

Commission Decision of 12 November 2009 on emergency measures imposing special conditions on official controls governing the import of pears originating in or consigned from Turkey due to high residue levels of amitraz (notified under document C(2009) 8977) (Text with EEA relevance) (2009/835/EC)

*Article 1*

1 Member States shall carry out documentary, identity and physical checks, including laboratory analysis, on at least 10 percent of consignments of fresh pears falling within CN codes 0808 20 10 and 0808 20 50 originating in or consigned from Turkey. Consignments shall be detained pending the availability of the results of the laboratory analysis.

2 Member States shall take the necessary measures to ensure that products referred to in paragraph 1, which are already placed on the market, are also subject to an appropriate level of control.

3 The checks and controls referred to in paragraphs 1 and 2 shall in particular aim at ascertaining that the level of amitraz does not exceed the Community maximum residue level established under Regulation (EC) No 396/2005.

4 Member States shall report any unfavourable result of the laboratory analysis referred to in paragraphs 1 and 2 through the Rapid Alert System for Food and Feed.

5 Member States shall report to the Commission on all results on a two week basis. The report shall be in a format that will be provided by the Commission and shall include the following information:

- a details of each consignment, including the size in terms of net weight of the consignment;
- b the number of consignments subjected to sampling for analysis;
- c the results of the documentary, identity and physical checks, including laboratory analysis.

6 If the checks and controls referred to in paragraphs 1 and 2 establish non-compliance, action shall be taken pursuant to Articles 19, 20 and 21 of Regulation (EC) No 882/2004 of the European Parliament and of the Council<sup>(1)</sup>.

7 Member States shall ensure that the costs incurred in result of the implementation of paragraph 1 are borne by the operators responsible for the import.

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**Changes to legislation:** There are currently no known outstanding effects for the Commission Decision of 12 November 2009 on emergency measures imposing special conditions on official controls governing the import of pears originating in or consigned from Turkey due to high residue levels of amitraz (notified under document C(2009) 8977) (Text with EEA relevance) (2009/835/EC), Article 1. (See end of Document for details)

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- (1) [OJ L 165, 30.4.2004, p. 1.](#)

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