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| Subject: | ANNEX to the COMMISSION REGULATION (EU) .../... of XXX amending Regulation (EU) 2023/915 as regards maximum levels of T-2 and HT-2 toxins in food |

Delegations will find attached document D(2023) 92050/2 ANNEX.

Encl.: D(2023) 92050/2 ANNEX



Brussels, **XXX**
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[...] (2023) **XXX** draft

ANNEX

ANNEX

to the

COMMISSION REGULATION (EU) .../... of XXX

**amending Regulation (EU) 2023/915 as regards maximum levels of T-2 and HT-2 toxins
in food**

ANNEX

In section 1 (mycotoxins) of Annex I to Regulation (EU) 2023/915, the following entry 1.9 (T-2 and HT-2 toxins) is added:

| 1.9 | T-2 and HT-2 toxins | Maximum level (µg/kg) | Remarks |
|------------|--|---------------------------------------|---|
| | | Sum of T-2 and HT-2 toxins | For the sum of T-2 and HT-2 toxins, maximum levels refer to lower bound concentrations, which are calculated on the assumption that all the values below the limit of quantification are zero. |
| 1.9.1 | Unprocessed cereal grains except products listed in 1.9.1.1., 1.9.1.2, 1.9.1.3 and 1.9.1.4 | 50 | Except unprocessed maize grains intended to be processed by wet milling and except rice. The maximum level applies to unprocessed cereal grains placed on the market for first-stage processing ⁽⁶⁾ . |
| 1.9.1.1 | Unprocessed malting barley grains | 200 | The maximum level applies to unprocessed malting barley grains placed on the market for first-stage processing ⁽⁶⁾ . |
| 1.9.1.2 | Unprocessed barley grains other than malting barley grains | 150 | The maximum level applies to unprocessed barley grains placed on the market for first-stage processing ⁽⁶⁾ . |

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|---------|---|-------|--|
| 1.9.1.3 | Unprocessed maize grains and unprocessed durum wheat grains | 100 | <p>Except unprocessed maize grains for which it is evident, e.g. through labelling or destination, that they are intended for use in a wet milling process only (starch production).</p> <p>The maximum level applies to unprocessed maize grains and unprocessed durum wheat grains placed on the market for first-stage processing ⁽⁶⁾.</p> |
| 1.9.1.4 | Unprocessed oat grains with inedible husk | 1 250 | <p>The maximum level applies to unprocessed oat grains with husk placed on the market for first-stage processing ⁽⁶⁾.</p> <p>The maximum level applies to the oat grains with the inedible husk included.</p> |
| 1.9.2 | Cereals placed on the market for the final consumer except products listed in 1.9.2.1 and 1.9.2.2 | 20 | Except rice. |
| 1.9.2.1 | Oats placed on the market for the final consumer | 100 | |
| 1.9.2.2 | Barley, maize and durum wheat placed on the market for the final consumer | 50 | |
| 1.9.3 | Milling products of cereals except products listed in 1.9.3.1 and 1.9.3.2 | 20 | Except milling products of rice. |
| 1.9.3.1 | Milling products of oats (including oat bran) | 100 | |

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|---------|--|-----|---|
| 1.9.3.2 | Bran from cereals other than oats and milling products of maize | 50 | |
| 1.9.4 | Bakery wares except products listed in 1.9.5, pasta, cereal snacks and breakfast cereals except products listed in 1.9.6, 1.9.7 and 1.9.8 | 20 | Except rice products. Including small bakery wares. Pasta means pasta (dry) with a water content of approximately 12 %. |
| 1.9.5 | Bakery wares containing at least 90 % milling products of oats | 100 | Except rice products. Including small bakery wares. |
| 1.9.6 | Oat flakes | 100 | |
| 1.9.7 | Breakfast cereals consisting of at least 50 % of cereal bran, milling products of oat grains, milling products of maize grains, whole oat grains, barley grains, maize grains or durum wheat grains, and consisting of less than 40 % of milling products of oat grains and whole oat grains | 50 | |
| 1.9.8 | Breakfast cereals consisting of at least 50 % of cereal bran, milling products of oat grains, milling products of maize grains, whole oat grains, barley grains, maize grains or durum wheat grains, and of at least 40 % of milling products of oat grains and whole oat grains | 75 | |

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|--------|--|----|--|
| 1.9.9 | Baby food and processed cereal-based food for infants and young children ⁽³⁾ | 10 | Except rice products. The maximum level applies to the dry matter ⁽⁵⁾ of the product as placed on the market. |
| 1.9.10 | Food for special medical purposes intended for infants and young children ⁽³⁾ | 10 | Except rice products. The maximum level applies to the dry matter ⁽⁵⁾ of the product as placed on the market.' |

ANNEX [...]