flavouring substances and/or flavouring preparations as specified in category 20(c) may also be used to flavour distilled gin.;
- (d) paragraph 23(c) shall be replaced by the following:
 - (c) Other flavouring substances as defined in Article 3(2)(b) of Regulation (EC) No 1334/2008 and/or flavouring preparations as defined in Article 3(2)(d) of that Regulation may additionally be used but there must be a predominant taste of caraway.;
- (e) paragraph 24(c) shall be replaced by the following:
 - (c) Other natural flavouring substances as defined in Article 3(2)(c) of Regulation (EC) No 1334/2008 and/or flavouring preparations as defined in Article 3(2)(d) of that Regulation may additionally be used, but the flavour of these drinks is largely attributable to distillates of caraway (*Carum carvi* L.) and/or dill (*Anethum graveolens* L.) seeds, the use of essential oils being prohibited.;
- (f) paragraph 30(a) shall be replaced by the following:
 - (a) Bitter-tasting spirit drinks or bitter are spirit drinks with a predominantly bitter taste produced by flavouring ethyl alcohol of agricultural origin with flavouring substances as defined in Article 3(2)(b) of Regulation (EC) No 1334/2008 and/or flavouring preparations as defined in Article 3(2)(d) of that Regulation.;
- (g) in paragraph 32(c), the first subparagraph and the introductory part of the second subparagraph shall be replaced by the following:
 - (c) Flavouring substances as defined in Article 3(2)(b) of Regulation (EC) No 1334/2008 and flavouring preparations as defined in Article 3(2)(d) of that Regulation may be used in the preparation of liqueur. However, only natural flavouring substances as defined in Article 3(2)(c) of Regulation (EC) No 1334/2008 and flavouring preparations as defined in Article 3(2)(d) of that Regulation shall be used in the preparation of the following liqueurs.;
- (h) paragraph 41(c) shall be replaced by the following:
 - (c) Only flavouring substances as defined in Article 3(2)(b) of Regulation (EC) No 1334/2008 and flavouring preparations as defined in Article 3(2)(d) of that Regulation may be used in the preparation of egg liqueur or advocaat or avocat or advokat.;
- (i) paragraph 44(a) shall be replaced by the following:

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 1334/2008 of the European Parliament and of the Council, CHAPTER VI. (See end of Document for details)

- (a) Väkevä glögi or spritglögg is a spirit drink produced by flavouring ethyl alcohol of agricultural origin with flavour of cloves and/or cinnamon using one of the following processes: maceration and/or distillation, redistillation of the alcohol in the presence of parts of the plants specified above, addition of natural flavouring substances as defined in Article 3(2)(c) of Regulation (EC) No 1334/2008 of cloves or cinnamon or a combination of these methods.;
- (j) paragraph 44(c) shall be replaced by the following:
 - (c) Other flavourings, flavouring substances and/or flavouring preparations as defined in Article 3(2)(b), (d) and (h) of Regulation (EC) No 1334/2008 may also be used, but the flavour of the specified spices must be predominant.;
- (k) In point (c) of paragraphs 25, 26, 27, 28, 29, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 45 and 46, the word ‘preparations’ shall be replaced by ‘flavouring preparations’.

^{F4}Article 29

[^{F4}Amendment to Directive 2000/13/EC]

Textual Amendments

- F4** Deleted by [Regulation \(EU\) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations \(EC\) No 1924/2006 and \(EC\) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation \(EC\) No 608/2004 \(Text with EEA relevance\).](#)

Article 30

Entry into force

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

It shall apply from 20 January 2011.

Article 10 shall apply from 18 months after the date of application of the Community list.

Articles 26 and 28 shall apply from the date of application of the Community list.

Article 22 shall apply from 20 January 2009. Foods lawfully placed on the market or labelled prior to 20 January 2011 which do not comply with this Regulation may be marketed until their date of minimum durability or use-by-date.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 1334/2008 of the European Parliament and of the Council, CHAPTER VI. (See end of Document for details)

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(1) [OJ L 354, 31.12.2008, p. 34.](#)'

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EC) No 1334/2008 of the European Parliament and of the Council, CHAPTER VI.