

Commission Implementing Regulation (EU) 2019/1793 of 22 October 2019 on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries implementing Regulations (EU) 2017/625 and (EC) No 178/2002 of the European Parliament and of the Council and repealing Commission Regulations (EC) No 669/2009, (EU) No 884/2014, (EU) 2015/175, (EU) 2017/186 and (EU) 2018/1660 (Text with EEA relevance)

## SECTION 1

### COMMON PROVISIONS

#### *Article 1*

#### **Subject matter and scope**

- 1 This Regulation lays down:
- a the list of food and feed of non-animal origin from certain third countries subject to a temporary increase of official controls at their entry into [<sup>F1</sup>Great Britain], established in Annex I, falling within the CN Codes and TARIC classifications laid down in that Annex, in accordance with Article 47(2)(b) of Regulation (EU) 2017/625;
  - b special conditions governing the entry into [<sup>F2</sup>Great Britain] of the following categories of consignments of food and feed due to the risk of contamination by mycotoxins, including aflatoxins, pesticide residues, pentachlorophenol and dioxins and microbiological contamination, in accordance with Article 53(1)(b) of Regulation (EC) No 178/2002:
    - (i) consignments of food and feed of non-animal origin from third countries or parts of those third countries listed in [<sup>F3</sup>Table 1][<sup>F3</sup>Table 1 (England)] to Annex II and falling within the CN Codes and TARIC classifications laid down in that Annex;
    - (ii) consignments of compound food containing any of the food listed in [<sup>F4</sup>Table 1][<sup>F4</sup>Table 1 (England)] to Annex II due to the risk of contamination by aflatoxins in a quantity above 20 % of either a single product or as the sum of those products and falling within the CN Codes laid down in [<sup>F5</sup>Table 2][<sup>F5</sup>Table 2 (England)] to that Annex;
  - [<sup>F6</sup>ba] suspension of the entry into [<sup>F7</sup>Great Britain] of the food and feed listed in Annex IIa;
  - c rules on the frequency of identity checks and physical checks for the consignments of food and feed referred to in points (a) and (b) of this paragraph;
  - d rules on the methods to be used for sampling and for laboratory analyses for the consignments of food and feed referred to in points (a) and (b) of this paragraph, in accordance with Article 34(6)(a) of Regulation (EU) 2017/625;
  - e rules concerning the model official certificate required to accompany consignments of food and feed referred to in point (b) of this paragraph and the requirements for such official certificate, in accordance with Article 53(1)(b) of Regulation (EC) No 178/2002;

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2019/1793, Article 1. (See end of Document for details)

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f rules for the issuance of replacement official certificates required to accompany consignments of food and feed referred to in point (b) of this paragraph, in accordance with Article 90(c) of Regulation (EU) 2017/625.

2 This Regulation applies to consignments of food and feed referred to in points (a) and (b) of paragraph 1 intended for placing on <sup>[F8]</sup>the market in Great Britain].

<sup>[F9]</sup>3 This Regulation does not apply to the following categories of consignments of food and feed referred to in points (a) and (b) of paragraph 1 unless their net weight exceeds 30 kg:

- a consignments of food and feed sent as trade samples, laboratory samples or as display items for exhibitions, which are not intended to be placed on the market;
- b consignments of food and feed which form part of passengers personal luggage and are intended for personal consumption or use;
- c non-commercial consignments of food and feed sent to natural persons which are not intended to be placed on the market;
- d consignments of food and feed intended for scientific purposes.]

4 This Regulation does not apply to food and feed referred to in points (a) and (b) of paragraph 1 on board means of transport operating internationally which are not unloaded and are intended for consumption by the crew and passengers.

5 In case of doubt on the intended use of the food and feed referred in points (b) and (c) of paragraph (3), the burden of proof lies with the owner of the personal luggage and with the recipient of the consignment, respectively.

#### Textual Amendments

- F1** Words in Art. 1(1)(a) substituted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) (No. 2) Regulations 2020 (S.I. 2020/1631), regs. 1(2), **22(2)(a)** (with regs. 33-36)
- F2** Words in Art. 1(1)(b) substituted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) (No. 2) Regulations 2020 (S.I. 2020/1631), regs. 1(2), **22(2)(a)** (with regs. 33-36)
- F3** Words in Art. 1(1)(b)(i) substituted (E.) (17.1.2023) by virtue of The Official Controls (Imports of High Risk Food and Feed of Non-Animal Origin) (Amendment of Commission Implementing Regulation (EU) 2019/1793) (England) Regulations 2022 (S.I. 2022/1193), regs. 1(1), **2(2)(a)**
- F4** Words in Art. 1(1)(b)(ii) substituted (E.) (17.1.2023) by virtue of The Official Controls (Imports of High Risk Food and Feed of Non-Animal Origin) (Amendment of Commission Implementing Regulation (EU) 2019/1793) (England) Regulations 2022 (S.I. 2022/1193), regs. 1(1), **2(2)(b)(i)**
- F5** Words in Art. 1(1)(b)(ii) substituted (E.) (17.1.2023) by virtue of The Official Controls (Imports of High Risk Food and Feed of Non-Animal Origin) (Amendment of Commission Implementing Regulation (EU) 2019/1793) (England) Regulations 2022 (S.I. 2022/1193), regs. 1(1), **2(2)(b)(ii)**
- F6** Inserted by Commission Implementing Regulation (EU) 2020/625 of 6 May 2020 amending Commission Implementing Regulation (EU) 2019/1793 on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries implementing Regulations (EU) 2017/625 and (EC) No 178/2002 of the European Parliament and of the Council, and repealing Commission Implementing Regulation (EU) 2015/943 and Commission Implementing Decision 2014/88/EU (Text with EEA relevance).
- F7** Words in Art. 1(1)(ba) substituted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) (No. 2) Regulations 2020 (S.I. 2020/1631), regs. 1(2), **22(2)(a)** (with regs. 33-36)

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Document Generated: 2024-06-20

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- F8** Words in Art. 1(2) substituted (31.12.2020) by The Official Controls (Animals, Feed and Food, Plant Health etc.) (Amendment) (EU Exit) (No. 2) Regulations 2020 (S.I. 2020/1631), regs. 1(2), **22(2)(b)** (with regs. 33-36)
- F9** Substituted by Commission Implementing Regulation (EU) 2020/625 of 6 May 2020 amending Commission Implementing Regulation (EU) 2019/1793 on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries implementing Regulations (EU) 2017/625 and (EC) No 178/2002 of the European Parliament and of the Council, and repealing Commission Implementing Regulation (EU) 2015/943 and Commission Implementing Decision 2014/88/EU (Text with EEA relevance).

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2019/1793, Article 1.