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[...](2021) **XXX** draft

ANNEX

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to the

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

**amending Annex II and Annex III to Regulation (EC) No 1333/2008 of the European
Parliament and of the Council as regards titanium dioxide (E 171)**

ANNEX

(1) Annex II to Regulation (EC) No 1333/2008 is amended as follows:

(a) in point 2 of Part A, point 5 is replaced by the following:

'5. The colours E 123, E 127, E 160b(i), E 160b(ii), E 161g, E 171, E 173 and E 180 and mixtures thereof may not be sold directly to the consumer.'

(b) in Part B, point 1 'Colours' is amended as follows:

1) the entry for the food additive E 171 (Titanium dioxide) is replaced by the following:

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E 171	Titanium dioxide (**)
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2) the following footnote (**) is added after footnote (*):

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(**) Titanium dioxide is not authorised in the food categories listed in Part D and E. The substance is in list B1 because it is used in medicinal products in accordance with Directive 2009/35/EC of the European Parliament and of the Council (OJ L 109, 30.4.2009, p. 10).

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(c) in Part C, point (2) "Group II: Food colours authorised at *quantum satis*", the entry for the food additive E 171 (Titanium dioxide) is deleted;

(d) Part E is amended as follows:

- 1) In category 04.2.4.1 (Fruit and vegetable preparations excluding compote), the entry concerning the food additive E 171 (Titanium dioxide) is deleted;
- 2) In category 09.2 (Processed fish and fishery products including molluscs and crustaceans), the three entries concerning the food additive E 171 (Titanium dioxide) are deleted;

(2) In Part 1 of Annex III to Regulation (EC) No 1333/2008, the entry concerning the food additive E 555 (Potassium aluminium silicate) is replaced by the following:

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E 555	Potassium aluminium silicate	90% relative to the pigment	In E 172 iron oxides and hydroxides
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