
SCOTTISH STATUTORY INSTRUMENTS

2022 No.

AGRICULTURE

FOOD

The Official Controls (Import of High Risk Food and Feed of Non-Animal Origin) Amendment (Scotland) Regulations 2022

<i>Made</i>	- - - -	2022
<i>Laid before the Scottish Parliament</i>		2022
<i>Coming into force</i>	- -	2022

The Scottish Ministers make the following Regulations 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^(a) (“Regulation 178/2002”), and Articles 47(2)(b) and 54(4)(a) and (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 ^(b) and all other powers enabling them to do so.

There has been consultation as required by Article 9 of Regulation 178/2002.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Official Controls (Import of High Risk Food and Feed of Non-Animal Origin) Amendment (Scotland) Regulations 2022 and come into force on xxxxxxxx.

(2) These Regulations extend to Scotland only.

^(a) EUR 178/2002, as amended by S.I. 2019/641 and S.I. 2020/1504.
^(b) EUR 2017/625, as amended by S.I. 2020/1481.

Amendment of Commission Implementing Regulation (EU) 2019/1793

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^(a) is amended as follows.

- (2) For Annex 1, substitute the Annex in schedule 1.
- (3) For Annex 2, substitute the Annex in schedule 2.
- (4) For Annex 2(a), substitute the Annex in schedule 3.

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh

2022

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

SCHEDULE 1

Regulation 2(2)

New Annex 1

“ANNEX I

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

<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>
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. This applies to all the above entries relating to groundnuts from Bolivia.)</i>	23050000			
Brazil (BR)	Black pepper (<i>Piper</i>) <i>(Food – neither crushed nor ground)</i>	ex09041100	10	<i>Salmonella⁽²⁾</i>	50
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 and meals <i>(Food and feed. This applies to all the above entries relating to groundnuts from Brazil.)</i>	ex12089000	20		
Brazil (BR)	Groundnuts (peanuts) in shell	12024100		Pesticide residues ⁽³⁾	20
	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 and meals <i>(Food and feed. This applies to all the above entries relating to groundnuts from Brazil.)</i>	ex 12089000	20		
China (CN)	Groundnuts (peanuts) in shell	12024100		Aflatoxins	10
	Groundnuts (peanuts), shelled	12024200			
	Peanut butter	20081110			
	Groundnuts (peanuts), otherwise	20081191; 20081196; 20081198			

	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	23050000			
	Groundnut flours and meals <i>(Food and feed. This applies to all the above entries relating to groundnuts from China.)</i>	ex12089000	20		
China (CN)	Sweet peppers <i>(Capsicum annuum)</i> <i>(Food – crushed or ground)</i>	ex09042200	11	<i>Salmonella</i> ⁽⁴⁾	20
China (CN)	Tea, whether or not flavoured <i>(Food)</i>	0902		Pesticide residues ^{(5) (6)}	20
Dominican Republic (DO)	Aubergines <i>(Solanum melongena)</i> <i>(Food – fresh or chilled)</i>	07093000		Pesticide residues ⁽⁵⁾	20
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, Vigna unguiculata ssp.unguiculata)</i> <i>(Food – fresh, chilled or frozen. This applies to all the above entries relating to foods from Dominican Republic.)</i>	ex07082000; ex07102200	10 10		
Egypt (EG)	Sweet peppers <i>(Capsicum annuum)</i>	07096010; 07108051		Pesticide residues ^{(5) (8)}	20
	Peppers of the	ex07096099;	20		

	<i>Capsicum</i> species (other than sweet) (Food – fresh, chilled or frozen. This applies to all the above entries relating to peppers from Egypt.)	ex07108059	20		
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		
	Hazelnuts, otherwise prepared or preserved (Food. This applies to all the above entries relating to hazelnuts from Georgia.)	ex20081919; ex20081995; ex20081999	30 20 30		
Ghana (GH)	Palm oil (Food)	15111090; 15119011; ex15119019; 15119099	90	Sudan dyes ⁽⁹⁾	50
India (IN)	Curry leaves (<i>Bergera/ Murraya koenigii</i>) (Food – fresh, chilled, frozen or dried)	ex12119086	10	Pesticide residues ^{(5) (10)}	50
India (IN)	Okra (Food – fresh, chilled or frozen)	ex07099990; ex07108095	20 30	Pesticide residues ^{(5) (11)}	20
Kenya (KE)	Beans (<i>Vigna spp., Phaseolus spp.</i>) (Food – fresh or chilled)	070820		Pesticide residues ⁽⁵⁾	10
Cambodia (KH)	Chinese celery (<i>Apium graveolens</i>) (Food – fresh or chilled herb)	ex07094000	20	Pesticide residues ^{(5) (12)}	50
Cambodia (KH)	Yardlong beans (<i>Vigna unguiculata</i>)	ex07082000; ex07102200	10 10	Pesticide residues ^{(5) (13)}	50

	<i>ssp.sesquipedali</i> , <i>Vigna</i> <i>unquiculata</i> <i>ssp.unquiculata</i>) (Food – fresh, chilled or frozen vegetables)				
Lebanon (LB)	Turnips (<i>Brassica rapa ssp. rapa</i>) (Food – prepared or preserved by vinegar or acetic acid)	ex20019097	11; 19	Rhodamine B	50
Lebanon (LB)	Turnips (<i>Brassica rapa ssp. rapa</i>) (Food – prepared or preserved by brine or citric acid, not frozen)	ex20059980	93	Rhodamine B	50
Madagascar (MG)	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 (Food and feed. This applies to all the above entries relating to groundnuts from Madagascar.)	23050000			
Malaysia (MY)	Jackfruit (<i>Artocarpus heterophyllus</i>) (Food – fresh)	ex08109020	20	Pesticide residues ⁽⁵⁾	50
Nigeria (NG)	<i>Sesamum</i> seeds (Food)	12074090		<i>Salmonella</i> ⁽²⁾	50
Pakistan (PK)	Spice mixes (Food)	09109110; 09109190		Aflatoxins	50
Sierra Leone	Watermelon	ex12077000;	10	Aflatoxins	50

(SL)	(<i>Egusi, Citrullus spp.</i>) seeds and derived products (Food)	ex12089000; ex20089999	10 50		
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 groundnut oil (Food and feed. This applies to all the above entries relating to groundnuts from Senegal.)	23050000			
Syria (SY)	Turnips (<i>Brassica rapa ssp. rapa</i>) (Food – prepared or preserved by vinegar or acetic acid)	ex20019097	11; 19	Rhodamine B	50
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)	14049000		<i>Salmonella</i> ⁽⁴⁾	10
Thailand (TH)	Peppers of the <i>Capsicum</i> species (other than sweet) (Food – fresh, chilled or frozen)	ex07096099; ex07108059	20 20	Pesticide residues ⁽⁵⁾ ⁽¹⁴⁾	20
Turkey (TR)	Hazelnuts (<i>Corylus sp.</i>) in	08022100		Aflatoxins	5

	(including tangerines and satsumas); clementines, wilkings and similar citrus hybrids <i>(Food – fresh or dried)</i>	080522; 080529		residues ⁽⁵⁾	
Turkey (TR)	Oranges <i>(Food – fresh or dried)</i>	080510		Pesticide residues ⁽⁵⁾	20
Turkey (TR)	Pomegranates <i>(Food – fresh or chilled)</i>	ex08109075	30	Pesticide residues ^{(5) (16)}	20
Turkey (TR)	Sweet Peppers <i>(Capsicum annuum)</i> <i>(Food – fresh, chilled or frozen)</i>	07096010; 07108051		Pesticide residues ^{(5) (17)}	20
Turkey (TR)	Peppers of the <i>Capsicum</i> species (other than sweet) <i>(Food – fresh, chilled or frozen)</i>	ex07096099; ex07108059	20 20	Pesticide residues ⁽⁵⁾	20
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
Uganda (UG)	Peppers of the <i>Capsicum</i> species (other than sweet) <i>(Food – fresh, chilled or frozen)</i>	ex07096099; ex07108059	20 20	Pesticide residues ⁽⁵⁾	50
United States (US)	Groundnuts (peanuts), in shell	12024100		Aflatoxins	10
	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	23050000			

	ground or in the form of pellets, resulting from the extraction of groundnut oil <i>(Food and feed. This applies to all the above entries relating to groundnuts from the United States.)</i>				
Uzbekistan (UZ)	Dried apricots	08131000		Sulphites ⁽²⁰⁾	50
	Apricots, otherwise prepared or preserved <i>(Food. This applies to all the above entries relating to apricots from Uzbekistan.)</i>	200850			
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. This applies to all the above entries relating to foods from Vietnam.)</i>	ex07099990	40		
Vietnam (VN)	Okra <i>(Food – fresh, chilled or frozen)</i>	ex07099990; ex07108095	20 30	Pesticide residues ^{(5) (21)}	50
Vietnam (VN)	Peppers of the <i>Capsicum</i> 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 on maximum residue levels of pesticides in or on food and feed of plant and animal origin 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.
- (19) 'Placing on the market' and 'final consumer' as defined in Regulation (EC) No 178/2002.
- (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(3)

New Annex II

“ANNEX II

Food and feed from certain third countries subject to special conditions for entry into Great Britain due to contamination risk by mycotoxins, including aflatoxins, pesticide residues, pentachlorophenol and dioxins and microbiological contamination

Table 1

Food and feed of non-animal origin referred to in Article 1(1)(b)(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>
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 <i>(Food and feed. This applies to all the above entries relating to Argentina.)</i>	23050000			
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		
	Hazelnuts, otherwise prepared or preserved, including mixtures	ex20081912; ex20081919; ex20081992; ex20081995; ex20081999; ex20089712; ex20089714; ex20089716; ex20089718; ex20089732; ex20089734; ex20089736; ex20089738; ex20089751; ex20089759; ex20089772; ex20089774; ex20089776; ex20089778; ex20089792; ex20089793; ex20089794; ex20089796; ex20089797; ex20089798	3030 30 20 30 15		
	Flour, meal and powder of hazelnuts	ex11063090	40		
	Hazelnut oil (Food. This applies to all the above entries relating to hazelnuts from Azerbaijan.)	ex15159099	20		
Bangladesh (BD)	Foodstuffs containing or consisting of betel leaves (<i>Piper betle</i>) (Food)	ex14049000		<i>Salmonella</i> ⁽²⁾	50

Brazil (BR)	Brazil nuts in shell	08012100		Aflatoxins	50
	Mixtures of nuts or dried fruits containing Brazil nuts in shell. <i>(Food. This applies to all the above entries relating to Brazil nuts from Brazil.)</i>	ex08135031; ex08135039; ex08135091; ex08135099	20 20 20 20		
Egypt (EG)	Groundnuts (peanuts), in shell	12024100		Aflatoxins	20
	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. This applies to all the above entries relating to groundnuts from Egypt.)</i>	23050000			
Ethiopia (ET)	Pepper of the genus <i>Piper</i> ; dried or crushed or ground fruit of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i>	0904		Aflatoxins	50

	Ginger, saffron, turmeric (curcuma), thyme, bay leaves, curry and other spices <i>(Food – dried spices. This applies to all the above entries relating to foods from Ethiopia.)</i>	0910			
Ethiopia (ET)	<i>Sesamum</i> seeds (Food)	12074090		<i>Salmonella</i> ⁽²⁾	50
Ghana (GH)	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. This applies to all the above entries relating to groundnuts from Ghana.)</i>	23050000			
Gambia (GM)	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 (Food and feed. This applies to all the above entries relating to Gambia.)	23050000			
Indonesia (ID)	Nutmeg (<i>Myristica fragrans</i>) (Food – dried spices)	09081100; 09081200		Aflatoxins	20
India (IN)	Foodstuffs containing or consisting of betel leaves (<i>Piper betle</i>) (Food)	ex14049000		<i>Salmonella</i> ⁽³⁾	10
India (IN)	Nutmeg (<i>Myristica fragrans</i>) (Food – dried spices)	09081100; 09081200		Aflatoxins	20
India (IN)	Peppers of the <i>Capsicum</i> 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
India (IN)	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. This applies to all the above entries relating to groundnuts from India.)</i>	23050000			
India (IN)	Guar gum <i>(Food and feed)</i>	ex13023290		Pentachloro henol and dioxins ⁽⁴⁾	5
India (IN)	Peppers of the <i>Capsicum</i> species (other than sweet) <i>(Food – fresh, chilled or frozen)</i>	ex07096099; ex07108059	20 20	Pesticide residues ^{(5) (6)}	10
India (IN)	<i>Sesamum</i> seeds <i>(Food)</i>	12074090		<i>Salmonella</i> ⁽²⁾	20
				Pesticides residues ^{(5) (6)}	50
Iran (IR)	Pistachios, in shell	08025100		Aflatoxins	50
	Pistachios, shelled	08025200			
	Mixtures of nuts or dried fruits containing pistachios	ex08135039; ex08135091; ex08135099	60 60 60		
	Pistachio paste	ex20071010; ex20071099; ex20079939; ex20079950; ex20079997	60 30 03; 04 32 22		

	Pistachios, prepared or preserved, including mixtures	ex20081913; ex20081993; ex20089712; ex20089714; ex20089716; ex20089718; ex20089732; ex20089734; ex20089736; ex20089738; ex20089751; ex20089759; ex20089772; ex20089774; ex20089776; ex20089778; ex20089792; ex20089793; ex20089794; ex20089796; ex20089797; ex20089798	20 20 19		
	Flour, meal and powder of pistachios <i>(Food. This applies to all the above entries relating to pistachios from Iran.)</i>	ex11063090	50		
Sri Lanka (LK)	Peppers of the <i>Capsicum</i> species (sweet or other than sweet) <i>(Food – dried, roasted, crushed or ground)</i>	09042110; ex09042190; ex09042200; ex20059910; ex20059980	20 11;19 10;90 94	Aflatoxins	50
Nigeria (NG)	Watermelon (<i>Egusi, Citrullus spp.</i>) seeds and derived products <i>(Food)</i>	ex12077000; ex12089000; ex20089999	10 10 50	Aflatoxins	50
Pakistan (PK)	Peppers of the <i>Capsicum</i> species (other than sweet) <i>(Food – fresh, chilled or frozen)</i>	ex07096099; ex07108059	20 20	Pesticide residues ⁽⁵⁾	20
Sudan (SD)	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. This applies to all the above entries relating to groundnuts from Sudan.)</i>	23050000			
Sudan (SD)	<i>Sesamum</i> seeds (Food)	12074090		<i>Salmonella</i> ⁽²⁾	50
Turkey (TR)	Dried figs	08042090		Aflatoxins	20
	Mixtures of nuts or dried fruits containing figs	ex08135099	50		
	Dried fig paste	ex20071010; ex20071099; ex20079939; ex20079950; ex20079997	50 20 01; 02 31 21		

	Dried figs, prepared or preserved, including mixtures	ex20089712; ex20089714; ex20089716; ex20089718; ex20089732; ex20089734; ex20089736; ex20089738; ex20089751; ex20089759; ex20089772; ex20089774; ex20089776; ex20089778; ex20089792; ex20089793; ex20089794; ex20089796; ex20089797; ex20089798; ex20089928 ex20089934; ex20089937; ex20089940; ex20089949; ex20089967; ex20089999	11 10 10 10 10 60 95 60		
	Flour, meal or powder of dried figs <i>(Food. This applies to all the above entries relating to figs from Turkey.)</i>	ex11063090	60		
Turkey (TR)	Hazelnuts (<i>Corylus sp.</i>), in shell	08022100		Aflatoxins	5
	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		

	Hazelnuts, otherwise prepared or preserved, including mixtures	ex20081912; ex20081919; ex20081992; ex20081995; ex20081999; ex20089712; ex20089714; ex20089716; ex20089718; ex20089732; ex20089734; ex20089736; ex20089738; ex20089751; ex20089759; ex20089772; ex20089774; ex20089776; ex20089778; ex20089792; ex20089793; ex20089794; ex20089796; ex20089797; ex20089798	30 30 30 20 30 15		
	Flour, meal and powder of hazelnuts	ex11063090	40		
	Hazelnut oil <i>(Food. This applies to all the above entries relating to hazelnuts from Turkey.)</i>	ex15159099	20		
Turkey (TR)	Pistachios, in shell	08025100		Aflatoxins	50
	Pistachios, shelled	08025200			
	Mixtures of nuts or dried fruits containing pistachios	ex08135039; ex08135091; ex08135099	60 60 60		
	Pistachio paste	ex20071010; ex20071099; ex20079939; ex20079950; ex20079997	60 30 03; 04 32 22		

	Pistachios, prepared or preserved, including mixtures	ex20081913; ex20081993; ex20089712; ex20089714; ex20089716; ex20089718; ex20089732; ex20089734; ex20089736; ex20089738; ex20089751; ex20089759; ex20089772; ex20089774; ex20089776; ex20089778; ex20089792; ex20089793; ex20089794; ex20089796; ex20089797; ex20089798	20 20 19		
	Flour, meal and powder of pistachios <i>(Food. This applies to all the above entries relating to pistachios from Turkey.)</i>	ex11063090	50		
Turkey (TR)	Vine leaves <i>(Food)</i>	ex20089999	11; 19	Pesticide residues ^{(5) (8)}	50
Uganda (UG)	<i>Sesamum</i> seeds <i>(Food)</i>	1207490		<i>Salmonella</i> ⁽²⁾	20
Vietnam (VN)	Pitahaya (dragon fruit) <i>(Food – fresh or chilled)</i>	ex08109020	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 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 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.

Table 2

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⁽¹⁾</i>	<i>Description⁽²⁾</i>
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.
091091	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. For further explanation of the exact coverage of the Common Customs Tariff, please refer to the latest amendment to that Annex.

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

SCHEDULE 3

Regulation 2(4)

New Annex II(a)

“ANNEX II(a)

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

<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>
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.

Regulation 2 substitutes, with amendments Annex 1, Annex 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), clementines, 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 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 Thailand.
- 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 crusted 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 TARIC sub-division for guar gum from India has been removed has been removed from Annex 2, Table 1 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. A Policy Note has been published alongside this instrument at www.legislation.gov.uk.