SCHEDULE 1

Regulation 2

Amendments to the domestic list of food additives approved for use in foods in Annex 2 to Regulation (EC) No 1333/2008 concerning amendment of the designation of the food additive E 960a steviol glycosides from Stevia (formerly E 960 steviol glycosides) and for the addition of E 960c rebaudioside M produced via enzyme modification of steviol glycosides from Stevia

1. In Regulation (EC) No 1333/2008, Annex 2 (domestic list of food additives approved for use in foods) is amended as follows.

2. In Part B (list of all additives), in paragraph 2 (sweeteners), in the table—

(a) for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a | Steviol glycosides from Stevia"; |
|---------|----------------------------------|
| | |

(b) in the appropriate place, insert the following entry—

| "Е 960с | Enzymatically produced steviol glycosides". |
|---------|---|
|---------|---|

3. In Part C (definitions of groups of additives), in paragraph 5 (other additives that may be regulated combined), after sub-paragraph (u) insert—

"(v) E 960a and E 960c: Steviol glycosides

| E-number | Name |
|----------|---|
| E 960a | Steviol glycosides from Stevia |
| E 960c | Enzymatically produced steviol glycosides". |

- 4. In Part E (authorised food additives and conditions of use in food categories), in the table-
 - (a) in category 01.4 (flavoured fermented milk products including heat-treated products), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E Steviol glycosides 960c | 100 | (1) (60) | only energy-reduced products or with no added sugar"; |
|--|-----|----------|---|
|--|-----|----------|---|

(b) in category 03 (edible ices), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E | Steviol glycosides | 200 | (1) (60) | only energy-reduced |
|---------------|--------------------|-----|----------|---------------------|
| 960c | | | | products or with no |
| | | | | added sugar"; |

(c) in category 04.2.2 (fruit and vegetables in vinegar, oil or brine), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E Steviol glycosides 960c | 100 | (1) (60) | only sweet-sour preserves of fruit and vegetables"; |
|--|-----|----------|---|
|--|-----|----------|---|

(d) in category 04.2.4.1 (fruit and vegetable preparations excluding compote), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and ${\rm E}$ | Steviol glycosides | 200 | (1) (60) | only | energy- |
|-----------------------|--------------------|-----|----------|-----------|---------|
| 960c | | | | reduced"; | |

(e) in category 04.2.5.1 (extra jam and extra jelly), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E Steviol glycosides 960c | 200 | (1) (60) | only energy-reduced jams, jellies and marmalades"; |
|--|-----|----------|--|
|--|-----|----------|--|

(f) in category 04.2.5.2 (jam, jellies and marmalades and sweetened chestnut purée), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E | Steviol glycosides | 200 | (1) (60) | only energy-reduced |
|---------------|--------------------|-----|----------|---------------------|
| 960c | | | | jams, jellies and |
| | | | | marmalades"; |

(g) in category 04.2.5.3 (other similar fruit or vegetable spreads), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E S 960c | Steviol glycosides | 200 | (1) (60) | only energy-reduced fruit or vegetable spreads and dried- fruit-based sandwich spreads, energy- reduced or with no added sugar"; |
|-------------------------|--------------------|-----|----------|--|
|-------------------------|--------------------|-----|----------|--|

(h) in category 05.1 (cocoa and chocolate products), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E | Steviol glycosides | 270 | (1) (60) | only energy-reduced |
|---------------|--------------------|-----|----------|---------------------|
| 960c | | | | or with no added |
| | | | | sugar"; |

(i) in category 05.2 (other confectionery including breath freshening microsweets)—

(i) for the first entry for "E 960" (Steviol glycosides) substitute-

| "E 960a and E Steviol glycosides 270 (1) (60) | only cocoa or dried- fruit-based, energy- reduced or with no added sugar"; |
|---|---|
|---|---|

(ii) for the second entry for "E 960" (Steviol glycosides) substitute-

| "E 960a and E Steviol glycosides 960c | 330 | (1) (60) | only cocoa, milk, dried-fruit-based or fat-based sandwich spreads, energy- reduced or with no added sugar"; |
|--|-----|----------|--|
|--|-----|----------|--|

| "E 960a and E 960c | Steviol glycosides | 350 | (1) (60) | only confectionery with no added sugar |
|-----------------------|--------------------|-----|----------|--|
| | | | | only energy-reduced hard confectionery such as candies and lollies |
| | | | | only energy-reduced soft confectionery such as chewy candies, fruit gums and foam sugar products/ marshmallows |
| | | | | only energy-reduced liquorice |
| | | | | only energy-reduced nougat |
| | | | | only energy-reduced marzipan"; |

(iii) for the third entry for "E 960" (Steviol glycosides) substitute-

(iv) for the fourth entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E 960c | Steviol glycosides | 2000 | | only freshening microsweets, reduced or v added sugar"; | vith no |
|-----------------------|--------------------|------|--|---|---------|
|-----------------------|--------------------|------|--|---|---------|

(v) for the fifth entry for "E 960" (Steviol glycosides) substitute-

| "E 960a and E 960c | Steviol glycosides | 670 | (1) (60) | throat energy-red | strongly freshening pastilles, luced or ded sugar"; |
|-----------------------|--------------------|-----|----------|----------------------|---|
|-----------------------|--------------------|-----|----------|----------------------|---|

(j) in category 05.3 (chewing gum), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E | Steviol glycosides | 3300 | (1) (60) | only with no added |
|---------------|--------------------|------|----------|--------------------|
| 960c | | | | sugar"; |

(k) in category 05.4 (decorations, coatings and fillings, except fruit-based fillings covered by category 4.2.4)—

(i) for the first entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E | Steviol glycosides | 330 | (1) (60) | only | confectionery |
|---------------|--------------------|-----|----------|---------|---------------|
| 960c | | | | with no | added sugar"; |

(ii) for the second entry for "E 960" (Steviol glycosides) substitute-

| "E 960a and E Steviol g 960c | ycosides 270 | (1) (60) | only cocoa or dried- fruit-based, energy- reduced or with no added sugar"; |
|---------------------------------|--------------|----------|---|
|---------------------------------|--------------|----------|---|

(l) in category 06.3 (breakfast cereals), for the entry for "E 960" (Steviol glycosides) substitute—

| | Steviol glycosides | 330 | (1) (60) | only breakfast |
|------|--------------------|-----|----------|----------------------|
| 960c | | | | cereals with a fibre |
| | | | | content of more |
| | | | | than 15%, and |
| | | | | containing at least |
| | | | | 20% bran, energy- |
| | | | | reduced or with no |
| | | | | added sugar"; |

(m) in category 07.2 (fine bakery wares), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E | Steviol glycosides | 330 | (1) (60) | only essoblaten - | |
|---------------|--------------------|-----|----------|-------------------|--|
| 960c | | | | wafer paper"; | |

(n) in category 09.2 (processed fish and fishery products including molluscs and crustaceans), for the entry for "E 960" (Steviol glycosides) substitute—

| | Steviol glycosides | 200 | (1)(60) | 5 | sweet-s | |
|------|--------------------|-----|---------|--------------------------|---------|-----|
| 960c | | | | preserves preserves | | |
| | | | | and mar | inades | of |
| | | | | fish, crust molluscs" | | and |
| | | | | monuses | , | |

(o) in category 11.4.1 (table-top sweeteners in liquid form), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E | Steviol glycosides | quantum | (60)"; | |
|---------------|--------------------|----------|--------|--|
| 960c | | satis(1) | | |

(p) in category 11.4.2 (table-top sweeteners in powder form), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E 960c | Steviol glycosides | quantum satis | (60)"; | |
|-----------------------|--------------------|------------------|--------|--|
| | | | | |

^{(1) &}quot;quantum satis" is defined in Article 3(2)(h) of EUR 2008/1333.

(q) in category 11.4.3 (table-top sweeteners in tablets), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a an | d E Steviol glycosides | quantum | (60)"; | |
|------------|------------------------|---------|--------|--|
| 960c | | satis | | |

(r) in category 12.4 (mustard), for the entry for "E 960" (Steviol glycosides) substitute-

| "E 960a and E | Steviol glycosides | 120 | (1) (60)"; | |
|---------------|--------------------|-----|------------|--|
| 960c | | | | |

(s) in category 12.5 (soups and broths), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E | Steviol glycosides | 40 | (1) (60) | only energy-reduced |
|---------------|--------------------|----|----------|---------------------|
| 960c | | | | soups"; |

(t) in category 12.6 (sauces)-

(i) for the first entry for "E 960" (Steviol glycosides) substitute-

| "E 960a and E 960c | Steviol glycosides | 120 | except soy-bean sauce (fermented and |
|-----------------------|--------------------|-----|--------------------------------------|
| | | | non-fermented)"; |

(ii) for the second entry for "E 960" (Steviol glycosides) substitute-

| "E 960a and E | Steviol glycosides | 175 | (1) (60) | only soy-bean sauce | |
|---------------|--------------------|-----|----------|---------------------|--|
| 960c | | | | (fermented and non- | |
| | | | | fermented)"; | |

(u) in category 13.2 (dietary foods for special medical purposes (excluding products from food category 13.1.5))—

(i) for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E S | Steviol glycosides | 330 | (1) (60)"; | |
|-----------------|--------------------|-----|------------|--|
| 960c | | | | |

(ii) in the entry for "E 960" (Advantame), for "E 960" substitute "E 969";

 (v) in category 13.3 (dietary foods for weight control diets intended to replace total daily food intake or an individual meal)—

(i) for the entry for "E 960" (Steviol glycosides) substitute-

| "E 960a and E | Steviol glycosides | 270 | (1) (60)"; | |
|---------------|--------------------|-----|------------|--|
| 960c | | | | |

(ii) in the entry for "E 960" (Advantame), for "E 960" substitute "E 969";

(w) in category 14.1.3 (fruit nectars and vegetable nectars and similar products), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E 960c | Steviol glycosides | 100 | (1) (60) | only energy-reduced or with no added sugar | |
|-----------------------|--|-----|----------|--|--|
| | (1): The additives may be added individually or in combination"; | | | | |

(x) in category 14.1.4 (flavoured drinks), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E | Steviol glycosides | 80 | (1) (60) | only energy-reduced |
|---------------|--------------------|----|----------|---------------------|
| 960c | | | | or with no added |
| | | | | sugar"; |

(y) in category 14.1.5.2 (other)—

(i) for the first entry for "E 960" (Steviol glycosides) substitute-

| "E 960a and E 960c | Steviol glycosides | 30 | (1) (60) (93) | only coffee, tea and herbal infusion beverages, energy- reduced or with no added sugar"; |
|-----------------------|--------------------|----|---------------|--|
|-----------------------|--------------------|----|---------------|--|

(ii) for the second entry for "E 960" (Steviol glycosides) substitute-

| "E 960a and E 960c | Steviol glycosides | 30 | | only flavoured instant coffee and instant cappuccino products, energy-reduced or with no added sugar"; |
|-----------------------|--------------------|----|--|--|
|-----------------------|--------------------|----|--|--|

(iii) for the third entry for "E 960" (Steviol glycosides) substitute-

| "Е 9 960 | Steviol glycosides | 20 | (1) (60) (93) | only malt-based and chocolate/ |
|-------------|--------------------|----|---------------|--|
| | | | | cappuccino flavoured drinks, energy- reduced or with no added sugar"; |

(z) in category 14.2.1 (beer and malt beverages), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E 960c | Steviol glycosides | 70 | (1) (60) | only alcohol-free beer or with |
|-----------------------|--------------------|----|----------|-----------------------------------|
| | | | | an alcohol content |
| | | | | not exceeding 1.2% |
| | | | | volume; "Bière de |
| | | | | table"/ "Tafelbier"/ |
| | | | | "Table |
| | | | | beer" (original wort |
| | | | | content less than |
| | | | | 6%) except for |

| | | | | "Obergäriges Einfachbier"; beers with a minimum acidity of 30 milli- equivalents expressed as NaOH; Brown beers of the "oud bruin" type"; |
|--|--|--|--|--|
|--|--|--|--|--|

(aa) in category 14.2.8 (other alcoholic drinks including mixtures of alcoholic drinks with non-alcoholic drinks and spirits with less than 15% of alcohol), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E | Steviol glycosides | 150 | (1) (60)"; | |
|---------------|--------------------|-----|------------|--|
| 960c | | | | |

(bb) in category 15.1 (potato-, cereal-, flour- or starch-based snacks), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E | Steviol glycosides | 20 | (1) (60)"; | |
|---------------|--------------------|----|------------|--|
| 960c | | | | |

(cc) in category 15.2 (processed nuts), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E | Steviol glycosides | 20 | (1) (60)"; | |
|---------------|--------------------|----|------------|--|
| 960c | | | | |

(dd) in category 16 (desserts excluding products covered in categories 1, 3 and 4), for the entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E | Steviol glycosides | 100 | (1) (60) | only energy-reduced |
|---------------|--------------------|-----|----------|---------------------|
| 960c | | | | or with no added |
| | | | | sugar"; |

(ee) in category 17.1 (food supplements supplied in a solid form, excluding food supplements for infants and young children)—

(i) for the first entry for "E 960" (Steviol glycosides) substitute-

| "E 960a and E | Steviol glycosides | 670 | (1) (60)"; | |
|---------------|--------------------|-----|------------|--|
| 960c | | | | |

(ii) for the second entry for "E 960" (Steviol glycosides) substitute—

| "E 960a and E | Steviol glycosides | 1800 | (1) (60) | only | food | |
|---------------|--------------------|------|----------|-----------------|------|--|
| 960c | | | | supplements | in | |
| | | | | chewable form"; | | |

(ff) in category 17.2 (food supplements supplied in a liquid form, excluding food supplements for infants and young children)—

(i) for the first entry for "E 960" (Steviol glycosides) substitute-

| "E 960a and E | Steviol glycosides | 200 | (1) (60)"; | |
|---------------|--------------------|-----|------------|--|
| 960c | | | | |

(ii) for the second entry for "E 960" (Steviol glycosides) substitute-

| "E 960a and E | Steviol glycosides | 1800 | (1) (60) | only f | bod |
|---------------|--------------------|------|----------|-------------------|-----|
| 960c | | | | supplements in sy | rup |
| | | | | form". | |

SCHEDULE 2

Regulation 3

Amendments to Annex to Regulation (EU) No 231/2012 concerning the specification for E 960a steviol glycosides from Stevia (formerly E 960 steviol glycosides) and for the addition of a specification for E 960c rebaudioside M produced via enzyme modification of steviol glycosides from Stevia

1. In Commission Regulation (EU) No 231/2012, the Annex (specifications for food additives including colours and sweeteners listed in Annexes 2 and 3 to Regulation (EC) No 1333/2008) is amended as follows.

2. For the heading of the entry for "E 960 STEVIOL GLYCOSIDES" substitute—

"E 960a STEVIOL GLYCOSIDES FROM STEVIA"

3. In the appropriate place, insert the following entry—

"E 960c REBAUDIOSIDE M PRODUCED VIA ENZYME MODIFICATION OF STEVIOL GLYCOSIDES FROM STEVIA

| Synonyms | |
|------------|--|
| Definition | Rebaudioside M is a steviol glycoside composed predominantly of rebaudioside M with minor amounts of other steviol glycosides such as rebaudioside A, rebaudioside B, rebaudioside D, rebaudioside I, and stevioside. |
| | Rebaudioside M is obtained via enzymatic bioconversion of purified steviol glycoside leaf extracts (95% steviol glycosides) of the <i>Stevia rebaudiana</i> Bertoni plant using UDP-glucosyltransferase and sucrose synthase enzymes produced by the genetically modified yeasts <i>K. phaffi</i> (formerly known as <i>Pichia pastoris)</i> UGT-a and <i>K. phaffi</i> UGT-b that facilitate the transfer of glucose from sucrose and UDP-glucose to steviol glycosides via glycosidic bonds. |
| | After removal of the enzymes by solid-liquid separation and heat treatment, the purification involves concentration of the rebaudioside M by resin adsorption, followed by recrystallisation of rebaudioside M resulting in a final product containing not less than 95% of rebaudioside M. Viable cells or the DNA of the yeasts <i>K. phaffi</i> UGT-a or <i>K. phaffi</i> UGT-b must not be detected in the food additive. |

| Chemical name | Rebaudioside M: 13-[(2-O-β-D-glucopyranosyl-3-O-β-D-glucopyranosyl-β D-glucopyranosyl)oxy]kaur-16-en-18-oic acid, 2-O-β-D-glucopyranosyl-3 O-β-D-glucopyranosyl-β-D-glucopyranosyl ester | | | |
|-----------------------------|--|---|-----------------------------|--|
| Molecular | Trivial name | Formula | Conversion factor | |
| formula | Rebaudioside M | C ₅₆ H ₉₀ O ₃₃ | 0.25 | |
| Molecular weight and CAS | Trivial name | CAS Number | Molecular weight (g/mol) | |
| number | Rebaudioside M | 1220616-44-3 | 1291.29 | |
| Assay | Not less than 95% reba | udioside M on the dried b | pasis | |
| Description | | powder, approximately b t 5% sucrose equivalency | etween 200 and 350 times | |
| Identification | L | | | |
| Solubility | Freely soluble to slight | ly soluble in water | | |
| рН | Between 4.5 and 7.0 (1 | in 100 solution) | | |
| Purity | L | | | |
| Total ash | Not more than 1% | | | |
| Loss on drying | Not more than 6% (105 | 5°C, 2h) | | |
| Residual solvent | Not more than 5000 mg | g/kg ethanol | | |
| Arsenic | Not more than 0.015 m | g/kg | | |
| Lead | Not more than 0.2 mg/l | кg | | |
| Cadmium | Not more than 0.015 mg/kg | | | |
| Mercury | Not more than 0.07 mg/kg | | | |
| Residual protein | Not more than 5 mg/kg | | | |
| Particle size | Not less than 74 μ m (using a mesh #200 sieve with a particle size limit of 74 μ m)" | | | |

SCHEDULE 3

Regulation 5

Amendments to the domestic list of flavouring substances in Annex 1 to Regulation (EC) No 1334/2008 for the addition of 3-(1-((3,5-dimethylisoxazol-4yl)methyl)-1*H*-pyrazol-4-yl)-1-(3-hydroxybenzyl)imidazolidine-2,4-dione

1. In Regulation (EC) No 1334/2008, Annex 1 (domestic list of flavourings and source materials) is amended as follows.

2. In Part A (domestic list of flavouring substances), in Section 2, in Table 1, in the appropriate place insert the following entry—

| "16.127 | 3-(1- ((3,5- dimethylis | oxazol- | 12-2612 4- | | At least 99%, assay (HPLC/ UV) | use as a flavouring | The Authority(|
|---------|--|---------|---------------|---------|--------------------------------------|---|-------------------|
| | yl)methyl) pyrazol-4- yl)-1-(3- hydroxybe | | idazolidi | ne-2,4- | - | substance: In category 1.4 – not more than 4 mg/kg | |
| | dione | | | | | In category 1.8 – not more than 8 mg/kg | |
| | | | | | | In category 3 – not more than 4 mg/kg | |
| | | | | | | In category 5.1 – not more than 15 mg/kg | |
| | | | | | | In category 5.2 – not more than 16 mg/kg | |
| | | | | | | In category 5.3 – not more than 30 mg/kg | |
| | | | | | | In category 5.4 – not more than 15 mg/kg | |
| | | | | | | In category 6.3 – not more than 25 mg/kg | |
| | | | | | | In category 12.1 – not more than 75 mg/kg | |
| | | | | | | In category 12.2 – not more than 100 mg/kg | |
| | | | | | | In category 12.3 – not more than 25 mg/kg | |
| | | | | | | In category 12.4 – not more than 25 mg/kg | |
| | | | | | | In category 12.5 – not more than 4 mg/kg | |

^{(2) &}quot;Authority" is defined in Article 3(2)(1) of EUR 2008/1334.

| | | | In category 13.2 – not more than 4 mg/kg | |
|--|--|--|---|--|
| | | | In category 13.3 – not more than 4 mg/kg | |
| | | | In category 14.1.4, dairy- based drinks only – not more than 4 mg/l | |
| | | | In category 14.1.5 – not more than 8 mg/kg | |
| | | | In category 15.1 – not more than 20 mg/kg | |
| | | | In category 16, dairy-based desserts only – not more than 4 mg/l". | |

SCHEDULE 4

Regulation 6

Amendments to the list of novel foods in the Annex to Commission Implementing Regulation (EU) 2017/2470 for the authorisation of UV-treated baker's yeast (*Saccharomyces cerevisiae*) as a novel food

1. In Commission Implementing Regulation (EU) 2017/2470, the Annex (list of novel foods) is amended as follows.

2. In Table 1 (authorised novel foods), for the entry for "UV-treated baker's yeast (*Saccharomyces cerevisiae*)" substitute—

| "UV-treated baker's yeast | category | Maximum levels of vitamin D ₂ | | The novel food must be |
|-------------------------------|---|---|--|--|
| (Saccharomyces cerevisiae) | Yeast-leavened breads and rolls | 5 μg/100 g | The designation of | inactivated for use in infant formula, follow- |
| | Yeast-leavened fine bakery wares | 5 µg/100 g | on the labelling of food containing it is "vitamin D veast" or | based food and |
| | Food supplements as defined in the Food Supplements | 1 | | food for special medical purposes. |

| (Wales) Regulations 2003(3) | applying in relation to Wales and made under regulation 4 of the Nutrition (Amendment etc.) (EU Exit) Regulations 2019(4) | |
|--|---|--|
| Pre-packed fresh or dry yeast for home baking | 45 μg/100 g for fresh yeast 200 μg/100 g for dry yeast | The designation of the novel food on the labelling of food containing it is "vitamin D yeast" or "vitamin D ₂ yeast". The labelling of the novel food must bear a statement that the food is only intended for baking and should not be eaten raw. The labelling of the novel food must bear instructions for use for the final consumer to ensure a maximum concentration of 5µg/100g of vitamin D ₂ in the final home-baked product is not exceeded. |
| Dishes, including ready-to-eat meals | 3 μg/100 g | The designation of the novel food on the labelling |

⁽³⁾ S.I. 2003/1719 (W. 186), to which there are amendments not relevant to these Regulations.
(4) S.I. 2019/651, amended by S.I. 2020/1476 and 2023/28.

| (excluding soups and salads) | | of food containing it is "vitamin |
|--|---|---|
| Soups and salads | 5 μg/100 g | D yeast" of "vitamin D_2 yeast". |
| Fried or extruded cereal, seed or root- based products | 5 μg/100 g | |
| Infant formula and follow- on formula as defined in Regulation (EU) No 609/2013(5) | In accordance with Regulation (EU) No 609/2013 | |
| Processed cereal-based food as defined in Regulation (EU) No 609/2013 | In accordance with Regulation (EU) No 609/2013 | |
| Processed fruit products | 1.5 μg/100 g | |
| Processed vegetables | 2 μg/100 g | |
| Bread and similar products | 5 μg/100 g | |
| Breakfast cereals | 4 μg/100 g | |
| Pasta, doughs and similar products | 5 μg/100 g | |
| Other cereal- based products | 3 μg/100 g | |
| Spices, seasonings, condiments, sauce ingredients, dessert sauces/ toppings | 10 μg/100 g | |
| Protein products | 10 µg/100 g | |

⁽⁵⁾ EUR 2013/609, amended by S.I. 2019/651 and 2023/28. S.I. 2019/651 was amended by S.I. 2020/1476 and 2023/28.

| | 1 | |
|---|---|--|
| Cheese | 2 µg/100 g | |
| Dairy desserts and similar products | 2 µg/100 g | |
| Fermented milk or fermented cream | 1.5 μg/100 g | |
| Dairy powders and concentrates | 25 μg/100 g | |
| Milk-based products, whey and cream | 0.5 µg/100 g | |
| Meat and dairy analogues | 2.5 μg/100 g | |
| Total diet replacement for weight control as defined in Regulation (EU) No 609/2013 | 5 μg/100 g | |
| Meal replacement for weight control | 5 μg/100 g | |
| defined in Regulation | In accordance with the particular nutritional requirements of the persons for whom the products are intended" | |

3. In Table 2 (specifications) for the entry for "UV-treated baker's yeast (*Saccharomyces cerevisiae*)" substitute—

| "UV-treated baker's yeast (Saccharomyces | Description/Definition |
|--|---|
| cerevisiae) | Baker's yeast (<i>Saccharomyces cerevisiae</i>) is treated with ultraviolet light to induce the conversion of ergosterol to vitamin D_2 (ergocalciferol). Vitamin D_2 content in the yeast concentrate varies between 800,000 - 3,500,000 IU vitamin D/100 g (200-875 μ g/g). |
| | The yeast is inactivated for use in infant formula, follow-on formula, processed cereal-based food, and food for special |

| medical purposes as defined in Regulation (EU) No 609/2013. The yeast can be active or inactive for use in other foods. |
|--|
| The yeast concentrate is blended with regular baker's yeast in order not to exceed the maximum level in the pre-packed fresh or dry yeast for home baking. |
| Tan-coloured, free-flowing granules. |
| Vitamin D ₂ |
| Chemical name: (5Z,7E,22E)-(3S)-9,10- secoergosta-5,7,10(19),22-tetraen-3-ol |
| Synonym: Ergocalciferol |
| CAS No.: 50-14-6 |
| Molecular weight: 396.65 g/mol |
| Microbiological criteria for the yeast concentrate |
| Coliforms: $\leq 10^3 \text{CFU/g}$ |
| <i>Escherichia coli</i> : ≤ 10 CFU/g |
| Salmonella spp.: Absence in 25 g |
| CFU: Colony Forming Units". |

SCHEDULE 5

Regulation 6

Amendments to the list of novel foods in the Annex to Commission Implementing Regulation (EU) 2017/2470 for the authorisation of vitamin D₂ mushroom powder as a novel food

1. In Commission Implementing Regulation (EU) 2017/2470, the Annex (list of novel foods) is amended as follows.

2. In Table 1 (authorised novel foods), after the entry for "Vitamin D_2 mushroom powder" insert the following entry—

| "Vitamin D ₂ mushroom powder | Specified food category | Maximum levels of vitamin D ₂ | The designation of the novel food | Included in the list on 15 May 2023. |
|---|---|--|--|--|
| | Breakfast cereals | 2.1 μg/100 g | on the labelling of food containing it | This inclusion is based on |
| | Yeast-leavened bread and similar pastries | 2.1 μg/100 g | is "UV-treated mushroom powder | proprietary scientific evidence and scientific data |

| Grain products and pasta | 2.1 µg/100 g | containing vitamin D_2 ". | protected in accordance |
|--|---|--|---|
| and similar products | | The labelling | with Article 26 of Regulation |
| Fruit / vegetable | 1.1 $\mu g/100$ ml (marketed | of food supplements, as defined | (EU) 2015/2283. |
| juices and nectars | as such or reconstituted as instructed by the manufacturer) | in the Food Supplements (Wales) Regulations 2003, | Applicant: MBio, Monaghan Mushrooms, Tullygony, |
| Dairy products and analogues other than beverages | 2.1 µg/100 g (marketed as such or reconstituted as instructed by the manufacturer) | containing vitamin D ₂ mushroom powder must bear a statement that they should not | Tyholland, Co Monaghan, Ireland, H18 FW95. During the period of data protection, |
| Dairy products and analogues as beverages | 1.1 μg/100 ml (marketed as such or reconstituted as instructed by the manufacturer) | be consumed by infants and children under 3 years of age. | vitamin D ₂ mushroom powder is authorised for placing on the market, within Wales, |
| Milk and dairy powders | 21.3 µg/100 g (marketed as such or reconstituted as instructed by the manufacturer) | | only by MBio Monaghan Mushrooms unless a subsequent applicant obtains authorisation |
| Meat analogues | 2.1 μg/100 g | | for the novel |
| Soups | 2.1 µg/100 ml (marketed as such or reconstituted as instructed by the manufacturer) | | food without reference to the proprietary scientific evidence or scientific data protected in accordance |
| Extruded vegetable snack | 2.1 µg/100 g | | with Article 20 of Regulation (EU) |
| Meal replacement for weight control | 2.1 µg/100 g | | 2015/2283 or with the agreement of MBio, |
| Food for special medical | | | |

| (EU) No 609/2013 | nutritional requirements of the persons for whom the products are | Monaghan Mushrooms. The data protection wi expire at the end of 14 Ma 2028. |
|---|---|---|
| Food supplements as defined in the Food Supplements (Wales) Regulations 2003 excluding food supplements for infants and children under 3 years of age | | |

3. In Table 2, (specifications), after the entry for "Vitamin D_2 mushroom powder" insert the following entry—

| "Vitamin | - | Description/Definition |
|-----------------|---|---|
| mushroom powder | | The novel food is mushroom powder produced from dried whole <i>Agaricus bisporus</i> mushrooms. The process includes drying, milling and the controlled exposure of the mushroom powder to ultraviolet light. |
| | | Characteristics/Composition |
| | | Vitamin D ₂ content: 580-595 μ g/g of mushroom powder |
| | | Ash: $\le 13.5\%$ |
| | | Water activity: < 0.5 |
| | | Moisture content: $\leq 7.5\%$ |
| | | Carbohydrates: $\leq 35\%$ |
| | | Total dietary fibre: $\geq 15\%$ |
| | | Crude protein (N x 6.25): \geq 22% |
| | | Fat: ≤4.5% |
| | | Heavy metals |

Lead: $\leq 0.5 \text{ mg/kg}$ Cadmium: $\leq 0.5 \text{ mg/kg}$ Mercury: $\leq 0.1 \text{ mg/kg}$ Arsenic: $\leq 0.3 \text{ mg/kg}$ **Mycotoxins** Aflatoxin B1: $\leq 0.1 \ \mu g/kg$ Aflatoxins (sum of B1 + B2 + G1 + G2): < 4 µg/kg Microbiological criteria Total plate count: \leq 5000 CFU Total yeast and mould count: $\leq 100 \text{ CFU/g}$ *Escherichia coli*: < 10 CFU/g Salmonellaspp.: Absence in 25 g *Staphylococcus aureus*: \leq 10 CFU/g Coliforms: $\leq 10 \text{ CFU/g}$ *Listeria* spp.: Absence in 25 g Enterobacteriaceae: < 10 CFU/g CFU: Colony Forming Units".