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PLAN/2024/2373
[...] (2024) XXX draft

COMMISSION IMPLEMENTING REGULATION (EU) .../...

of XXX

amending Regulation (EC) No 152/2009 laying down the methods of sampling and analysis for the official control of feed as regards the determination of carbonates

(Text with EEA relevance)

The provisions in this document have not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission.

COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

amending Regulation (EC) No 152/2009 laying down the methods of sampling and analysis for the official control of feed as regards the determination of carbonates

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation)¹, and in particular Article 34(6) thereof,

Whereas:

- (1) Commission Regulation (EC) No 152/2009² lays down methods of sampling and analysis for the official control of feed.
- (2) By Commission Implementing Regulation 2024/771, the method of analysis for the determination of carbonates was deleted because there was no legal requirement to control for compliance in the Union feed legislation anymore. However, this was an erroneous assumption as for the quantification of carbonates in the authorised feed additive lanthanum carbonate octahydrate, the method of analysis previously provided for in Regulation (EC) No 152/2009 should be used. Furthermore, Commission Regulation (EU) No 68/2013³ on the Catalogue of feed materials provides for the compulsory declaration of calcium carbonate for certain feed materials.
- (3) It is therefore appropriate to re-introduce the method of analysis for the determination of carbonates in feed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

¹ OJ L 95, 7.4.2017, p. 1

² Commission Regulation (EC) No 152/2009 of 27 January 2009 laying down methods of sampling and analysis for the official control of feed (OJ L 54, 26.2.2009, p. 1).

³ Commission Regulation (EU) No 68/2013 of 16 January 2013 on the Catalogue of feed materials (OJ L 29, 30.1.2013, p. 1)

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EC) No 152/2009

Annex III to Regulation (EC) No 152/2009 is amended in accordance with the Annex to this Regulation.

Article 2

Entry into force

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

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

Done at Brussels,

For the Commission

The President

Ursula VON DER LEYEN