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**COMMISSION DECISION**

**of 6 December 1999**

**repealing Decision 1999/356/EC and imposing special conditions on the import of peanuts and certain products derived from peanuts originating in or consigned from Egypt**

*(notified under document number C(1999) 4232)*

**(Text with EEA relevance)**

(2000/49/EC)

(OJ L 19, 25.1.2000, p. 46)

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**COMMISSION DECISION****of 6 December 1999****repealing Decision 1999/356/EC and imposing special conditions on the import of peanuts and certain products derived from peanuts originating in or consigned from Egypt***(notified under document number C(1999) 4232)***(Text with EEA relevance)**

(2000/49/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 93/43/EEC of 14 June 1993 on the hygiene of foodstuffs <sup>(1)</sup>, and in particular Article 10(1) thereof,

After consulting the Member States,

Whereas:

- (1) Commission Decision 1999/356/EC of 28 May 1999 on the temporary suspension of imports of peanuts and certain products derived from peanuts originating in, or consigned from Egypt <sup>(2)</sup> is applicable until 1 December 1999 and should be repealed;
- (2) Peanuts originating in or consigned from Egypt had been found to be contaminated with Aflatoxin B1 at high levels. Sampling indicated a serious and recurring aflatoxin contamination of peanuts originating in or consigned from Egypt;
- (3) The Scientific Committee for Food has noted that aflatoxins, in particular Aflatoxin B1, are carcinogenic substances and even at low doses, cause cancer of the liver and in addition are genotoxic;
- (4) Commission Regulation (EC) No 1525/98 <sup>(3)</sup> amending Regulation (EC) No 194/97 sets maximum levels for certain contaminants and in particular aflatoxins in foodstuffs. These limits have been exceeded to an excessive amount in samples of peanuts originating in or consigned from Egypt. The limits for Aflatoxin B1 in ground nuts which are intended for direct consumption, and those which may be sorted or subject to further processing, are set in this Regulation at two and eight parts per billion (ppb) respectively. Contamination of Aflatoxin B1 at levels as high as 485 ppb have been detected in peanuts from Egypt;
- (5) Egypt is a major exporter of peanuts to the Community and the exposure of the population to peanuts or peanut products contaminated with aflatoxin constitutes a serious threat to public health within the Community;
- (6) An examination of conditions of hygiene in Egypt has been undertaken and revealed that improvements in hygiene practices and the traceability of peanuts are required. Commitments have been received from the Egyptian authorities in particular in relation to improvements in production, handling, sorting, processing, packaging and transport practices. It is therefore appropriate to subject peanuts or products derived from peanuts originating in or consigned from Egypt to special conditions to provide a high level of protection to public health;
- (7) It is necessary that peanuts and products derived from peanuts have been produced, sorted, handled, processed, packaged and transported following good hygienic practices. It is necessary to establish the levels of Aflatoxin B1 and total aflatoxin in

<sup>(1)</sup> OJ L 175, 19.7.1993, p. 1.<sup>(2)</sup> OJ L 139, 2.6.1999, p. 32.<sup>(3)</sup> OJ L 201, 17.7.1998, p. 4.

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samples taken from the consignment immediately prior to leaving Egypt;

- (8) It is necessary for documentary evidence to be provided by the Egyptian authorities to accompany each consignment of peanuts originating in or consigned from Egypt, relating to the conditions of production, sorting, handling, processing, packaging and transport and the results of laboratory analysis of the consignment for levels of Aflatoxin B1 and total aflatoxin;
- (9) It is necessary to submit for analyses at the port of entry into the Community in a systematic manner, lots of peanuts originating in or consigned from Egypt in order to determine the levels of contamination of peanuts of Aflatoxin B1 and total aflatoxin,

HAS ADOPTED THIS DECISION:

*Article 1*

1. Member States may import:

- peanuts falling within CN code 1202 10 90 in shell or 1202 20 00 shelled, whether or not broken or
- roasted peanuts falling within CN code 2008 11 92 (in immediate packs of a net content exceeding 1 kg) or 2008 11 96 (not exceeding 1 kg)

originating in or consigned from Egypt which are intended for human consumption or to be used as an ingredient in foodstuffs, provided that each consignment is accompanied by the results of official sampling and analysis, and the health certificate in Annex I, completed, signed and verified by a representative of the Egyptian Ministry of Agriculture.

2. Consignments may only be imported into the Community through one of the points of entry listed in Annex II.
3. Each consignment shall be identified with a code which corresponds to the code on the sampling results of the official sampling and analysis and health certificate referred to in paragraph 1.
4. Member States shall carry out documentary checks to ensure that the requirement for the health certificate and the sampling results referred to in paragraph 1 is complied with.

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5. The competent authorities in each Member State shall undertake at random sampling of the consignments of peanuts and certain products derived from peanuts originating in or consigned from Egypt for analysis of aflatoxin B1 and total aflatoxin.

Member States shall submit to the Commission every three months a report of all analytical results of official controls on consignments of peanuts and certain products derived from peanuts originating in or consigned from Egypt. This report shall be submitted during the month following each quarter<sup>(1)</sup>.

6. The random sampling and analysis referred to in paragraph 5 shall be carried out on approximately 20 % of the consignments of products for each category of the products referred to in paragraph 1.

Any consignment to be subjected to sampling and analysis, should be detained before release onto the market from the point of entry into the Community for a maximum of 15 working days. In this event, the competent authorities in the Member States shall issue an accompanying official document establishing that the consignment has been subjected to official sampling and analysis and indicating the result of the analysis.

<sup>(1)</sup> April, July, October, January.

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7. In case a consignment is split, copies of the health certificate and accompanying documents referred to in the paragraphs 1 and 6 and certified by the competent authority of the Member State on whose territory the splitting has taken place, shall accompany each part of the split consignment.

*Article 2*

This Decision shall be kept under review in the light of information and guarantees provided by the competent authorities of Egypt and on the basis of the results of the tests carried out by Member States. This review will assess whether the special conditions, referred to in Article 1, provide a sufficient level of protection of public health within the Community. The review shall also assess whether there is a continuing need for the special conditions.

**▼B***Article 3*

This Decision repeals Decision 1999/356/EC.

*Article 4*

Member States shall take the measures concerning imports necessary to comply with this Decision. They shall inform the Commission thereof.

*Article 5*

This Decision is addressed to the Member States.

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## ANNEX I

## HEALTH CERTIFICATE

**for the importation into the European Community of peanuts and certain products derived from peanuts originating in or consigned from Egypt**

Consignment code .....

Certificate No .....

According to the provisions of Commission Decision 2000/49/EC imposing special conditions on the import of peanuts falling within CN codes 1202 10 90 (in shell) or 1202 20 00 and products derived from peanuts falling within CN codes 2008 11 92 (in immediate packs of a net content exceeding 1 kg) and 2008 11 96 (not exceeding 1 kg), originating in or consigned from Egypt

The Minister for Agriculture

CERTIFIES:

that the peanuts of this consignment, code number ..... (insert consignment code number)

composed of: .....

.....

.....

.....

(description of consignment, product, number and type of packages, gross or net weight)

embarked at .....

(embarkation place)

by .....

(identification of transporter)

going to .....

(place and country of destination)

which comes from the establishment .....

.....

.....

(name and address of establishment)

have been produced, sorted, handled, processed, packaged and transported in line with good hygiene practices.

From this consignment, ..... (number of samples) samples of peanuts were taken on ..... (date), subjected to laboratory analysis on ..... (date) in the ..... (name of laboratory), to determine the level of Aflatoxin B1 and level of total aflatoxin contamination, and the details of sampling, methods of analysis used and all results are attached.

Done at ..... on .....

Stamp and signature of  
Representative of the Ministry  
of Agriculture of Egypt

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## ANNEX II

List of points of entry through which peanuts and products derived from peanuts originating in or consigned from Egypt may be imported into the European Community

Member State	Point of entry
België — Belgique	Antwerpen, Zeebrugge, Brussel/Bruxelles, Aalst
Danmark	All Danish harbours and airports
Deutschland	HZA Lörrach — ZA Weil-am-Rhein-Autobahn, HZA Stuttgart — ZA Flughafen, HZA München — ZA München — Flughafen, HZA Hof-Schirnding-Landstraße, HZA Weiden — ZA Furth im Wald-Schafberg, HZA Weiden — ZA Waidhaus-Autobahn, Bezirksamt Reinickendorf von Berlin, Abteilung Finanzen, Wirtschaft und Kultur, Veterinär- und Lebensmittelaufsichtsamt, Grenzkontrollstelle, HZA Frankfurt (Oder) — ZA Autobahn, HZA Cottbus — ZA Forst-Autobahn, HZA Bremen — ZA Neustädter Hafen, HZA Bremen — ZA Bremerhaven, HZA Hamburg-Hafen — ZA Waltershof, HZA Hamburg-Stadt, HZA Itzehoe — ZA Hamburg-Flughafen, HZA Frankfurt-am-Main-Flughafen, HZA Braunschweig-Abfertigungsstelle, HZA Hannover-Abfertigungsstelle, HZA Oldenburg — ZA Stade, HZA Dresden — ZA Dresden-Friedrichstadt, HZA Pirna — ZA Altenberg, HZA Löbau — Zollamt Ludwigsdorf-Autobahn, HZA Koblenz — ZA Hahn-Flughafen, HZA Oldenburg — ZA Wilhelmshaven, HZA Bielefeld — ZA Eckendorfer Straße Bielefeld, HZA Erfurt — ZA Eisenach, HZA Potsdam — ZA Ludwigsfelde, HZA Potsdam — ZA Berlin-Flughafen Schönefeld, HZA Augsburg — ZA Memmingen, HZA Ulm — ZA Ulm (Donautal), HZA Karlsruhe — ZA Karlsruhe, HZA Berlin — ZA Dreilinden, HZA Gießen — ZA Gießen, HZA Gießen — ZA Marburg, HZA Singen — ZA Bahnhof, HZA Lörrach — ZA Weil-am-Rhein-Schusterinsel, HZA Hamburg-Stadt — ZA Oberelbe, HZA Hamburg-Stadt — ZA Oberelbe — Abfertigungsstelle Billbrook, HZA Hamburg-Stadt — ZA Oberelbe — Abfertigungsstelle Großmarkt, HZA Potsdam — ZA Berlin — Flughafen Schönefeld, HZA Düsseldorf — ZA Düsseldorf Nord
Ελλάς	Athina, Pireas, Elefsis, Aerodromio ton Athinon, Thessaloniki, Volos, Patra, Iraklion tis Kritis, Aerodromio tis Kritis, Euzoni, Idomeni, Ormenio, Kipi, Kakavia, Niki, Promahonas, Pithio, Igoumenitsa, Kristalopigi
España	Algeciras (Puerto), Alicante (Aeropuerto, Puerto), Almeria (Aeropuerto, Puerto), Asturias (Aeropuerto), Barcelona (Aeropuerto, Puerto, Ferrocarril), Bilbao (Aeropuerto, Puerto), Cadiz (Puerto), Cartagena (Puerto), Castellon (Puerto), Ceuta (Puerto), Gijón (Puerto), Huelva (Puerto), Irun (Carretera), La Coruña (Puerto), La Junquera (Carretera), Las Palmas de Gran Canaria (Aeropuerto, Puerto), Madrid (Aeropuerto, Ferrocarril), Malaga (Aeropuerto, Puerto), Marin (Puerto), Melilla (Puerto), Murcia (Ferrocarril), Palma de Mallorca (Aeropuerto, Puerto), Pasajes (Puerto), San Sebastián (Aeropuerto), Santa Cruz de Tenerife (Puerto), Santander (Aeropuerto, Puerto), Santiago de Compostela (Aeropuerto), Sevilla (Aeropuerto, Puerto), Tarragona (Puerto), Tenerife Norte (Aeropuerto), Tenerife Sur (Aeropuerto), Valencia (Aeropuerto, Puerto), Vigo (Aeropuerto, Puerto), Villagarcia (Puerto), Vitoria (Aeropuerto), Zaragoza (Aeropuerto)

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Member State	Point of entry
France	Marseille (Bouches-du-Rhône), Le Havre (Seine-Maritime), Rungis MIN (Val-de-Marne), Lyon Chassieu CRD (Rhône), Strasbourg CRD (Bas-Rhin), Lille CRD (Nord), Saint-Nazaire-Montoir CRD (Loire-Atlantique), Agen (Lot-et-Garonne), port de la Pointe des Galets à la Réunion
Ireland	Dublin — Port and Airport, Cork — Port and Airport, Shannon — Airport
Italia	Ufficio Sanità Marittima ed Aerea di Ancona Ufficio Sanità Marittima ed Aerea di Bari Ufficio Sanità Marittima ed Aerea di Genova Ufficio Sanità Marittima di Livorno Ufficio Sanità Marittima ed Aerea di Napoli Ufficio Sanità Marittima di Ravenna Ufficio Sanità Marittima di Salerno Ufficio Sanità Marittima ed Aerea di Trieste Dogana di Ferneti-Interporto Monrupino (Trieste) Ufficio di Sanità Marittima di La Spezia Ufficio di Sanità Marittima e Aerea di Venezia Ufficio di Sanità Marittima e Aerea di Reggio Calabria
Luxembourg	Centre douanier, Croix de Gasperich, Luxembourg
Nederland	All harbours and airports and all border stations
Österreich	HZA Feldkirch, HZA Graz, Nickelsdorf, Spielfeld, HZA Wien, ZA Wels, ZA Kledering, ZA Flughafen Wien, HZA Salzburg, ZA Klagenfurt/Westbahnhof, ZA Sopron, ZA Karawankentunnel, ZA Villach
Portugal	Lisboa, Leixões
Suomi-Finland	All Finnish customs offices
Sverige	Göteborg, Ystad, Stockholm, Helsingborg, Karlskrona, Karlshamn, Landvetter, Arlanda
United Kingdom	Belfast, Channel Tunnel Terminal, Dover, Felixstowe, Gatwick Airport, Goole Grangemouth, Harwich, Heathrow Airport, Heysham, Hull, Immingham, Ipswich, King's Lynn, Leith, Liverpool, London (including Tilbury, Thamesport and Sheerness), Manchester Airport, Manchester Container Port, Manchester (including Ellesmere Port), Medway, Middlesbrough, Newhaven, Poole, Shoreham, Southampton, Stansted Airport