

Transfer of ownership for five smoke flavouring authorisations

The FSA and FSS are proposing administrative changes to the domestic list of authorised smoke flavouring primary products in the Annex of Retained Regulation (EU) 1321/2013, following applications for modification to reflect updates to authorisation holder details. While the proposed changes are minor, stakeholder feedback remains crucial to the process of transparent policymaking— hence we are making stakeholders aware of these revisions.

Important

We welcome any additional comments on the administrative changes to the smoke flavourings authorisations. Comments should be provided within 2 weeks of the date of this publication and any comments received are subject to the same privacy statement as consultations, details of which can be found in our [Consultations privacy notice](#).

Comments should be emailed to: RPconsultations@food.gov.uk.

Update 17 May 2022

Following the end of the window for comments, a summary of responses report has not been produced, since no responses were received. The proposed modifications relate to the authorisation holders' names and addresses for five smoke flavouring primary products.

The final advice to Ministers is to authorise these modifications. Should Ministers move to authorise, Statutory Instruments will be prepared in England and Wales (and a Scottish Statutory Instrument in Scotland).

About the smoke flavouring applications

We would like to signpost relevant stakeholders to plans to transfer the authorisations for five smoke flavouring primary products (smoke flavourings) to new authorisation holders, following applications received to change authorisation holder details.

The domestic list of authorised smoke flavouring primary products ([Retained Regulation \(EU\) 1321/2013](#)) sets out the authorisation holder details, including name and address, for each primary product. Under [Retained Regulation \(EU\) 2065/2003 Article 11\(1\)](#), authorisation holders must update the FSA if there have been any modifications to existing authorisations. This would include their details as listed in the domestic list. Where it is necessary to update the list, the FSA/FSS will advise the relevant Ministers of the required amendments. It is then the Ministers' function to prescribe, by regulations, an update to the list.

Smoke flavouring authorisations in the domestic list are applicable in England, Scotland and Wales. Northern Ireland, under the current terms of the Northern Ireland Protocol on Ireland/Northern Ireland, is adhering to the Union list in the Annex of Commission Implementing Regulation (EU) No. 1321/2013.

Applications have been received via the UK Regulated Products Application Service, requesting modification of authorisation holder details for five smoke flavouring authorisations, including the transfer of:

- SF-001 'Scansmoke PB 1110' from Azelis Denmark A/S to proFagus GmbH
- SF-002 'Zesti Smoke Code 10' from Mastertaste to Kerry Group Plc.
- SF-005 'SmokEz C-10' and SF-006 'SmokEz Enviro-23' from Red Arrow Products Company LLC to Kerry Group Plc., and
- SF-007 'TradismokeTM A MAX' from Nactis to J. Rettenmaier & Söhne GmbH + CO KG

The changes will be minor and administrative in nature and have no bearing on the safety of the smoke flavourings or how they are used on the GB market. These changes reflect the already completed transfers of ownership and acquisition of assets undertaken since the list was originally established. It is important to update the details of the five smoke flavouring authorisations highlighted above to accurately reflect the current authorisation holders and, most pressing, facilitate applications for renewal of authorisations. [Article 12 \(1\)](#) of Retained Regulation EU 2065/2003 states that only the named authorisation holders can apply for authorisations to be renewed. This is because the authorisation, as granted, belongs to a specific company. We must, therefore, update the domestic list in order to allow the new authorisation holders to submit the applications for renewal. In the interest of transparency, we wish to make stakeholders aware of these changes.

Next steps

Stakeholder comments received regarding plans to change the authorisation holder details of the five smoke flavouring authorisations will be considered when providing advice to GB ministers