

2022 No. 1193

AGRICULTURE, ENGLAND

FOOD, ENGLAND

**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**

Made - - - - *16th November 2022*

Laid before Parliament *17th November 2022*

Coming into force *17th January 2023*

The Secretary of State makes these Regulations in exercise of the powers conferred by Articles 53(1)(b) and 57a(6) of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety^(a) (“Regulation 178/2002”) and Articles 47(2)(b), 54(4)(a) and (b) and 144(6) of Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products (“Official Controls Regulation”)^(b).

As required by Article 9 of Regulation 178/2002, there has been open and transparent public consultation during the preparation and evaluation of these Regulations.

As required by Article 144(7) of the Official Controls Regulations, the Secretary of State has consulted with such bodies or persons as appear appropriate.

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as 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 and come into force on 17th January 2023.

(2) These Regulations extend to England and Wales but apply in relation to England only.

(a) EUR 2002/178, amended by S.I. 2019/641 and 2022/377. See Article 3(19) for the definition of “appropriate authority”.
(b) EUR 2017/625, amended by S.I. 2020/1481. See Article 3(2A) for the definition of “the appropriate authority”.

Amendment of Commission Implementing Regulation (EU) 2019/1793 on the temporary increase of official controls and emergency measures, etc

2.—(1) 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 Regulations (EC) No 669/2009, (EU) No 884/2014, (EU) 2015/175, (EU) 2017/186 and (EU) 2018/1660(a) is amended as follows.

- (2) In Article, in paragraph 1(b)—
 - (a) in subparagraph (i), for “Table 1” substitute “Table 1 (England)”;
 - (b) in subparagraph (ii)—
 - (i) for “Table 1” substitute “Table 1 (England)”;
 - (ii) for “Table 2” substitute “Table 2 (England)”.
- (3) In Article 8 —
 - (a) in paragraph 3—
 - (i) for both references to “Table 2” substitute “Table 2 (England)”;
 - (ii) for “Table 1”, in each place, substitute “Table 1 (England)”.
 - (b) In paragraph 4—
 - (i) for “Table 2” substitute “Table 2(England)”;
 - (ii) for “Table 1”, in each place substitute “Table 1 (England)”.
- (4) In Annex 1, for the table substitute the table in Schedule 1.
- (5) In Annex 2—
 - (a) for the first table (Food and feed of non-animal origin referred to in Article 1(1)(b)(i)) substitute the table in Schedule 2;
 - (b) for the second table (Compound food referred to in Article 1(1)(b)(ii) substitute the table in Schedule 3.
- (6) In Annex 2a, for the table substitute the table in Schedule 4.

16th November 2022

Neil O'Brien
Parliamentary Under-Secretary of State,
Department of Health and Social Care

SCHEDULE 1

Regulation 2(4)

Substitution of the table in Annex I to Commission Implementing Regulation (EU) 2019/1793 in relation to England

“Table: England

Food and feed of non-animal origin from certain third countries subject to a temporary increase of official controls at border controls posts and control points

(a) EUR 2019/1793 as amended by S.I. 2020/1631.

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
1	Bolivia (BO)	Groundnuts (peanuts), in shell <i>(Food and feed)</i>	1202 41 00		Aflatoxins	50
		Groundnuts (peanuts), shelled <i>(Food and feed)</i>	1202 42 00			
		Peanut butter <i>(Food and feed)</i>	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved <i>(Food and feed)</i>	2008 11 91; 2008 11 96; 2008 11 98			
		Groundnut flours and meals <i>(Food and feed)</i>	ex1208 90 00	20		
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil <i>(Food and feed)</i>	2305 00 00			
2	Brazil (BR)	Black pepper (<i>Piper</i>) <i>(Food – neither crushed nor ground)</i>	ex0904 11 00	10	<i>Salmonella</i> ⁽²⁾	50
3	Brazil (BR)	Groundnuts (peanuts), in shell <i>(Food and feed)</i>	1202 41 00		Aflatoxins	10
		Groundnuts (peanuts), shelled <i>(Food and feed)</i>	1202 42 00			
		Peanut butter <i>(Food and feed)</i>	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or	2008 11 91; 2008 11 96; 2008 11 98			

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		preserved (Food and feed)				
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil (Food and feed)	2305 00 00			
		Groundnut flours and meals (Food and feed)	ex1208 90 00	20		
4	Brazil (BR)	Groundnuts (peanuts) in shell (Food and feed)	1202 41 00		Pesticide residues ⁽³⁾	20
		Groundnuts (peanuts), shelled (Food and feed)	1202 42 00			
		Peanut butter (Food and feed)	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved (Food and feed)	2008 11 91; 2008 11 96; 2008 11 98			
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil (Food and feed)	2305 00 00			
		Groundnut flours and meals (Food and feed)	ex 1208 90 00	20		
5	China (CN)	Groundnuts (peanuts) in shell (Food and feed)	1202 41 00		Aflatoxins	10
		Groundnuts	1202 42 00			

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		(peanuts), shelled (Food and feed)				
		Peanut butter (Food and feed)	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved (Food and feed)	2008 11 91; 2008 11 96; 2008 11 98			
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil (Food and feed)	2305 00 00			
		Groundnut flours and meals (Food and feed)	ex1208 90 00	20		
6	China (CN)	Sweet peppers (<i>Capsicum annuum</i>) (Food – crushed or ground)	ex0904 22 00	11	<i>Salmonella</i> ⁽⁴⁾	20
7	China (CN)	Tea, whether or not flavoured (Food)	0902		Pesticide residues ^{(5) (6)}	20
8	Dominican Republic (DO)	Aubergines (<i>Solanum melongena</i>) (Food – fresh or chilled)	0709 30 00		Pesticide residues ⁽⁵⁾	20
9	Dominican Republic (DO)	Sweet peppers (<i>Capsicum annuum</i>) (Food – fresh, chilled or frozen)	0709 60 10; 0710 80 51		Pesticide residues ^{(5) (7)}	50
		Peppers of the <i>Capsicum</i> species (other than sweet)	ex0709 60 99; ex0710 80 59	20; 20		

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		(Food – fresh, chilled or frozen)				
		Yardlong beans (<i>Vigna unguiculata</i> ssp. <i>sesquipedalis</i> , <i>Vigna unguiculata</i> ssp. <i>unguiculata</i>) (Food – fresh, chilled or frozen)	ex0708 20 00; ex0710 22 00	10 10		
10	Egypt (EG)	Sweet peppers (<i>Capsicum annuum</i>) (Food – fresh, chilled or frozen)	0709 60 10; 0710 80 51		Pesticide residues ^{(5) (8)}	20
		Peppers of the <i>Capsicum</i> species (other than sweet) (Food – fresh, chilled or frozen)	ex0709 60 99; ex0710 80 59	20 20		
11	Georgia (GE)	Hazelnuts (<i>Corylus</i> sp.), in shell (Food)	0802 21 00		Aflatoxins	20
		Hazelnuts (<i>Corylus</i> sp.), shelled (Food)	0802 22 00			
		Flour, meal and powder of hazelnuts (Food)	ex1106 30 90	40		
		Hazelnuts, otherwise prepared or preserved, including mixtures (Food)	ex2008 19 19; ex2008 19 95; ex2008 19 99	30 20 30		
12	Ghana (GH)	Palm oil	1511 10 90;		Sudan dyes ⁽⁹⁾	50

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		(Food)	1511 90 11; ex1511 90 19; 1511 90 99	90		
13	India (IN)	Curry leaves (<i>Bergera/</i> <i>Murraya</i> <i>koenigii</i>) (Food – fresh, chilled, frozen or dried)	ex1211 90 86		Pesticide residues ^{(5) (10)}	50
14	India (IN)	Okra (Food – fresh, chilled or frozen)	ex0709 99 90; ex0710 80 95	20 30	Pesticide residues ^{(5) (11)}	20
15	Kenya (KE)	Beans (<i>Vigna</i> <i>spp.</i> , <i>Phaseolus</i> <i>spp.</i>) (Food – fresh or chilled)	0708 20		Pesticide residues ⁽⁵⁾	10
16	Cambodia (KH)	Chinese celery (<i>Apium</i> <i>graveolens</i>) (Food – fresh or chilled herb)	ex0709 40 00	20	Pesticide residues ^{(5) (12)}	50
17	Cambodia (KH)	Yardlong beans (<i>Vigna</i> <i>unquiculata ssp.</i> <i>sesquipedalis</i> , <i>Vigna</i> <i>unquiculata</i> <i>ssp.unquiculata</i>) (Food – fresh, chilled or frozen vegetables)	ex0708 20 00; ex0710 22 00	10 10	Pesticide residues ^{(5) (13)}	50
18	Lebanon (LB)	Turnips (<i>Brassica rapa</i> <i>ssp. rapa</i>) (Food – prepared or preserved by vinegar or acetic acid)	ex2001 90 97	11; 19	Rhodamine B	50
19	Lebanon (LB)	Turnips (<i>Brassica rapa</i> <i>ssp. rapa</i>) (Food –	ex2005 99 80	93	Rhodamine B	50

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		prepared or preserved by brine or citric acid, not frozen)				
20	Madagascar (MG)	Groundnuts (peanuts), in shell (Food and feed)	1202 41 00		Aflatoxins	50
		Groundnuts (peanuts), Shelled (Food and feed)	1202 42 00			
		Peanut butter (Food and feed)	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved (Food and feed)	2008 11 91; 2008 11 96; 2008 11 98			
		Groundnut flours and meals (Food and feed)	ex1208 90 00	20		
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil (Food and feed)	2305 00 00			
21	Malaysia (MY)	Jackfruit (Artocarpus heterophyllus) (Food – fresh)	ex0810 90 20	20	Pesticide residues ⁽⁵⁾	50
22	Nigeria (NG)	Sesamum seeds (Food)	1207 40 90		Salmonella ⁽²⁾	50
23	Pakistan (PK)	Spice mixes (Food)	0910 91 10; 0910 91 90		Aflatoxins	50
24	Sierra Leone (SL)	Watermelon (Egusi, Citrullus spp.) seeds and	ex1207 70 00;	10	Aflatoxins	50
			ex1208 90 00;	10		

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		derived products (Food)	ex2008 99 99	50		
25	Senegal (SN)	Groundnuts (peanuts), in shell (Food and feed)	1202 41 00		Aflatoxins	50
		Groundnuts (peanuts), shelled (Food and feed)	1202 42 00			
		Peanut butter (Food and feed)	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved (Food and feed)	2008 11 91; 2008 11 96; 2008 11 98			
		Groundnut flours and meals (Food and feed)	ex1208 90 00	20		
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil (Food and feed)	2305 00 00			
26	Syria (SY)	Turnips (<i>Brassica rapa ssp. rapa</i>) (Food – prepared or preserved by vinegar or acetic acid)	ex2001 90 97	11; 19	Rhodamine B	50
27	Syria (SY)	Turnips (<i>Brassica rapa ssp. rapa</i>) (Food – prepared or preserved by brine or citric acid, not frozen)	ex2005 99 80	93	Rhodamine B	50

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
28	Thailand (TH)	Food containing or consisting of betel leaves (<i>Piper betle</i>) (Food)	ex1404 90 00		<i>Salmonella</i> ⁽⁴⁾	10
29	Thailand (TH)	Peppers of the Capsicum species (other than sweet) (Food – fresh, chilled or frozen)	ex0709 60 99; ex0710 80 59	20 20	Pesticide residues ^{(5) (14)}	20
30	Turkey (TR)	Hazelnuts (<i>Corylus sp.</i>) in shell (Food)	0802 21 00		Aflatoxins	5
		Hazelnuts (<i>Corylus sp.</i>) shelled (Food)	0802 22 00			
		Mixtures of nuts or dried fruits containing hazelnuts (Food)	ex0813 50 39; ex0813 50 91; ex0813 50 99	70 70 70		
		Hazelnut paste (Food)	ex2007 10 10; ex2007 10 99; ex2007 99 39; ex2007 99 50; ex2007 99 97	70 40 05;06 33 23		
		Hazelnuts, otherwise prepared or preserved, including mixtures (Food)	ex2008 19 12; ex2008 19 19; ex2008 19 92; ex2008 19 95; ex2008 19 99; ex2008 97 12; ex2008 97 14; ex2008 97 16; ex2008 97 18; ex2008 97 32; ex2008 97 34; ex2008 97 36; ex2008 97 38;	30 30 30 20 30 15 15 15 15 15 15 15 15		

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
			ex2008 97 51; ex2008 97 59; ex2008 97 72; ex2008 97 74; ex2008 97 76; ex2008 97 78; ex2008 97 92; ex2008 97 93; ex2008 97 94; ex2008 97 96; ex2008 97 97; ex2008 97 98	15 15 15 15 15 15 15 15 15 15 15 15		
		Flour, meal and powder of hazelnuts (Food)	ex1106 30 90	40		
		Hazelnut oil (Food)	ex1515 90 99	20		
31	Turkey (TR)	Lemons (Citrus limon, <i>Citrus limonum</i>) (Food – fresh, chilled or dried)	0805 50 10		Pesticide residues ^{(5) (15)}	20
32	Turkey (TR)	Mandarins (including tangerines and satsumas); clementine, wilkings and similar citrus hybrids (Food – fresh or dried)	0805 21; 0805 22; 0805 29		Pesticide residues ⁽⁵⁾	20
33	Turkey (TR)	Oranges (Food – fresh or dried)	0805 10		Pesticide residues ⁽⁵⁾	20
34	Turkey (TR)	Pomegranates (Food – fresh or chilled)	ex0810 90 75	30	Pesticide residues ^{(5) (16)}	20
35	Turkey (TR)	Sweet Peppers (<i>Capsicum annum</i>) (Food – fresh, chilled or	0709 60 10; 0710 80 51		Pesticide residues ^{(5) (17)}	20

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		<i>frozen)</i>				
36	Turkey (TR)	Peppers of the Capsicum species (other than sweet) (Food – fresh, chilled or frozen)	ex0709 60 99; ex0710 80 59	20 20	Pesticide residues ⁽⁵⁾	20
37	Turkey (TR)	Unprocessed whole, ground, milled, cracked, chopped apricot kernels intended to be placed on the market for the final consumer ^{(18) (19)} (Food)	ex1212 99 95	20	Cyanide	50
38	Uganda (UG)	Peppers of the Capsicum species (other than sweet) (Food – fresh, chilled or frozen)	ex0709 60 99; ex0710 80 59	20 20	Pesticide residues ⁽⁵⁾	50
39	United States (US)	Groundnuts (peanuts), in shell (Food and feed)	1202 41 00		Aflatoxins	10
		Groundnuts (peanuts), shelled (Food and feed)	1202 42 00			
		Peanut butter (Food and feed)	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved	2008 11 91; 2008 11 96; 2008 11 98			
		Groundnut flours and meals (Food and feed)	ex1208 90 00	20		
		Oilcake and other solid	2305 00 00			

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil (Food and feed)				
40	Uzbekistan (UZ)	Dried apricots (Food)	0813 10 00		Sulphites ⁽²⁰⁾	50
		Apricots, otherwise prepared or preserved (Food)	2008 50			
41	Vietnam (VN)	Coriander leaves (Food – fresh or chilled herbs)	ex0709 99 90	72	Pesticide residues ^{(5) (21)}	50
		Basil (holy, sweet) (Food – fresh or chilled herbs)	ex1211 90 86	20		
		Mint (Food – fresh or chilled herbs)	ex1211 90 86	30		
		Parsley (Food – fresh or chilled herbs)	ex0709 99 90	40		
42	Vietnam (VN)	Okra (Food – fresh, chilled or frozen)	ex0709 99 90;	20	Pesticide residues ^{(5) (21)}	50
			ex0710 80 95	30		
43	Vietnam (VN)	Peppers of the Capsicum species (other than sweet) (Food – fresh, chilled or frozen)	ex0709 60 99;	20	Pesticide residues ^{(5) (21)}	50
			ex0710 80 59	20		

⁽¹⁾ Where only certain products under any CN are required to be examined, the CN code is marked 'ex'.

⁽²⁾ The sampling and the analyses must be performed in accordance with the sampling procedures and the analytical reference methods set out in point 1(a) of Annex III to this Regulation.

⁽³⁾ Residues of Triclopyr and Haloxypop.

(4) The sampling and the analyses must be performed in accordance with the sampling procedures and the analytical reference methods set out in point 1(b) of Annex III to this Regulation.

(5) Residues of at least those pesticides listed in the control programme adopted in accordance with Article 29 of Regulation (EC) No 396/2005 of the European Parliament and of the Council on maximum residue levels of pesticides in or on food and feed of plant and animal origin (a) that can be analysed with multi-residue methods based on GC-MS and LC-MS (pesticides to be monitored in/on products of plant origin only).

(6) Residues of Tolfenpyrad.

(7) Residues of Amitraz (amitraz including the metabolites containing the 2,4 -dimethylaniline moiety expressed as amitraz), Diafenthiuron, Dicofol (sum of p, p' and o,p' isomers) and Dithiocarbamates (dithiocarbamates expressed as CS₂, including maneb, mancozeb, metiram, propineb, thiram and ziram).

(8) Residues of Dicofol (sum of p, p' and o,p' isomers), Dinotefuran, Folpet, Prochloraz (sum of prochloraz, BTS 44595 (M201-04) and BTS 44596 (M201-03), expressed as prochloraz), Thiophanate-methyl and Triforine.

(9) For the purposes of this Annex, 'Sudan dyes' refers to the following chemical substances: (i) Sudan I (CAS Number 842-07-9); (ii) Sudan II (CAS Number 3118-97-6); (iii) Sudan III (CAS Number 85-86-9); (iv) Scarlet Red; or Sudan IV (CAS Number 85-83-6).

(10) Residues of acephate.

(11) Residues of Diafenthiuron.

(12) Residues of Phenthoate.

(13) Residues of Chlorbufam.

(14) Residues of Formetanate (sum of formetanate and its salts expressed as formetanate (hydrochloride)), Prothiofos and Triforine.

(15) Residues of chlorpyrifos/chlorpyrifos-methyl and fenbutatin oxide.

(16) Residues of Prochloraz (sum of prochloraz, BTS 44595 (M201-04) and BTS 44596 (M201-03), expressed as prochloraz).

(17) Residues of Diafenthiuron, Formetanate (sum of formetanate and its salts expressed as formetanate (hydrochloride)) and Thiophanate-methyl.

(18) 'Unprocessed products' as defined in Regulation (EC) No 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs(b).

(19) 'Placing on the market' and 'final consumer' as defined in Regulation (EC) No 178/2002.

(20) The following reference methods may be used (1) ISO 5522:1981 "*Fruits, vegetables and derived products – Determination of total sulphur dioxide content*" Published by the International Organization for Standardization in September 1981 (1st edition). Available from International Organization for Standardization <https://www.iso.org/home.html>. (2) BS EN 1988-1:1998 "*Foodstuffs. Determination of sulphite – Optimized Monier-Williams method*" Published by the British Standards Institution on 15th June 1998 (ISBN 0 580 29239 8) (3) EN 1988-2:1998 "*Foodstuffs. Determination of sulfite – Enzymatic method*". Published by the British Standards Institution on 15th June 1998 (ISBN 0 580 29240 1) Both are available from the British Standards Institution <https://knowledge.bsigroup.com>.

(21) Residues of Dithiocarbamates (dithiocarbamates expressed as CS₂, including maneb, mancozeb, metiram, propineb, thiram and ziram), Phenthoate and Quinalphos."

SCHEDULE 2

Regulation 2(5)(a)

Substitution of the first table in Annex 2 to Commission Implementing Regulation (EU) 2019/1793 in relation to England

"Table 1: England

(a) EUR 2005/396, amended by S.I. 2019/557.

(b) EUR 2004/852, amended by S.I. 2019/642.

Food and feed of non-animal origin referred to in Article 1(1)(b)(i)

<i>Row</i>	<i>Country of origin</i>	<i>Food and feed (intended use)</i>	<i>CN code⁽¹⁾</i>	<i>TARIC sub-division</i>	<i>Hazard</i>	<i>Frequency of physical and identity checks (%)</i>
1	Argentina (AR)	Groundnuts (peanuts), in shell (Food and feed)	1202 41 00		Aflatoxins	5
		Groundnuts (peanuts), shelled (Food and feed)	120 24 200			
		Peanut butter (Food and feed)	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved (Food and feed)	2008 11 91; 2008 11 96; 2008 11 98			
		Groundnut flours and meals (Food and feed)	ex1208 90 00	20		
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil (Food and feed)	2305 00 00			
2	Azerbaijan (AZ)	Hazelnuts (<i>Corylus sp.</i>) in shell (Food)	0802 21 00		Aflatoxins	20
		Hazelnuts (<i>Corylus sp.</i>) shelled (Food)	0802 22 00			
		Mixtures of nuts or dried fruits containing hazelnuts (Food)	ex0813 50 39; ex0813 50 91; ex0813 50 99	70 70 70		
		Hazelnut paste	ex2007 10 10;	70		

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		(Food)	ex2007 10 99; ex2007 99 39; ex2007 99 50; ex2007 99 97	40 05;06 33 23		
		Hazelnuts, otherwise prepared or preserved, including mixtures (Food)	ex2008 19 12; ex2008 19 19; ex2008 19 92; ex2008 19 95; ex2008 19 99; ex2008 97 12; ex2008 97 14; ex2008 97 16; ex2008 97 18; ex2008 97 32; ex2008 97 34; ex2008 97 36; ex2008 97 38; ex2008 97 51; ex2008 97 59; ex2008 97 72; ex2008 97 74; ex2008 97 76; ex2008 97 78; ex2008 97 92; ex2008 97 93; ex2008 97 94; ex2008 97 96; ex2008 97 97; ex2008 97 98	30 30 30 20 30 15		
		Flour, meal and powder of hazelnuts (Food)	ex1106 30 90	40		
		Hazelnut oil (Food)	ex1515 90 99	20		
3	Bangladesh (BD)	Food containing or consisting of betel leaves (Piper betle) (Food)	ex1404 90 00		Salmonella	50
4	Brazil (BR)	Brazil nuts in Shell (Food)	0801 21 00		Aflatoxins	50

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		Mixtures of nuts or dried fruits containing Brazil nuts in shell. (Food)	ex0813 50 31; ex0813 50 39; ex0813 50 91; ex0813 50 99	20 20 20 20		
5	Egypt (EG)	Groundnuts (peanuts), in shell (Food and feed)	1202 41 00		Aflatoxins	20
		Groundnuts (peanuts), shelled (Food and feed)	1202 42 00			
		Peanut butter (Food and feed)	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved (Food and feed)	2008 11 91; 2008 11 96; 2008 11 98			
		Groundnut flours and meals (Food and feed)	ex1208 90 00	20		
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil (Food and feed)	2305 00 00			
6	Ethiopia (ET)	Pepper of the genus Piper; dried or crushed or ground fruit of the genus Capsicum or of the genus Pimenta (Food – dried spices)	0904		Aflatoxins	50
		Ginger,	0910			

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		saffron, turmeric (curcuma), thyme, bay leaves, curry and other spices (Food – dried spices)				
7	Ethiopia (ET)	Sesamum seeds (Food)	1207 40 90		Salmonella ⁽²⁾	50
8	Ghana (GH)	Groundnuts (peanuts), in shell (Food and feed)	1202 41 00		Aflatoxins	50
		Groundnuts (peanuts), shelled (Food and feed)	1202 42 00			
		Peanut butter (Food and feed)	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved (Food and feed)	2008 11 91; 2008 11 96; 2008 11 98			
		Groundnut flours and meals (Food and feed)	ex1208 90 00	20		
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil (Food and feed)	2305 00 00			
9	Gambia (GM)	Groundnuts (peanuts), in shell (Food and feed)	1202 41 00		Aflatoxins	50
		Groundnuts (peanuts), shelled	1202 42 00			

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		(Food and feed)				
		Peanut butter (Food and feed)	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved (Food and feed)	2008 11 91; 2008 11 96; 2008 11 98			
		Groundnut flours and meals (Food and feed)	ex1208 90 00	20		
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil (Food and feed)	2305 00 00			
10	Indonesia (ID)	Nutmeg (<i>Myristica fragrans</i>) (Food – dried spices)	0908 11 00; 0908 12 00		Aflatoxins	20
11	India (IN)	Food containing or consisting of betel leaves (<i>Piper betle</i>) (Food)	ex1404 90 00		<i>Salmonella</i> ⁽³⁾	10
12	India (IN)	Nutmeg (<i>Myristica fragrans</i>) (Food – dried spices)	0908 11 00; 0908 12 00		Aflatoxins	20
13	India (IN)	Peppers of the Capsicum species (sweet or other than sweet) (Food – dried, roasted, crushed or ground)	0904 21 10; ex0904 22 00; ex0904 21 90; ex2005 99 10; ex2005 99 80	11; 19 20 10; 90 94	Aflatoxins	20

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
14	India (IN)	Groundnuts (peanuts), in shell (Food and feed)	1202 41 00		Aflatoxins	50
		Groundnuts (peanuts), shelled (Food and feed)	1202 42 00			
		Peanut butter (Food and feed)	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved (Food and feed)	2008 11 91; 2008 11 96; 2008 11 98			
		Groundnut flours and meals (Food and feed)	ex1208 90 00	20		
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil (Food and feed)	2305 00 00			
15	India (IN)	Guar gum (Food and feed)	ex1302 32 90		Pentachlorophenol and dioxins ⁽⁴⁾	5
16	India (IN)	Peppers of the Capsicum species (other than sweet) (Food – fresh, chilled or frozen)	ex0709 60 99;	20	Pesticide residues ^{(6) (7)}	10
			ex0710 80 59	20		
17	India (IN)	<i>Sesamum</i> seeds (Food)	1207 40 90		<i>Salmonella</i> ⁽²⁾	20
					Pesticides residues ^{(5) (7)}	50
18	Iran (IR)	Pistachios, in shell (Food)	0802 51 00		Aflatoxins	50
		Pistachios,	0802 52 00			

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		shelled (Food)				
		Mixtures of nuts or dried fruits containing Pistachios (Food)	ex0813 50 39; ex0813 50 91; ex0813 50 99	60 60 60		
		Pistachio paste (Food)	ex2007 10 10; ex2007 10 99; ex2007 99 39; ex2007 99 50; ex2007 99 97	60 30 03; 04 32 22		
		Pistachios, prepared or preserved, including mixtures (Food)	ex2008 19 13; ex2008 19 93; ex2008 97 12; ex2008 97 14; ex2008 97 16; ex2008 97 18; ex2008 97 32; ex2008 97 34; ex2008 97 36; ex2008 97 38; ex2008 97 51; ex2008 97 59; ex2008 97 72; ex2008 97 74; ex2008 97 76; ex2008 97 78; ex2008 97 92; ex2008 97 93; ex2008 97 94; ex2008 97 96; ex2008 97 97; ex2008 97 98	20 20 19		
		Flour, meal and powder of pistachios (Food)	ex1106 30 90	50		
19	Sri Lanka (LK)	Peppers of the Capsicum species (sweet or other than sweet)	0904 21 10; ex0904 21 90; ex0904 22 00;	20 11;19	Aflatoxins	50

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		(Food – dried, roasted, crushed or ground)	ex2005 99 10; ex2005 99 80	10:90 94		
20	Nigeria (NG)	Watermelon (<i>Egusi, Citrullus spp.</i>) seeds and derived products (Food)	ex1207 70 00; ex1208 90 00; ex2008 99 99	10 10 50	Aflatoxins	50
21	Pakistan (PK)	Peppers of the Capsicum species (other than sweet) (Food – fresh, chilled or frozen)	ex0709 60 99; ex0710 80 59	20 20	Pesticide residues ⁽⁵⁾	20
22	Sudan (SD)	Groundnuts (peanuts), in shell (Food and feed)	1202 41 00		Aflatoxins	50
		Groundnuts (peanuts), shelled (Food and feed)	1202 42 00			
		Peanut butter (Food and feed)	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved (Food and feed)	2008 11 91; 2008 11 96; 2008 11 98			
		Groundnut flours and meals (Food and feed)	ex1208 90 00	20		
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil (Food and feed)	2305 00 00			
23	Sudan (SD)	<i>Sesamum</i> seeds	1207 40 90		<i>Salmonella</i> ⁽²⁾	50

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		(Food)				
24	Turkey (TR)	Dried figs (Food)	0804 20 90		Aflatoxins	20
		Mixtures of nuts or dried fruits containing figs (Food)	ex0813 50 99	50		
		Dried fig paste (Food)	ex2007 10 10; ex2007 10 99; ex2007 99 39; ex2007 99 50; ex2007 99 97	50 20 01; 02 31 21		
		Dried figs, prepared or preserved, including mixtures (Food)	ex2008 97 12;	11		
			ex2008 97 14;	11		
ex2008 97 16;	11					
ex2008 97 18;	11					
ex2008 97 32;	11					
ex2008 97 34;	11					
ex2008 97 36;	11					
ex2008 97 38;	11					
ex2008 97 51;	11					
ex2008 97 59;	11					
ex2008 97 72;	11					
ex2008 97 74;	11					
ex2008 97 76;	11					
ex2008 97 78;	11					
ex2008 97 92;	11					
ex2008 97 93;	11					
ex2008 97 94;	11					
ex2008 97 96;	11					
ex2008 97 97;	11					
ex2008 97 98;	11					
ex2008 99 28	10					
ex2008 99 34;	10					
ex2008 99 37;	10					
ex2008 99 40;	10					
ex2008 99 49;	60					
ex2008 99 67;	95					
ex2008 99 99	60					
Flour, meal or powder of dried figs (Food)	ex1106 30 90	60				

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
25	Turkey (TR)	Pistachios, in shell (Food)	0802 51 00		Aflatoxins	50
		Pistachios, shelled (Food)	0802 52 00			
		Mixtures of nuts or dried fruits containing pistachios (Food)	ex0813 50 39; ex0813 50 91; ex0813 50 99	60 60 60		
		Pistachio paste (Food)	ex2007 10 10; ex2007 10 99; ex2007 99 39; ex2007 99 50; ex2007 99 97	60 30 03; 04 32 22		
		Pistachios, prepared or preserved, including mixtures (Food)	ex2008 19 13; ex2008 19 93; ex2008 97 12; ex2008 97 14; ex2008 97 16; ex2008 97 18; ex2008 97 32; ex2008 97 34; ex2008 97 36; ex2008 97 38; ex2008 97 51; ex2008 97 59; ex2008 97 72; ex2008 97 74; ex2008 97 76; ex2008 97 78; ex2008 97 92; ex2008 97 93; ex2008 97 94; ex2008 97 96; ex2008 97 97; ex 2008 97 98	20 20 19		
		Flour, meal and powder of	ex1106 30 90	50		

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		pistachios (Food)				
26	Turkey (TR)	Vine leaves (Food)	ex2008 99 99	11; 19	Pesticide residues ^{(5) (8)}	50
27	Uganda (UG)	<i>Sesamum</i> seeds (Food)	1207 40 90		<i>Salmonella</i> ⁽²⁾	20
28	Vietnam (VN)	Pitahaya (dragon fruit) (Food – fresh or chilled)	ex0810 90 20	10	Pesticide residues ^{(5) (9)}	10

⁽¹⁾ Where only certain products under any CN code are required to be examined, the CN code is marked 'ex'.

⁽²⁾ The sampling and the analyses must be performed in accordance with the sampling procedures and the analytical reference methods set out in point 1(a) of Annex III to this Regulation.

⁽³⁾ The sampling and the analyses must be performed in accordance with the sampling procedures and the analytical reference methods set out in point 1(b) of Annex III to this Regulation.

⁽⁴⁾ The analytical report referred to in Article 10(3) of this Regulation must be issued by a laboratory accredited for the analysis of PCP in food and feed in accordance with BS EN ISO/IEC 17025:2017 "General requirements for the competence of testing and calibration laboratories" (published by the British Standards Institution on 30 June 2018 (ISBN 978 0 539 01414 3) and available from the British Standards Institution <https://knowledge.bsigroup.com>). The analytical report must indicate: (a) the results of sampling and analysis for the presence of PCP, performed by the competent authorities of the country of origin or of the country where the consignment is consigned from if that country is different from the country of origin; (b) the measurement uncertainty of the analytical result; (c) the limit of detection (LOD) of the analytical method; and (d) the limit of quantification (LOQ) of the analytical method. The extraction before analysis must be performed with an acidified solvent. The analysis must be carried out according to the modified version of the QuEChERS method as set out in the document "Analytical Quality Control and Method Validation Procedures for Pesticide Residues Analysis in Food and Feed" (SANTE 2017/11813) implemented on 1 January 2020 and available at https://www.eurl-pesticides.eu/userfiles/file/EurlALL/AqcGuidance_SANTE_2019_12682.pdf.

⁽⁵⁾ Residues of at least those pesticides listed in the control programme adopted in accordance with Article 29(2) of Regulation (EC) No 396/2005 of the European Parliament and of the Council on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC that can be analysed with multi-residue methods based on GC-MS and LC-MS (pesticides to be monitored in/on products of plant origin only).

⁽⁶⁾ Residues of Carbofuran.

⁽⁷⁾ Residues of ethylene oxide (sum of ethylene oxide and 2-chloro-ethanol, expressed as ethylene oxide).

⁽⁸⁾ Residues of dithiocarbamates (dithiocarbamates expressed as CS₂, including maneb, mancozeb, metiram, propineb, thiram and ziram) and metrafenone.

⁽⁹⁾ Residues of dithiocarbamates (dithiocarbamates expressed as CS₂, including maneb, mancozeb, metiram, propineb, thiram and ziram), Phenthoate and Quinalphos.

SCHEDULE 3

Regulation 2(5)(b)

Substitution of the second table in Annex 2 to Commission Implementing Regulation (EU) 2019/1793 in relation to England

“Table 2: England

Compound food containing any of the individual products listed in table 1 of this Annex due to risk of contamination by aflatoxins in a quantity above 20% of either a single product or as the sum of products listed referred to in Article 1(1)(b)(ii)

<i>CN Code⁽¹⁾</i>	<i>Description⁽²⁾</i>
ex 1704 90	Sugar confectionery (including white chocolate), not containing cocoa, other than chewing gum, whether or not sugar-coated.
ex 1806	Chocolate and other food preparations containing cocoa.
ex 1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products.
0910 91	Mixtures of spices ⁽³⁾ .

⁽¹⁾ Where only certain products under any CN code are required to be examined, the CN code is marked 'ex'.

⁽²⁾ The description of the goods is as laid down in the description column of the CN in Annex I to Regulation (EEC) No 2658/87(a).

⁽³⁾ Mixtures of two or more of the products of different headings are to be classified in the heading 0910.”

SCHEDULE 4

Regulation 2(6)

Substitution of the table in Annex 2a to Commission Implementing Regulation (EU) 2019/1793 in relation to England

“Table: England

Food and feed from certain third countries subject to suspension of entry into Great Britain referred to in Article 11a

<i>Row</i>	<i>Country of origin</i>	<i>Food and feed (intended use)</i>	<i>CN code⁽¹⁾</i>	<i>TARIC sub-division</i>	<i>Hazard</i>
1	Nigeria (NG)	Food consisting of dried beans (Food)	0713 35 00 0713 39 00 0713 90 00		Pesticide residues

⁽¹⁾ Where only certain products under any CN code are required to be examined, the CN code is marked 'ex'.”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Commission Implementing Regulation (EU) 2019/1793 on the temporary increase of official controls and emergency measures governing the entry into the

(a) EUR 1987/2658.

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 (“Regulation (EU) 2019/1793”) in relation to England.

Regulation 2 replaces the tables in Annexes 1, 2 and 2a of Regulation (EU) 2019/1793.

In the first table in Annex I to Regulation (EU) 2019/1793, the following entries have been amended in respect of the frequency of identity and physical checks:

- increase from 20% to 50% for black pepper from Brazil for *Salmonella*;
- decrease from 50% to 20% for hazelnuts and associated products from Georgia for aflatoxins;
- increase from 10% to 20% for okra from India for pesticide residues;
- increase from 20% to 50% for jackfruit from Malaysia for pesticide residues;
- increase from 10% to 20% for peppers of the *Capsicum* species (other than sweet) from Thailand for pesticide residues;
- increase from 5% to 20% for mandarins (including tangerines and satsumas), clementine, wilkings and similar citrus hybrids from Turkey for pesticide residues;
- increase from 10% to 20% for oranges from Turkey for pesticide residues;
- increase from 10% to 20% sweet peppers (*capsicum annuum*) from Turkey for pesticides residues;
- increase from 20% to 50% for peppers of the *Capsicum* species (other than sweet) from Uganda for pesticide residues.

The following entries have been inserted into Annex 1 to Regulation (EU) 2019/1793:

- groundnuts (peanuts) and associated products from Brazil in respect of pesticide residues;
- food containing or consisting of betel leaves from Thailand;
- lemons from Turkey;
- peppers of the *Capsicum* species (other than sweet) from Turkey.

The following entries have been transferred from the first table in Annex 2 to Regulation (EU) 2019/1793 to the table in Annex 1 with no change in the frequency of identity and physical checks:

- groundnuts (peanuts) and associated products from Brazil;
- hazelnuts and associated products from Turkey.

The entry for groundnuts and associated products from China for aflatoxins has been transferred from the first table in Annex 1 to Regulation (EU) 2019/1793 to the table in Annex 1. The frequency of physical and identity checks has been decreased from 20% to 10%.

The following entries have been omitted from the table in Annex 1 to Regulation (EU) 2019/1793:

- goji berries from China for pesticides residues;
- dried grapes (including dried grapes cut or crushed into a paste without further treatment) from Turkey for Ochratoxin A;
- pistachios and associated products from the United States for aflatoxins.

The following entries have been transferred from Annex 1 to Regulation (EU) 2019/1793 to the first table in Annex 2 with no change in the frequency of identity and physical checks:

- *sesamum seeds* from Ethiopia.
- peppers of the *Capsicum* species (sweet or other than sweet) from Sri Lanka.

The following entries in the first table in Annex 2 to Regulation (EU) 2019/1793 have been amended in respect of identity and physical checks:

- increase from 10% to 50% for groundnuts (peanuts) and associated products from India for aflatoxins;
- increase from 20% to 50% for *sesamum seeds* from Sudan for *Salmonella*;
- increase from 20% to 50% for vine leaves from Turkey for pesticides residues.

The entry for food containing or consisting of betel leaves (Piper betle) from Bangladesh has been transferred from the table in Annex 2a to Regulation (EU) 2019/1793 to the first table in Annex 2.

An entry for *sesamum seeds* from Uganda has been included in the first table in Annex 2 to Regulation (EU) 2019/1793.

The entry for mixtures of spices has been included in the second table in Annex 2 to Regulation (EU) 2019/1793.

The TARIC sub-division for betel leaves (Piper betle) from Bangladesh, India and Thailand has been removed.

The TARIC sub-division for Guar Gum from India has been removed to reflect changes made by HMRC.

An impact assessment has not been produced for this instrument as no, or no significant impact on the public, private or voluntary sector is foreseen. An explanatory memorandum has been published alongside this instrument at www.legislation.gov.uk.

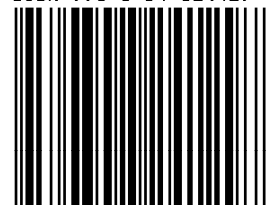
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