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

**of XXX**

**authorising the placing on the market of *Cyperus esculentus* oil as a novel food and amending Implementing Regulation (EU) 2017/2470**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2015/2283 of the European Parliament and of the Council of 25 November 2015 on novel foods, amending Regulation (EU) No 1169/2011 of the European Parliament and of the Council and repealing Regulation (EC) No 258/97 of the European Parliament and of the Council and Commission Regulation (EC) No 1852/2001<sup>1</sup>, and in particular Article 12(1) thereof,

Whereas:

- (1) Regulation (EU) 2015/2283 provides that only novel foods authorised and included in the Union list of novel foods may be placed on the market within the Union.
- (2) Pursuant to Article 8 of Regulation (EU) 2015/2283, Commission Implementing Regulation (EU) 2017/2470<sup>2</sup> has established a Union list of novel foods.
- (3) On 29 October 2020, the company Tigernuts traders, S.L. ('the applicant') submitted an application to the Commission for an authorisation in accordance with Article 10(1) of Regulation (EU) 2015/2283 to place *Cyperus esculentus* (Tiger nuts) oil on the Union market as a novel food. The applicant requested for the *Cyperus esculentus* oil to be used as such (for cooking or as a seasoning) and as an ingredient in several food categories for the general population.
- (4) On 8 November 2022, the Commission requested the European Food Safety Authority ('the Authority') to carry out an assessment of *Cyperus esculentus* oil as a novel food.

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<sup>1</sup> OJ L 327, 11.12.2015, p. 1.

<sup>2</sup> Commission Implementing Regulation (EU) 2017/2470 of 20 December 2017 establishing the Union list of novel foods in accordance with Regulation (EU) 2015/2283 of the European Parliament and of the Council on novel foods (OJ L 351, 30.12.2017, p. 72).

- (5) On 30 October 2024, the Authority adopted its scientific opinion on the safety of *Cyperus esculentus* oil as a novel food pursuant to Regulation (EU) 2015/2283<sup>3</sup> in accordance with Article 11 of Regulation (EU) 2015/2283.
- (6) In its scientific opinion, the Authority concluded that *Cyperus esculentus* oil is safe for the general population under the proposed conditions of use. Therefore, that scientific opinion gives sufficient grounds to establish that *Cyperus esculentus* oil, when used under the proposed conditions of use, fulfils the conditions for its placing on the market in accordance with Article 12(1) of Regulation (EU) 2015/2283.
- (7) It is therefore appropriate that the inclusion of *Cyperus esculentus* oil as a novel food in the Union list of novel foods contains the information referred to in Article 9(3) of Regulation (EU) 2015/2283.
- (8) *Cyperus esculentus* oil should be included in the Union list of novel foods set out in Implementing Regulation (EU) 2017/2470. The Annex to Implementing Regulation (EU) 2017/2470 should therefore be amended accordingly.
- (9) 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*

1. *Cyperus esculentus* (Tiger nuts) oil is authorised to be placed on the market within the Union.

*Cyperus esculentus* (Tiger nuts) oil shall be included in the Union list of novel foods set out in Implementing Regulation (EU) 2017/2470.

2. The Annex to Implementing Regulation (EU) 2017/2470 is amended in accordance with the Annex to this Regulation.

#### *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*

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<sup>3</sup> EFSA Journal. 2024;22:e9102