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

of **XXX**

correcting Implementing Regulation (EU) 2026/154 as regards transitional measures

(Text with EEA relevance)

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THE EUROPEAN COMMISSION,
Having regard to the Treaty on the Functioning of the European Union,
Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition¹, and in particular Article 9(2) thereof,
Whereas:

- (1) The substance sepiolitic clay was authorised as a feed additive by Commission Implementing Regulation (EU) 2026/154² for a period of 10 years for all animal species other than ruminants for milk production or reproduction, weaned piglets of porcine species, porcine species for fattening, salmonids and chickens for fattening in the category ‘technological additives’ and in the functional groups ‘binders’ and ‘anticaking agents’. Implementing Regulation (EU) 2026/154 also amended Commission Implementing Regulation (EU) 2023/263³.
- (2) Transitional measures are usually provided for upon the re-evaluation of additives authorised pursuant to Council Directive 70/524/EEC⁴, allowing interested parties to prepare themselves to meet the new requirements resulting from the authorisation. However, Implementing Regulation (EU) 2026/154 erroneously omitted to provide for such transitional measures as regards all animal species other than ruminants for milk production or reproduction, weaned piglets of porcine species, porcine species for fattening, salmonids and chickens for fattening.
- (3) Implementing Regulation (EU) 2026/154 should therefore be corrected accordingly by providing for transitional measures concerning the placing on the market and use of sepiolitic clay, as authorised pursuant to Council Directive 70/524/EEC, for use for all animal species other than ruminants for milk production or reproduction, weaned

¹ OJ L 268, 18.10.2003, p. 29, ELI: <http://data.europa.eu/eli/reg/2003/1831/oj>.
² Commission Implementing Regulation (EU) 2026/154 of 23 January 2026 concerning the authorisation of sepiolitic clay as a feed additive for all animal species other than ruminants for milk production or reproduction, weaned piglets of porcine species, porcine species for fattening, salmonids and chickens for fattening and amending Implementing Regulation (EU) 2023/263 as regards the terms of the authorisation of sepiolitic clay as a feed additive for salmonids and chickens for fattening (OJ L, 2026/154, 26.1.2026, ELI: http://data.europa.eu/eli/reg_impl/2026/154/oj).
³ Commission Implementing Regulation (EU) 2023/263 of 7 February 2023 concerning the authorisation of sepiolitic clay as a feed additive for dairy ruminants, weaned and fattening Suidae, salmonids and chickens for fattening (OJ L 37, 8.2.2023, p. 1, ELI: http://data.europa.eu/eli/reg_impl/2023/263/oj).
⁴ Council Directive 70/524/EEC of 23 November 1970 concerning additives in feeding-stuffs (OJ L 270, 14.12.1970, p. 1, ELI: <http://data.europa.eu/eli/dir/1970/524/oj>).

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piglets of porcine species, porcine species for fattening, salmonids and chickens for fattening.

- (4) To prevent market disturbance and detrimental consequences for the operators concerned due to the absence of transitional measures as regards the concerned target animals in Implementing Regulation (EU) 2026/154, this Regulation should enter into force as a matter of urgency and apply retroactively from the date of entry into force of Implementing Regulation (EU) 2026/154.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Correction to Implementing Regulation (EU) 2026/154

In Implementing Regulation (EU) 2026/154, the following Article 3a is inserted:

‘Article 3a’

Transitional measures

- 1. The substance sepiolitic clay and premixtures containing that substance, which are intended for all animal species other than ruminants for milk production or reproduction, weaned piglets of porcine species, porcine species for fattening, salmonids and chickens for fattening, and which are produced and labelled before ...*[OJ please insert the date falling 6 months from the date of entry into force of this Regulation]* in accordance with the rules applicable before ...*[OJ please insert the date of entry into force of this Regulation]* may continue to be placed on the market and used until the stocks concerned are exhausted.
- 2. Compound feed and feed materials containing the substance referred to in paragraph 1, which are intended for all animal species other than ruminants for milk production or reproduction, weaned piglets of porcine species, porcine species for fattening, salmonids and chickens for fattening and which are produced and labelled before *[OJ please insert the date falling 12 months from the date of entry into force of this Regulation]* in accordance with the rules applicable before *[OJ please insert the date of entry into force of this Regulation]* may continue to be placed on the market and used until the stocks concerned are exhausted if they are intended for food-producing animals.
- 3. Compound feed and feed materials containing the substance referred to in paragraph 1, which are intended for all animal species other than ruminants for milk production or reproduction, weaned piglets of porcine species, porcine species for fattening, salmonids and chickens for fattening and which are produced and labelled before *[OJ please insert the date falling 24 months from the date of entry into force of this Regulation]* in accordance with the rules applicable before *[OJ please insert the date of entry into force of this Regulation]* may continue to be placed on the market and used until the stocks concerned are exhausted if they are intended for non-food producing animals.

Article 2

Entry into force and application

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

It shall apply from 15 February 2026.

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

Done at Brussels... [OJ: please insert date]

For the Commission

The President

Ursula VON DER LEYEN