

2022 No.

AGRICULTURE, ENGLAND

FOOD, ENGLAND

The Official Controls (Imports of High Risk Food and Feed not of Animal Origin) (Amendment) (England) Regulations 2022

<i>Made</i>	- - - -	***
<i>Laid before Parliament</i>		***
<i>Coming into force</i>		***

The Secretary of State, in exercise of the powers conferred by Article 53(1)(b) 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 (“Regulation 178/2002”)(a) and Articles 47(2)(b), 54(4)(a) and 54(4)(b) 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 amending Regulations (EC) No. 999/2001, (EC) No. 396/2005, (EC) No. 1069/2009, (EC) No. 1107/2009, (EU) No. 1151/2012, (EU) No. 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No. 1/2005 and (EC) No. 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No. 854/2004 and (EC) No. 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation)(b), makes the following Regulation.

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.

Title, commencement, extent and application

1.—(1) These Regulations may be cited as the Official Controls (Imports of High Risk Food and Feed not of Animal Origin) (Amendment) (England) Regulations 2022 and come into force on XX.XX.XX.

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

(a) EUR 178/2002. Article 53(1) was amended by S.I. 2019/641 and S.I. 2022/377. Article 3(19) (the definition of “appropriate authority”) was inserted by S.I. 2019/641.
(b) EUR 2017/625. Articles 47(2)(b) and 54(4) were amended by S.I. 2020/1481. Article 3(2A) (the definition of “the appropriate authority”) was inserted by S.I. 2020/1481.

Amendment of 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

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 1(b)(i), for “Table 1” substitute “Table 1 (England)”.

(3) In Article 1(b)(ii)—

(a) for Table 1 substitute Table 1 (England);

(b) for Table 2 substitute Table 2 (England).

(4) In Article 8 —

(a) for both references to “Table 2” substitute “Table 2 (England)”;

(b) for both references to “Table 1” substitute “Table 1 (England)”.

(5) In Annex 1, for the table substitute the table in Schedule 1.

(6) In Annex 2 —

(a) for Table 1 substitute the table in the Schedule 2;

(b) for Table 2 substitute the table in Schedule 3.

(7) In Annex 2(a), for the table substitute the table in Schedule 4.

Signatory text

Address

Date

Name
Parliamentary Under Secretary of State
Department

SCHEDULES

SCHEDULE 1

Regulation 2(5)

“Table 1: (England)

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

<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	Bolivia (BO)	Groundnuts (peanuts), in shell	12024100		Aflatoxins	50
		Groundnuts (peanuts), shelled	12024200			
		Peanut butter	20081110			
		Groundnuts (peanuts), otherwise prepared or preserved	20081191; 20081196; 20081198			
		Groundnut flours and meals	ex12089000	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>)	23050000			
2	Brazil (BR)	Black pepper (<i>Piper</i>) (<i>Food – neither crushed nor ground</i>)	ex09041100	10	<i>Salmonella</i> ⁽²⁾	50
3	Brazil (BR)	Groundnuts (peanuts), in shell	12024100		Aflatoxins	10
		Groundnuts (peanuts), shelled	12024200			
		Peanut butter	20081110			
		Groundnuts (peanuts), otherwise prepared or preserved	20081191; 20081196; 20081198			
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil	23050000			
		Groundnut flours	ex12089000	20		

<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>
4	Brazil (BR)	and meals (Food and feed) Groundnuts (peanuts) in shell Groundnuts (peanuts), shelled Peanut butter Groundnuts (peanuts), otherwise prepared or preserved Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil Groundnut flours and meals	12024100 12024200 20081110 20081191; 20081196; 20081198 23050000 ex 12089000	20	Pesticide residues ⁽³⁾	20
5	China (CN)	(Food and feed) Groundnuts (peanuts) in shell Groundnuts (peanuts), shelled Peanut butter Groundnuts (peanuts), otherwise prepared or preserved Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil Groundnut flours and meals	12024100 12024200 20081110 20081191; 20081196; 20081198 23050000 ex12089000	20	Aflatoxins	10
6	China (CN)	(Food and feed) Sweet peppers (<i>Capsicum annuum</i>)	ex09042200	11	<i>Salmonella</i> ⁽⁴⁾	20

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		(Food – crushed or ground)				
7	China (CN)	Tea, whether or not flavoured	0902		Pesticide residues ⁽⁵⁾⁽⁶⁾	20
		(Food)				
8	Dominican Republic (DO)	Aubergines (<i>Solanum melongena</i>)	07093000		Pesticide residues ⁽⁵⁾	20
		(Food – fresh or chilled)				
9	Dominican Republic (DO)	Sweet peppers (<i>Capsicum annuum</i>)	07096010; 07108051		Pesticide residues ⁽⁵⁾⁽⁷⁾	50
		Peppers of the <i>Capsicum</i> species (other than sweet)	ex07096099; ex07108059	20 20		
		Yardlong beans (<i>Vigna unguiculata ssp.sesquipedali</i> , <i>Vigna unguiculata ssp.unguiculata</i>)	ex07082000; ex07102200	10 10		
		(Food – fresh, chilled or frozen)				
10	Egypt (EG)	Sweet peppers (<i>Capsicum annuum</i>)	07096010; 07108051		Pesticide residues ⁽⁵⁾⁽⁸⁾	20
		Peppers of the <i>Capsicum</i> species (other than sweet)	ex07096099; ex07108059	20 20		
		(Food – fresh, chilled or frozen)				
11	Georgia (GE)	Hazelnuts (<i>Corylus sp.</i>), in shell	08022100		Aflatoxins	20
		Hazelnuts (<i>Corylus sp.</i>), shelled	08022200			
		Flour, meal and powder of hazelnuts	ex11063090	40		
		Mixtures of nuts or dried fruits	ex08135039; ex08135091;	70 70		

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		containing hazelnuts	ex08135099	70		
		Hazelnut paste	ex20071010;	70		
			ex20071099;	40		
			ex20079939;	05;06		
			ex20079950;	33		
			ex20079997	23		
		Hazelnuts, otherwise prepared or preserved, including mixtures (Food)	ex20081912;	30		
			ex20081919;	30		
			ex20081992;	30		
			ex20081995;	20		
			ex20081999;	30		
			ex20089712;	15		
			ex20089714;	15		
			ex20089716;	15		
			ex20089718;	15		
			ex20089732;	15		
			ex20089734;	15		
			ex20089736;	15		
			ex20089738;	15		
			ex20089751;	15		
			ex20089759;	15		
			ex20089772;	15		
			ex20089774;	15		
			ex20089776;	15		
			ex20089778;	15		
			ex20089792;	15		
			ex20089793;	15		
			ex20089794;	15		
			ex20089796;	15		
			ex20089797;	15		
			ex20089798	15		
12	Ghana (GH)	Palm oil (Food)	15111090;		Sudan dyes ⁽⁹⁾	50
			15119011;			
			ex15119019;	90		
			15119099			
13	India (IN)	Curry leaves (<i>Bergera/ Murraya koenigii</i>) (Food – fresh, chilled, frozen or dried)	ex12119086		Pesticide residues ⁽⁵⁾⁽¹⁰⁾	50
14	India (IN)	Okra (Food – fresh, chilled or frozen)	ex07099990;	20	Pesticide residues ⁽⁵⁾⁽¹¹⁾	20
			ex07108095	30		

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
15	Kenya (KE)	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) (Food – fresh or chilled)	070820		Pesticide residues ⁽⁵⁾	10
16	Cambodia (KH)	Chinese celery (<i>Apium graveolens</i>) (Food – fresh or chilled herb)	ex07094000	20	Pesticide residues ⁽⁵⁾⁽¹²⁾	50
17	Cambodia (KH)	Yardlong beans (<i>Vigna unguiculata</i> ssp. <i>sesquipedali</i> , <i>Vigna unguiculata</i> ssp. <i>unguiculata</i>) (Food – fresh, chilled or frozen vegetables)	ex07082000; ex07102200	10 10	Pesticide residues ⁽⁵⁾⁽¹³⁾	50
18	Lebanon (LB)	Turnips (<i>Brassica rapa</i> ssp. <i>rapa</i>) (Food – prepared or preserved by vinegar or acetic acid)	ex20019097	11; 19	Rhodamine B	50
19	Lebanon (LB)	Turnips (<i>Brassica rapa</i> ssp. <i>rapa</i>) (Food – prepared or preserved by brine or citric acid, not frozen)	ex20059980	93	Rhodamine B	50
20	Madagascar (MG)	Groundnuts (peanuts), in shell Groundnuts (peanuts), shelled Peanut butter Groundnuts (peanuts), otherwise prepared or preserved	12024100 12024200 20081110 20081191; 20081196; 20081198		Aflatoxins	50

<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>
		Groundnut flours and meals	ex12089000	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)	23050000			
21	Malaysia (MY)	Jackfruit (Artocarpus heterophyllus) (Food – fresh)	ex08109020	20	Pesticide residues ⁽⁵⁾	50
22	Nigeria (NG)	Sesamum seeds (Food)	12074090		Salmonella ⁽²⁾	50
23	Pakistan (PK)	Spice mixes (Food)	09109110; 09109190		Aflatoxins	50
24	Sierra Leone (SL)	Watermelon (<i>Egusi, Citrullus spp.</i>) seeds and derived products (Food)	ex12077000; ex12089000; ex20089999	10 10 50	Aflatoxins	50
25	Senegal (SN)	Groundnuts (peanuts), in shell	12024100		Aflatoxins	50
		Groundnuts (peanuts), shelled	12024200			
		Peanut butter	20081110			
		Groundnuts (peanuts), otherwise prepared or preserved	20081191; 20081196; 20081198			
		Groundnut flours and meals	ex12089000	20		
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of	23050000			

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		groundnut oil (Food and feed)				
26	Syria (SY)	Turnips <i>(Brassica rapa ssp. rapa)</i> (Food – prepared or preserved by vinegar or acetic acid)	ex20019097	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)	ex20059980	93	Rhodamine B	50
	Thailand (TH)	Foodstuffs containing or consisting of betel leaves <i>(Piper betle)</i> (Food)	ex14049000		<i>Salmonella</i> ⁽⁴⁾	10
28	Thailand (TH)	Peppers of the Capsicum species (other than sweet) (Food – fresh, chilled or frozen)	ex07096099; ex07108059	20 20	Pesticide residues ⁽⁵⁾⁽¹⁴⁾	20
29	Turkey (TR)	Hazelnuts <i>(Corylus sp.)</i> in shell Hazelnuts <i>(Corylus sp.)</i> shelled Mixtures of nuts or dried fruits containing hazelnuts Hazelnut paste	08022100 08022200 ex08135039; ex08135091; ex08135099 ex20071010; ex20071099; ex20079939; ex20079950; ex20079997	70 70 70 70 40 05;06 33 23	Aflatoxins	5

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
32	Turkey (TR)	Oranges <i>(Food – fresh or dried)</i>	080510		Pesticide residues ⁽⁵⁾	20
33	Turkey (TR)	Pomegranates <i>(Food – fresh or chilled)</i>	ex08109075	30	Pesticide residues ⁽⁵⁾⁽¹⁶⁾	20
34	Turkey (TR)	Sweet Peppers <i>(Capsicum annuum)</i> <i>(Food – fresh, chilled or frozen)</i>	07096010; 07108051		Pesticide residues ⁽⁵⁾⁽¹⁷⁾	20
35	Turkey (TR)	Peppers of the Capsicum species (other than sweet) <i>(Food – fresh, chilled or frozen)</i>	ex07096099; ex07108059	20 20	Pesticide residues ⁽⁵⁾	20
36	Turkey (TR)	Unprocessed whole, ground, milled, cracked, chopped apricot kernels intended to be placed on the market for the final consumer ⁽¹⁸⁾⁽¹⁹⁾ <i>(Food)</i>	ex12129995	20	Cyanide	50
37	Uganda (UG)	Peppers of the Capsicum species (other than sweet) <i>(Food – fresh, chilled or frozen)</i>	ex07096099; ex07108059	20 20	Pesticide residues ⁽⁵⁾	50
38	United States (US)	Groundnuts (peanuts), in shell Groundnuts (peanuts), shelled Peanut butter Groundnuts (peanuts), otherwise prepared or	12024100 12024200 20081110 20081191; 20081196; 20081198		Aflatoxins	10

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		preserved				
		Groundnut flours and meals	ex12089000	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>)	23050000			
39	Uzbekistan (UZ)	Dried apricots	08131000		Sulphites ⁽²⁰⁾	50
		Apricots, otherwise prepared or preserved (<i>Food</i>)	200850			
40	Vietnam (VN)	Coriander leaves	ex07099990	72	Pesticide residues ⁽⁵⁾⁽²¹⁾	50
		Basil (holy, sweet)	ex12119086	20		
		Mint	ex12119086	30		
		Parsley (<i>Food – fresh or chilled herbs</i>)	ex07099990	40		
41	Vietnam (VN)	Okra (<i>Food – fresh, chilled or frozen</i>)	ex07099990; ex07108095	20 30	Pesticide residues ⁽⁵⁾⁽²¹⁾	50
42	Vietnam (VN)	Peppers of the Capsicum species (other than sweet) (<i>Food – fresh, chilled or frozen</i>)	ex07096099; ex07108059	20 20	Pesticide residues ⁽⁵⁾⁽²¹⁾	50

⁽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 shall 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 & Haloxyfop.

- (4) The sampling and the analyses shall 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(2) of Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC (OJL 70, 16.3.2005, p. 1) 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 of 29 April 2004 on the hygiene of foodstuffs (OJ L 139, 30.4.2004, p. 1).
- (19) 'Placing on the market' and 'final consumer' as defined in Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 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 (OJ L 31, 1.2.2002, p. 1).
- (20) Reference methods: EN 1988-1:1998, EN 1988-2:1998 or ISO 5522:1981.
- (21) Residues of Dithiocarbamates (dithiocarbamates expressed as CS₂, including maneb, mancozeb, metiram, propineb, thiram and ziram), Phenthoate and Quinalphos.

SCHEDULE 2

Regulation 2(6)(a)

Table 1: (England)

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

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
1	Argentina (AR)	Groundnuts (peanuts), in shell	12024100		Aflatoxins	5
		Groundnuts (peanuts), shelled	12024200			
		Peanut butter	20081110			
		Groundnuts (peanuts), otherwise prepared or preserved	20081191; 20081196; 20081198			
		Groundnut flours and meals	ex12089000	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)	23050000			
2	Azerbaijan (AZ)	Hazelnuts (<i>Corylus sp.</i>) in shell	08022100		Aflatoxins	20
		Hazelnuts (<i>Corylus sp.</i>) shelled	08022200			
		Mixtures of nuts or dried fruits containing hazelnuts	ex08135039; ex08135091; ex08135099	70 70 70		
		Hazelnut paste	ex20071010; ex20071099; ex20079939; ex20079950; ex20079997	70 40 05;06 33 23		
			ex20081912; ex20081919; ex20081992; ex20081995; ex20081999; ex20089712;	30 30 30 20 30 15		

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
			ex20089714;	15		
			ex20089716;	15		
			ex20089718;	15		
			ex20089732;	15		
			ex20089734;	15		
			ex20089736;	15		
			ex20089738;	15		
			ex20089751;	15		
			ex20089759;	15		
			ex20089772;	15		
			ex20089774;	15		
			ex20089776;	15		
			ex20089778;	15		
			ex20089792;	15		
			ex20089793;	15		
			ex20089794;	15		
			ex20089796;	15		
			ex20089797;	15		
			ex20089798	15		
		Flour, meal and powder of hazelnuts	ex11063090	40		
		Hazelnut oil	ex15159099	20		
3	Bangladesh (BD)	Foodstuffs containing or consisting of betel leaves (Piper betle) (Food)	ex14049000		Salmonella	50
4	Brazil (BR)	Brazil nuts in shell	08012100		Aflatoxins	50
		Mixtures of nuts or dried fruits containing Brazil nuts in shell. (Food)	ex08135031;	20		
			ex08135039;	20		
			ex08135091;	20		
			ex08135099	20		
5	Egypt (EG)	Groundnuts (peanuts), in shell	12024100		Aflatoxins	20
		Groundnuts (peanuts), shelled	12024200			
		Peanut butter	20081110			

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		Groundnuts (peanuts), otherwise prepared or preserved	20081191; 20081196; 20081198			
		Groundnut flours and meals	ex12089000	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)	23050000			
6	Ethiopia (ET)	Pepper of the genus Piper; dried or crushed or ground fruit of the genus Capsicum or of the genus Pimenta	0904		Aflatoxins	50
		Ginger, saffron, turmeric (curcuma), thyme, bay leaves, curry and other spices (Food – dried spices)	0910			
7	Ethiopia (ET)	Sesamum seeds (Food)	12074090		Salmonella ⁽²⁾	50
8	Ghana (GH)	Groundnuts (peanuts), in shell	12024100		Aflatoxins	50
		Groundnuts (peanuts), shelled	12024200			
		Peanut butter	20081110			
		Groundnuts (peanuts), otherwise	20081191; 20081196; 20081198			

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 Groundnut flours and meals 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>)	ex12089000 23050000	20		
9	Gambia (GM)	Groundnuts (peanuts), in shell Groundnuts (peanuts), shelled Peanut butter Groundnuts (peanuts), otherwise prepared or preserved	12024100 12024200 20081110 20081191; 20081196; 20081198		Aflatoxins	50
		Groundnut flours and meals 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>)	ex12089000 23050000	20		
10	Indonesia (ID)	Nutmeg (<i>Myristica fragrans</i>) (<i>Food – dried spices</i>)	09081100; 09081200		Aflatoxins	20
11	India (IN)	Foodstuffs containing or consisting of betel leaves	ex14049000		<i>Salmonella</i> ⁽³⁾	10

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
12	India (IN)	(<i>Piper betle</i>) (Food) Nutmeg (<i>Myristica fragrans</i>) (Food – dried spices)	09081100; 09081200		Aflatoxins	20
13	India (IN)	Peppers of the Capsicum species (sweet or other than sweet) (Food – dried, roasted, crushed or ground)	09042110; ex09042200; ex09042190; ex20059910; ex20059980	11; 19 20 10; 90 94	Aflatoxins	20
14	India (IN)	Groundnuts (peanuts), in shell Groundnuts (peanuts), shelled Peanut butter Groundnuts (peanuts), otherwise prepared or preserved Groundnut flours and meals 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)	12024100 12024200 20081110 20081191; 20081196; 20081198 ex12089000 23050000	20	Aflatoxins	50
15	India (IN)	Guar gum (Food and feed)	ex13023290		Pentachloro henol and dioxins ⁽⁴⁾	5
16	India (IN)	Peppers of the Capsicum species (other	ex07096099; ex07108059	20 20	Pesticide residues ⁽⁶⁾⁽⁷⁾	10

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
19	Sri Lanka (LK)	pistachios (Food) Peppers of the Capsicum species (sweet or other than sweet) (Food – dried, roasted, crushed or ground)	09042110; ex09042190; ex09042200; ex20059910; ex20059980	20 11;19 10:90 94	Aflatoxins	50
20	Nigeria (NG)	Watermelon (<i>Egusi, Citrullus spp.</i>) seeds and derived products (Food)	ex12077000; ex12089000; ex20089999	10 10 50	Aflatoxins	50
21	Pakistan (PK)	Peppers of the Capsicum species (other than sweet) (Food – fresh, chilled or frozen)	ex07096099; ex07108059	20 20	Pesticide residues ⁽⁵⁾	20
22	Sudan (SD)	Groundnuts (peanuts), in shell Groundnuts (peanuts), shelled Peanut butter Groundnuts (peanuts), otherwise prepared or preserved Groundnut flours and meals 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)	12024100 12024200 20081110 20081191; 20081196; 20081198 ex12089000 23050000	20	Aflatoxins	50

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
23	Sudan (SD)	Sesamum seeds (Food)	12074090		Salmonella ⁽²⁾	50
24	Turkey (TR)	Dried figs	08042090		Aflatoxins	20
		Mixtures of nuts or dried fruits containing figs	ex08135099	50		
		Dried fig paste	ex20071010;	50		
			ex20071099;	20		
			ex20079939;	01; 02		
			ex20079950;	31		
			ex20079997	21		
		Dried figs, prepared or preserved, including mixtures	ex20089712;	11		
			ex20089714;	11		
			ex20089716;	11		
			ex20089718;	11		
			ex20089732;	11		
			ex20089734;	11		
			ex20089736;	11		
			ex20089738;	11		
			ex20089751;	11		
			ex20089759;	11		
			ex20089772;	11		
			ex20089774;	11		
			ex20089776;	11		
			ex20089778;	11		
			ex20089792;	11		
			ex20089793;	11		
			ex20089794;	11		
			ex20089796;	11		
			ex20089797;	11		
			ex20089798;	11		
			ex20089928	10		
			ex20089934;	10		
			ex20089937;	10		
			ex20089940;	10		
			ex20089949;	60		
			ex20089967;	95		
			ex20089999	60		
		Flour, meal or powder of dried figs (Food)	ex11063090	60		
25	Turkey (TR)	Hazelnuts <i>(Corylus)</i>	08022100		Aflatoxins	5

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		<i>sp.</i>) in shell				
		Hazelnuts (<i>Corylus sp.</i>) shelled	08022200			
		Mixtures of nuts or dried fruits containing hazelnuts	ex08135039;	70		
			ex08135091;	70		
			ex08135099	70		
		Hazelnut paste	ex20071010;	70		
			ex20071099;	40		
			ex20079939;	05;06		
			ex20079950;	33		
			ex20079997	23		
		Hazelnuts, otherwise prepared or preserved, including mixtures	ex20081912;	30		
			ex20081919;	30		
			ex20081992;	30		
			ex20081995;	20		
			ex20081999;	30		
			ex20089712;	15		
			ex20089714;	15		
			ex20089716;	15		
			ex20089718;	15		
			ex20089732;	15		
			ex20089734;	15		
			ex20089736;	15		
			ex20089738;	15		
			ex20089751;	15		
			ex20089759;	15		
			ex20089772;	15		
			ex20089774;	15		
			ex200 89776;	15		
			ex20089778;	15		
			ex20089792;	15		
			ex20089793;	15		
			ex20089794;	15		
			ex20089796;	15		
			ex20089797;	15		
			ex20089798	15		
		Flour, meal and powder of hazelnuts	ex11063090	40		
		Hazelnut oil (<i>Food</i>)	ex15159099	20		
26	Turkey (TR)	Pistachios, in shell	08025100		Aflatoxins	50

(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 shall 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 shall 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 shall be issued by a laboratory accredited in accordance with EN ISO/IEC 17025 for the analysis of PCP in food and feed. The analytical report shall 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 shall be performed with an acidified solvent. The analysis shall be carried out according to the modified version of the QuEChERS method as set out on the website of the European Union Reference Laboratories for Residues of Pesticides or according to an equally reliable method.

(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 of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC (OJL 70, 16.3.2005, p. 1) 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.

(10) 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. For further explanation of the exact coverage of the Common Customs Tariff, please refer to the latest amendment to that Annex.

SCHEDULE 3

Regulation 2(6)(b)

Table 2: (England)

Compound food referred to in Article 1(1)(b)(ii)

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.

<i>CN Code</i> ⁽¹⁾	<i>Description</i> ⁽¹⁰⁾
ex170490	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	Mixtures of spices

⁽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 shall 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 shall 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 shall be issued by a laboratory accredited in accordance with EN ISO/IEC 17025 for the analysis of PCP in food and feed. The analytical report shall 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 shall be performed with an acidified solvent. The analysis shall be carried out according to the modified version of the QuEChERS method as set out on the website of the European Union Reference Laboratories for Residues of Pesticides or according to an equally reliable method.

⁽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 of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC (OJL 70, 16.3.2005, p. 1) 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.

⁽¹⁰⁾ 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. For further explanation of the exact coverage of the Common Customs Tariff, please refer to the latest amendment to that Annex.

SCHEDULE 4

Regulation 2(7)

Table 1: (England)

<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)	Foodstuffs consisting of dried beans (Food)	07133500 07133900 07139000		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 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 2 substitutes and replaces Annex 1, Annex 2 Table 1, Annex 2 Table 2 and Annex 2a.

The following entries have been amended in respect of identity and physical checks in Annex I:-

- a) Increase from 20% to 50% for black pepper from Brazil for *Salmonella*.
- b) Decrease from 50% to 20% for hazelnuts and associated products from Georgia for aflatoxins.
- c) Increase from 10% to 20% for okra from India for pesticide residues.
- d) Increase from 20% to 50% for jackfruit from Malaysia for pesticide residues.
- e) Increase from 10% to 20% for peppers of the *Capsicum* species (other than sweet) from Thailand for pesticide residues.
- f) Increase from 5% to 20% for mandarins (including tangerines and satsumas), clementine, wilkings and similar citrus hybrids from Turkey for pesticide residues.
- g) Increase from 10% to 20% for oranges from Turkey for pesticide residues.
- h) Increase from 10% to 20% sweet peppers (*capsicum annuum*) from Turkey for pesticides residues.
- i) 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 I.

- a) Groundnuts (peanuts) and associated products from Brazil in respect of pesticide residues.
- b) Foodstuffs containing or consisting of betel leaves from India.
- c) Lemons from Turkey.
- d) Peppers of the *Capsicum* species (other than sweet) from Turkey.

The following entries have been transferred from Annex II to Annex I with no change in the frequency of identity and physical checks:

- a) Groundnuts (peanuts) and associated products from Brazil.
- b) Hazelnuts and associated products from Turkey.

The entry for groundnuts and associated products from China for aflatoxins has been transferred from Annex II, Table 1 to Annex I. The frequency of physical and identity checks has been decreased from 20% to 10%.

The following entries have been omitted from Annex I:-

- a) Goji berries from China for pesticides residues.

- b) Dried grapes (including dried grapes cut or crushed into a paste without further treatment) from Turkey for Ochratoxin A.
- c) Pistachios and associated products from the United States for aflatoxins.

The following entries have been transferred from Annex I to Annex II with no change in the frequency of identity and physical checks.

- a) *Sesamum seeds* from Ethiopia.
- b) Peppers of the *Capsicum* species (sweet or other than sweet) from Sri Lanka.

The following entries have been amended in respect of identity and physical checks in Annex 2:-

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

The entry for foodstuffs containing or consisting of betel leaves (*Piper betle*) from Bangladesh has been transferred from Annex 2a to Annex 2, Table 1.

The entry for *sesamum seeds* from Uganda has been included in Annex 2, Table 1.

The entry for mixture of spices has been included in Annex 2, Table 2.

The TARIC sub-division for betle leaves from Bangladesh and India have 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.