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

of **XXX**

concerning the authorisation of the preparation of *Bacillus velezensis* CECT 5940 as a feed additive for turkeys for fattening, turkeys reared for breeding, minor poultry species for fattening and reared for breeding and ornamental birds (except for reproduction) (holder of authorisation: Evonik Operations GmbH)

(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) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such an authorisation.
- (2) In accordance with Article 7 of Regulation (EC) No 1831/2003 an application was submitted for the authorisation of the preparation of *Bacillus velezensis* CECT 5940. That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (3) The application concerns the authorisation of the preparation of *Bacillus velezensis* CECT 5940 (previously taxonomically identified as *Bacillus amyloliquefaciens* CECT 5940) as a feed additive for turkeys for fattening, turkeys reared for breeding, minor poultry species for fattening and reared for breeding and ornamental birds (except for reproduction), to be classified in the category ‘zootechnical additives’.
- (4) The European Food Safety Authority (‘the Authority’) concluded in its opinion of 5 May 2021² that, under the proposed conditions of use, the preparation of *Bacillus amyloliquefaciens* CECT 5940 does not have adverse effects on animal health, consumer safety or the environment. It also concluded that this preparation is not an irritant to skin/eye or a skin sensitiser but should be considered a respiratory sensitiser. Therefore, the Commission considers that appropriate protective measures should be taken to prevent adverse effects on human health, in particular as regards the users of the additive. The Authority also concluded that the preparation has the potential to be efficacious as a zootechnical additive in feedingstuffs. The Authority does not consider that there is a need for specific requirements of postmarket monitoring. It also verified the report on the methods of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.

¹ OJ L 268, 18.10.2003, p. 29.

² EFSA Journal 2021;19(6):6620.

- (5) The assessment of the preparation of *Bacillus amyloliquefaciens* CECT 5940 shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that substance should be authorised as specified in the Annex to this Regulation.
- (6) 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

The preparation specified in the Annex, belonging to the additive category ‘zootechnical additives’ and to the functional group ‘gut flora stabilisers’, is authorised as an additive in animal nutrition, subject to the conditions laid down in that Annex.

Article 2

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