

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 8*

**Conditions for the establishment of the Community list**

1 The Community list shall be drawn up on the basis of applications made pursuant to Article 9 of Regulation (EC) No 1935/2004.

2 The deadline for submitting applications shall be 18 months following the date of publication of the guidelines of the European Food Safety Authority (the Authority) for the safety assessment of substances used in active and intelligent materials and articles.

The Authority shall publish those guidelines at the latest six months after the date of publication of this Regulation.

3 The Commission shall make available to the public a register which contains all substances for which a valid application has been submitted in accordance with paragraph 2.

4 The Community list shall be adopted by the Commission in accordance with the procedure laid down in Articles 10 and 11 of Regulation (EC) No 1935/2004.

5 Where the Authority requests supplementary information and the applicant fails to provide the additional data within the set time limit, the substance shall not be evaluated by the Authority for inclusion in the Community list as the application cannot be considered a valid application.

6 The Commission shall adopt the Community list after the Authority has delivered its opinion on all substances included in the register for which a valid application has been submitted pursuant to paragraphs 2 and 5.

7 For the addition of new substances to the Community list, the procedure laid down in Articles 9, 10 and 11 of Regulation (EC) No 1935/2004 shall apply.

**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. 8 word omitted by [S.I. 2019/704 reg. 59\(a\)](#)
- Art. 8 heading word omitted by [S.I. 2019/704 reg. 59\(a\)](#)
- Art. 8 words substituted by [S.I. 2019/704 reg. 59\(b\)](#)
- Art. 8(2) words substituted by [S.I. 2019/704 reg. 59\(c\)\(i\)](#)
- Art. 8(2) words substituted by [S.I. 2019/704 reg. 59\(c\)\(ii\)](#)
- Art. 8(5) words substituted by [S.I. 2019/704 reg. 59\(d\)](#)
- Art. 8(6) words substituted by [S.I. 2019/704 reg. 59\(e\)](#)

**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\(b\)](#)