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

of **XXX**

concerning the authorisation of a preparation of 3-phytase produced with *Komagataella phaffii* CECT 13171 as a feed additive for poultry species for fattening or reared for laying or for breeding, minor poultry species for breeding, laying hens and pigs for fattening of all Suidae species (Fertinagro Biotech S.L.)

(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 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 a preparation of 3-phytase produced with *Komagataella phaffii* CECT 13171. 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 3-phytase produced with *Komagataella phaffii* CECT 13171 as a feed additive for chickens for fattening, chickens reared for laying, laying hens, turkeys for fattening, turkeys reared for breeding, minor poultry species for fattening, minor poultry species for breeding, minor poultry species reared for laying, pigs for fattening and minor porcine species for fattening, requesting that additive to be classified in the category ‘zootechnical additives’ and in the functional group ‘digestibility enhancers’.
- (4) The European Food Safety Authority (‘the Authority’) concluded in its opinions of 27 September 2022² and 17 September 2024³ that, under the proposed conditions of use, the preparation 3-phytase produced with *Komagataella phaffii* CECT 13171 in its both liquid and solid formulations is considered safe for the target species, consumers and environment. Regarding the safety for the user, the Authority concluded that the preparation 3-phytase produced with *Komagataella phaffii* CECT 13171 in either form is not an irritant to the eyes and skin. It further stated that the liquid formulation of the preparation is not a dermal sensitiser, while its solid formulation is a dermal sensitiser, and that the two formulations should be considered potential respiratory sensitisers.

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

² EFSA Journal 2022;20(11):7614. <https://doi.org/10.2903/j.efsa.2022.7614>

³ EFSA Journal 2024;22:e9023. <https://doi.org/10.2903/j.efsa.2024.9023>

The Authority concluded that the preparation 3-phytase produced with *Komagataella phaffii* CECT 13171 is efficacious at 500 FTU/kg feed in poultry species for fattening or reared for laying or breeding, pigs for fattening and minor porcine species for fattening and at 1,000 FTU/kg feed in laying hens. It did not consider that there is a need for specific requirements of post-market monitoring.

- (5) In accordance with Article 5(4), point (a), of Commission Regulation (EC) No 378/2005⁴, the Reference Laboratory set up by Regulation (EC) No 1831/2003 considered that the conclusions and recommendations reached in the previous assessment concerning the same additive are valid and applicable for the current application.
- (6) In view of the above, the Commission considers that the preparation of 3-phytase produced with *Komagataella phaffii* CECT 13171 satisfies the conditions for authorisation provided for in Article 5 of Regulation (EC) No 1831/2003. Accordingly, the use of that preparation should be authorised for poultry species for fattening or reared for laying or for breeding, minor poultry species for breeding, laying hens and pigs for fattening of all Suidae species. In addition, the Commission considers that appropriate protective measures should be taken to prevent adverse effects on the health of the users of the additive.
- (7) 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 **Authorisation**

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

Article 2 **Entry into force**

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

⁴ Commission Regulation (EC) No 378/2005 of 4 March 2005 on detailed rules for the implementation of Regulation (EC) No 1831/2003 of the European Parliament and of the Council as regards the duties and tasks of the Community Reference Laboratory concerning applications for authorisations of feed additives (OJ L 59, 5.3.2005, p. 8, ELI: <http://data.europa.eu/eli/reg/2005/378/oj>).