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**[...]**(2024) **XXX** draft

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

**of **XXX****

**correcting Implementing Regulation (EU) 2024/2393 as regards the repeal of  
Implementing Regulation (EU) 2015/1416**

(Text with EEA relevance)

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(Text with EEA relevance)

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 nutrition<sup>1</sup>, and in particular Article 9(2) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2024/2393<sup>2</sup> renewed the authorisation of sodium bisulphate for a period of 10 years as a feed additive for use for all animal species other than aquatic animals in the category ‘technological additives’, functional group ‘preservatives’ and for all terrestrial animal species other than cats, mink, pets and other non-food-producing animals in the additive category ‘technological additives’, functional group ‘acidity regulators’. It also repealed Commission Implementing Regulation (EU) 2015/1416<sup>3</sup>.
- (2) However, Implementing Regulation (EU) 2015/1416 was erroneously repealed since the use of sodium bisulphate was authorised until 10 September 2025 by that Implementing Regulation for aquatic animals as a feed additive belonging to the category ‘technological additives’ and the functional group ‘preservatives’, and for food-producing aquatic animals as a feed additive belonging to the category ‘technological additives’ and the functional group ‘acidity regulators’.
- (3) Implementing Regulation (EU) 2024/2393 should therefore be corrected by deleting the provision repealing Implementing Regulation (EU) 2015/1416 and by amending Implementing Regulation (EU) 2015/1416 to specify the animal categories for which the use of sodium bisulphate remains authorised until 10 September 2025 .
- (4) To prevent market disturbance and detrimental consequences for the operators concerned due to the erroneous repeal of Implementing Regulation (EU) 2015/1416, 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) 2024/2393.

<sup>1</sup> OJ L 268, 18.10.2003, p. 29, ELI: <http://data.europa.eu/eli/reg/2003/1831/oj>.

<sup>2</sup> Commission Implementing Regulation (EU) 2024/2393 of 9 September 2024 concerning the renewal of the authorisation of sodium bisulphate and the authorisation of new uses of that substance as a feed additive for certain animal species (OJ L, 2024/2393, 10.9.2024, ELI: [http://data.europa.eu/eli/reg\\_impl/2024/2393/oj](http://data.europa.eu/eli/reg_impl/2024/2393/oj)).

<sup>3</sup> Commission Implementing Regulation (EU) 2015/1416 of 20 August 2015 concerning the authorisation of sodium bisulphate as feed additive for all animal species (OJ L 220, 21.8.2015, p. 11, ELI: [http://data.europa.eu/eli/reg\\_impl/2015/1416/oj](http://data.europa.eu/eli/reg_impl/2015/1416/oj)).

Feltkode ændret

- (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) 2024/2393**

In Implementing Regulation (EU) 2024/2393, Article 3 is replaced by the following:

*“Article 3*

**Amendment to Implementing Regulation (EU) 2015/1416**

Implementing Regulation (EU) 2015/1416 is amended as follows:

- (1) Annex I is amended as follows:

- (a) in the fifth column entitled ‘Species or category of animal’, the category ‘All animal species other than cats and mink’ is replaced by ‘Aquatic animals’ and the categories ‘Cats’ and ‘Mink’ are deleted;
- (b) in the eighth column entitled ‘Maximum content’, the entries ‘20 000’ and ‘10 000’ are deleted.

- (2) In Annex II, in the fifth column entitled ‘Species or category of animal’, the category ‘All animal species other than cats, mink, pet and other non-food producing animals’ is replaced by the category ‘Food-producing aquatic animals’.”

*Article 2*

**Entry into force**

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 30 September 2024.

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*