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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EU) No 178/2010, ANNEX I. (See end of Document for details)

ANNEX I

D.1. Method of sampling for dried figs

This method of sampling is of application for the official control of the maximum levels established for aflatoxin B1 and total aflatoxins in dried figs.

D.1.1. Weight of the incremental sample

The weight of the incremental sample shall be about 300 grams, unless otherwise defined in part D.1 of Annex I.

In the case of lots in retail packings, the weight of the incremental sample depends on the weight of the retail packing.

In the case of retail packs of more than 300 grams, this will result in aggregate samples weighing more than 30 kg. If the weight of a single retail pack is much more than 300 grams, then 300 grams shall be taken from each individual retail pack as an incremental sample. This can be done either when the sample is taken or in the laboratory. However, in cases where such method of sampling would lead to unacceptable commercial consequences resulting from damage to the lot (because of packaging forms, means of transport, etc.), then an alternative method of sampling can be applied. For example, in case where a valuable product is marketed in retail packs of 500 grams or 1 kg, the aggregate sample can be obtained by the aggregation of a number of incremental samples that is smaller than the number indicated in tables 1, 2 and 3, on the condition that the weight of the aggregate sample corresponds to the required weight of the aggregate sample mentioned in tables 1, 2 and 3.

Where the retail pack is less than 300 grams and if the difference is not very large, one retail pack shall be considered as one incremental sample, resulting in an aggregate sample of less than 30 kg. If the weight of the retail pack is much less than 300 grams, one incremental sample shall consist of two or more retail packs, whereby the 300 grams are approximated as closely as possible.

D.1.2. General survey of the method of sampling for dried figs

TABLE 1

Subdivision of lots into sublots depending on product and lot weight

Commodity	Lot weight (tonne)	Weight or number of sublots	No incremental samples	Aggregate sample weight (kg)
Dried figs	≥ 15	15-30 tonnes	100	30
	< 15	_	10-100 ^a	≤ 30

a Depending on the lot weight — see table 2 of this part D.1 of this Annex.

D.1.3. *Method of sampling for dried figs (lots* \geq 15 tonnes)

- On condition that the sublot can be separated physically, each lot shall be subdivided into sublots following table 1. Taking into account that the weight of the lot is not always an exact multiple of the weight of the sublots, the weight of the sublot may exceed the mentioned weight by a maximum of 20 %.
- Each sublot shall be sampled separately,
- Number of incremental samples: 100,

- Weight of the aggregate sample = 30 kg which shall be mixed and to be divided into three equal laboratory samples of 10 kg before grinding (this division into three laboratory samples is not necessary in case of dried figs subjected to further sorting or other physical treatment and of the availability of equipment which is able to homogenise a 30 kg sample).
- Each laboratory sample of 10 kg shall be separately ground finely and mixed thoroughly to achieve complete homogenisation, in accordance with the provisions laid down in Annex II,
- If it is not possible to carry out the method of sampling described above because of the unacceptable commercial consequences resulting from damage to the lot (because of packaging forms, means of transport, etc.) an alternative method of sampling may be applied provided that it is as representative as possible and is fully described and documented.

D.1.4. *Method of sampling for dried figs (lots < 15 tonnes)*

The number of incremental samples to be taken depends on the weight of the lot, with a minimum of 10 and a maximum of 100.

The figures in the following table 2 may be used to determine the number of incremental samples to be taken and the subsequent division of the aggregate sample.

TABLE 2

Number of incremental samples to be taken depending on the weight of the lot and number of subdivisions of the aggregate sample

Lot weight (tonnes)	No of incremental samples	Aggregate sample Weight (kg) (in case of retail packings, weight of aggregate sample can diverge — see point D.1.1)	No of laboratory samples from aggregate sample
≤ 0,1	10	3	1 (no division)
$>0,1-\leq0,2$	15	4,5	1 (no division)
$>0,2-\leq0,5$	20	6	1 (no division)
$>0.5-\leq1.0$	30	9 (- < 12 kg)	1 (no division)
> 1,0 - \le 2,0	40	12	2
$> 2,0 - \le 5,0$	60	18 (- < 24 kg)	2
> 5,0 - \le 10,0	80	24	3
> 10,0 - \le 15,0	100	30	3

Weight of the aggregate sample ≤ 30 kg which shall be mixed and divided into two or three equal laboratory samples of ≤ 10 kg before grinding (this division into two or three laboratory samples is not necessary in case of dried figs, subjected to further sorting or other physical treatment and of the availability of equipment which is able to homogenise up to 30 kg samples).

In cases where the aggregate sample weights are less than 30 kg, the aggregate sample shall be divided into laboratory samples according to following guidance:

- < 12 kg: no division into laboratory samples;</p>
- \rightarrow \geq 12 \leq 24 kg: division into two laboratory samples;
- \geq 24 kg: division into three laboratory samples.
- Each laboratory sample shall be separately ground finely and mixed thoroughly to achieve complete homogenisation, in accordance with the provisions laid down in Annex II,
- If it is not possible to carry out the method of sampling described above because of the unacceptable commercial consequences resulting from damage to the lot (because of packaging forms, means of transport, etc.) an alternative method of sampling may be applied provided that it is as representative as possible and is fully described and documented.
- D.1.5. Method of sampling for derived products and compound foods
- D.1.5.1. Derived products with very small particle weight (homogeneous distribution of aflatoxin contamination)
- Number of incremental samples: 100; for lots of under 50 tons the number of incremental samples shall be 10 to 100, depending on the lot weight (see table 3),

TABLE 3

Number of incremental samples to be taken depending on the weight of the lot

Lot weight (tonnes)	No of incremental samples	Aggregate sample weight (kg)
≤ 1	10	1
>1-≤3	20	2
> 3 - \le 10	40	4
> 10 - \le 20	60	6
> 20 - \le 50	100	10

- The weight of the incremental sample shall be about 100 grams. In the case of lots in retail packing, the weight of the incremental sample depends on the weight of the retail packing,
- Weight of aggregate sample = 1-10 kg sufficiently mixed,
- D.1.5.2. Other derived products with a relatively large particle size (heterogeneous distribution of aflatoxin contamination)

Method of sampling and acceptance as for dried figs (D.1.3 and D.1.4).

D.1.6. Sampling at retail stage

Sampling of foodstuffs at the retail stage shall be done where possible in accordance with the provisions set out in this part of Annex I.

Where that is not possible, other effective methods of sampling at retail stage may be used provided that they ensure that the aggregate sample is sufficiently representative of the sampled lot and is fully described and documented. In any case, the aggregate sample shall be at least $1 \text{ kg}^{(1)}$.

D.1.7. Specific method of sampling of dried figs and derived products traded in vacuum packs

D.1.7.1. Dried figs

For lots equal to or more than 15 tonnes at least 50 incremental samples resulting in a 30 kg aggregate sample shall be taken and for lots of less than 15 tonnes, 50 % of the number of incremental samples mentioned in table 2 shall be taken resulting in an aggregate sample of which the weight corresponds to the weight of the sampled lot (see table 2).

D.1.7.2. Products derived from dried figs with small particle size

For lots equal to or more than 50 tonnes at least 25 incremental samples resulting in a 10 kg aggregate sample shall be taken and for lots less than 50 tonnes, 25 % of the number of incremental samples mentioned in table 3 shall be taken resulting in an aggregate sample of which the weight corresponds to the weight of the sampled lot (see table 3).

D.1.8. Acceptance of a lot or sublot

For dried figs subjected to a sorting or other physical treatment:

- acceptance if the aggregate sample or the average of the laboratory samples conforms to the maximum limit, taking into account the correction for recovery and measurement uncertainty,
- rejection if the aggregate sample or the average of the laboratory samples exceeds the maximum limit beyond reasonable doubt taking into account the correction for recovery and measurement uncertainty,

For dried figs intended for direct human consumption:

- acceptance if none of the laboratory samples exceeds the maximum limit, taking into account the correction for recovery and measurement uncertainty,
- rejection if one or more of the laboratory samples exceeds the maximum limit beyond reasonable doubt taking into account the correction for recovery and measurement uncertainty,

In cases where the aggregate sample is 12 kg or less:

- acceptance if the laboratory sample conforms to the maximum limit, taking into account the correction for recovery and measurement uncertainty,
- rejection if the laboratory sample exceeds the maximum limit beyond reasonable doubt taking into account the correction for recovery and measurement uncertainty,

D.2. Method of sampling for groundnuts (peanuts), other oilseeds, apricot kernels and tree nuts

This method of sampling is of application for the official control of the maximum levels established for aflatoxin B1 and total aflatoxins in groundnuts (peanuts), other oilseeds, apricot kernels and tree nuts.

D.2.1. Weight of the incremental sample

The weight of the incremental sample shall be about 200 grams, unless otherwise defined in part D.2 of Annex I.

In the case of lots in retail packings, the weight of the incremental sample depends on the weight of the retail packing.

In the case of retail packs of more than 200 grams, this will result in aggregate samples weighing more than 20 kg. If the weight of a single retail pack is much more than 200 grams, then 200

grams shall be taken from each individual retail pack as an incremental sample. This can be done either when the sample is taken or in the laboratory. However, in cases where such method of sampling would lead to unacceptable commercial consequences resulting from damage to the lot (because of packaging forms, means of transport, etc.), then an alternative method of sampling can be applied. For example, in case where a valuable product is marketed in retail packs of 500 grams or 1 kg, the aggregate sample can be obtained by the aggregation of a number of incremental samples that is smaller than the number indicated in tables 1, 2 and 3, on the condition that the weight of the aggregate sample corresponds to the required weight of the aggregate sample mentioned in tables 1, 2 and 3.

Where the retail pack is less than 200 grams and if the difference is not very large, one retail pack shall be considered as one incremental sample, resulting in an aggregate sample of less than 20 kg. If the weight of the retail pack is much less than 200 grams, one incremental sample shall consist of two or more retail packs, whereby the 200 grams are approximated as closely as possible.

D.2.2. General survey of the method of sampling for groundnuts (peanuts), other oilseeds, apricot kernels and tree nuts

TABLE 1

Subdivision of lots into sublots depending on product and lot weight

Commodity	Lot weight (tonne)	Weight or number of sublots	No incremental samples	Aggregate sample weight (kg)
Groundnuts (peanuts), other oilseeds, apricot kernels and tree nuts	≥ 500	100 tonnes	100	20
	> 125 and < 500	5 sublots	100	20
	\geq 15 and \leq 125	25 tonnes	100	20
	< 15	_	10-100 ^a	≤ 20

- a Depending on the lot weight see table 2 of this part D.2 of this Annex.
- D.2.3. *Method of sampling for groundnuts (peanuts), other oilseeds, apricot kernels and tree nuts (lots* \geq 15 tonnes)
- On condition that the sublot can be separated physically, each lot shall be subdivided into sublots following table 1. Taking into account that the weight of the lot is not always an exact multiple of the weight of the sublots, the weight of the sublot may exceed the mentioned weight by a maximum of 20 %.
- Each sublot shall be sampled separately,
- Number of incremental samples: 100,
- Weight of the aggregate sample = 20 kg which shall be mixed and to be divided into two equal laboratory samples of 10 kg before grinding (this division into two laboratory samples is not necessary in case of groundnuts (peanuts), other oilseeds, apricot kernels and tree nuts subjected to further sorting or other physical treatment and of the availability of equipment which is able to homogenise a 20 kg sample).
- Each laboratory sample of 10 kg shall be separately ground finely and mixed thoroughly to achieve complete homogenisation, in accordance with the provisions laid down in Annex II.
- If it is not possible to carry out the method of sampling described above because of the commercial consequences resulting from damage to the lot (because of packaging

forms, means of transport, etc.) an alternative method of sampling may be applied provided that it is as representative as possible and is fully described and documented.

D.2.4. *Method of sampling for groundnuts (peanuts), other oilseeds, apricot kernels and tree nuts (lots < 15 tonnes)*

The number of incremental samples to be taken depends on the weight of the lot, with a minimum of 10 and a maximum of 100.

The figures in the following table 2 may be used to determine the number of incremental samples to be taken and the subsequent division of the aggregate sample.

TABLE 2

Number of incremental samples to be taken depending on the weight of the lot and number of subdivisions of the aggregate sample

Lot weight (tonnes)	No of incremental samples	Aggregate sample Weight (kg) (in case of retail packings, weight of aggregate sample can diverge — see point D.2.1)	No of laboratory samples from aggregate sample
≤ 0,1	10	2	1 (no division)
$>0,1-\leq 0,2$	15	3	1 (no division)
$>0,2-\leq0,5$	20	4	1 (no division)
> 0,5 - \le 1,0	30	6	1 (no division)
> 1,0 - \le 2,0	40	8 (- < 12 kg)	1 (no division)
> 2,0 - \le 5,0	60	12	2
> 5,0 - \le 10,0	80	16	2
> 10,0 - \le 15,0	100	20	2

Weight of the aggregate sample ≤ 20 kg which shall be mixed and if necessary divided into two equal laboratory samples of ≤ 10 kg before grinding (this division into two laboratory samples is not necessary in case of, groundnuts (peanuts), other oilseeds, apricot kernels and tree nuts subjected to further sorting or other physical treatment and of the availability of equipment which is able to homogenise up to 20 kg samples).

In cases where the aggregate sample weights are less than 20 kg, the aggregate sample shall be divided into laboratory samples according to following guidance:

- < 12 kg: no division into laboratory samples;</p>
- \geq 12 kg division into two laboratory samples.
- Each laboratory sample shall be separately ground finely and mixed thoroughly to achieve complete homogenisation, in accordance with the provisions laid down in Annex II,
- If it is not possible to carry out the method of sampling described above because of the unacceptable commercial consequences resulting from damage to the lot (because of packaging forms, means of transport, etc.) an alternative method of sampling may

be applied provided that it is as representative as possible and is fully described and documented.

- D.2.5. Method of sampling for derived products, with the exception of vegetable oil, and compound foods
- D.2.5.1. Derived products (other than vegetable oil) with small particle size, i.e. flour, peanut butter (homogeneous distribution of aflatoxin contamination)
- Number of incremental samples: 100; for lots of under 50 tons the number of incremental samples shall be 10 to 100, depending on the lot weight (see table 3),

TABLE 3

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Number of incremental samples to be taken depending on the weight of the lot Lot weight (tonnes) No of incremental Aggregate sample samples weight (kg) < 1 10 1 $> 1 - \le 3$ 20 2 $> 3 - \le 10$ 4 40 $> 10 - \le 20$ 6 60

The weight of the incremental sample shall be about 100 grams. In the case of lots in retail packing, the weight of the incremental sample depends on the weight of the retail packing,

100

- Weight of aggregate sample = 1-10 kg sufficiently mixed,
- D.2.5.2. Derived products with a relatively large particle size (heterogeneous distribution of aflatoxin contamination)

Method of sampling and acceptance as for groundnuts (peanuts), other oilseeds, apricot kernels and tree nuts (D.2.3 and D.2.4).

D.2.6. Sampling at retail stage

 $> 20 - \le 50$

Sampling of foodstuffs at the retail stage shall be done where possible in accordance with the provisions set out in this part of Annex I.

Where that is not possible, other effective methods of sampling at retail stage may be used provided that they ensure that the aggregate sample is sufficiently representative of the sampled lot and is fully described and documented. In any case, the aggregate sample shall be at least $1 \text{ kg}^{(1)}$.

- D.2.7. Specific method of sampling for groundnuts (peanuts), other oilseeds, apricot kernels, tree nuts and derived products traded in vacuum packs
- D.2.7.1. Pistachios, groundnuts (peanuts), Brazil nuts

For lots equal to or more than 15 tonnes at least 50 incremental samples resulting in a 20 kg aggregate sample shall be taken and for lots of less than 15 tonnes, 50 % of the number of incremental samples mentioned in table 2 shall be taken resulting in an aggregate sample of which the weight corresponds to the weight of the sampled lot (see table 2).

D.2.7.2. Apricot kernels, tree nuts other than pistachios and Brazil nuts, other oilseeds

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For lots equal to or more than 15 tonnes at least 25 incremental samples resulting in a 20 kg aggregate sample shall be taken and for lots less than 15 tonnes, 25 % of the number of incremental samples mentioned in table 2 shall be taken resulting in an aggregate sample of which the weight corresponds to the weight of the sampled lot (see table 2).

D.2.7.3. Products derived from tree nuts, apricot kernels and groundnuts (peanuts) with small particle size

For lots equal to or more than 50 tonnes at least 25 incremental samples resulting in a 10 kg aggregate sample shall be taken and for lots less than 50 tonnes, 25 % of the number of incremental samples mentioned in table 3 shall be taken resulting in an aggregate sample of which the weight corresponds to the weight of the sampled lot (see table 3).

D.2.8. Acceptance of a lot or sublot

For groundnuts (peanuts), other oilseeds, apricot kernels and tree nuts subjected to a sorting or other physical treatment:

- acceptance if the aggregate sample or the average of the laboratory samples conforms to the maximum limit, taking into account the correction for recovery and measurement uncertainty,
- rejection if the aggregate sample or the average of the laboratory samples exceeds
 the maximum limit beyond reasonable doubt taking into account the correction for
 recovery and measurement uncertainty,

For groundnuts (peanuts), other oilseeds, apricot kernels and tree nuts intended for direct human consumption:

- acceptance if none of the laboratory samples exceeds the maximum limit, taking into account the correction for recovery and measurement uncertainty,
- rejection if one or both of the laboratory samples exceeds the maximum limit beyond reasonable doubt taking into account the correction for recovery and measurement uncertainty,

In cases where the aggregate sample is 12 kg or less:

- acceptance if the laboratory sample conforms to the maximum limit, taking into account the correction for recovery and measurement uncertainty,
- rejection if the laboratory sample exceeds the maximum limit beyond reasonable doubt taking into account the correction for recovery and measurement uncertainty;

(1) In case the portion to be sampled is so small that it is impossible to obtain an aggregate sample of 1 kg, the aggregate sample weight might be less than 1 kg.'

Changes to legislation:

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