
SCOTTISH STATUTORY INSTRUMENTS

2022 No. 341

**AGRICULTURE
FOOD**

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

<i>Made</i>	- - - -	<i>18th November 2022</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>22nd November 2022</i>
<i>Coming into force</i>	- -	<i>17th January 2023</i>

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⁽¹⁾ (“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⁽²⁾ 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 17 January 2023.

(2) These Regulations extend to Scotland only.

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⁽³⁾ is amended as follows.

(1) EUR 178/2002, as amended by S.I. 2019/641 and 2020/1504.
(2) EUR 2017/625, as amended by S.I. 2020/1481.
(3) EUR 2019/1793, as amended by S.I. 2020/1631.

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- (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.

St Andrew's House,
Edinburgh
18th November 2022

MAREE TODD
Authorised to sign by the Scottish Ministers

SCHEDULE 1

Regulation 2(2)

New Annex 1 to Commission Implementing Regulation (EU) 2019/1793

“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 (Food and feed)	1202 41 00		Aflatoxin s	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			
Brazil (BR)	Black pepper (<i>Piper</i>)	ex0904 11 00	10	<i>Salmonella</i> ⁽²⁾	50

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<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>
	(Food – neither crushed nor ground)				
	Groundnuts (peanuts), in shell (Food and feed)	1202 41 00		Aflatoxins	10
	Groundnuts (peanuts), shelled (Food and feed)	1202 42 00		Pesticide residues ⁽³⁾	20
	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		
China (CN)	Groundnuts (peanuts) in shell (Food and feed)	1202 41 00		Aflatoxins	10
	Groundnuts (peanuts), shelled (Food and feed)	1202 42 00			
	Peanut butter	2008 11 10			

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Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
	(Food and feed)				
	Groundnuts (peanuts), otherwise prepared or preserved	2008 11 91 2008 11 96 2008 11 98			
	(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	2305 00 00			
	(Food and feed)				
	Groundnut flours and meals	ex1208 90 00	20		
	(Food and feed)				
	Sweet peppers (<i>Capsicum annuum</i>)	ex0904 22 00	11	Salmonella ⁽⁴⁾	20
	(Food – crushed or ground)				
	Tea, whether or not flavoured	0902		Pesticide residues ⁽⁵⁾⁽⁶⁾	20
	(Food)				
Dominican Republic (DO)	Aubergines (<i>Solanum melongena</i>)	0709 30 00		Pesticide residues ⁽⁵⁾	20
	(Food – fresh or chilled)				
	Sweet peppers (<i>Capsicum annuum</i>)	0709 60 10 0710 80 51		Pesticide residues ⁽⁵⁾⁽⁷⁾	50

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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)				
	Peppers of the <i>Capsicum</i> species (other than sweet)	ex0709 60 99 ex0710 80 59	20 20		
	(Food – fresh, chilled or frozen)				
	Yardlong beans	ex0708 20 00	10		
	(<i>Vigna unguiculata</i> ssp . <i>sesquipedalis</i> , <i>Vigna unguiculata</i> ssp. <i>unguiculata</i>)	ex0710 22 00	10		
	(Food – fresh, chilled or frozen)				
Egypt (EG)	Sweet peppers (<i>Capsicum annuum</i>)	0709 60 10 0710 80 51		Pesticide residues (5)(8)	20
	(Food – fresh, chilled or frozen)				
	Peppers of the <i>Capsicum</i> species (other than sweet)	ex0709 60 99 ex0710 80 59	20 20		
	(Food – fresh, chilled or frozen)				
Georgia (GE)	Hazelnuts (<i>Corylus</i> sp.), in shell	0802 21 00		Aflatoxins	20
	(Food)				
	Hazelnuts (<i>Corylus</i> sp.), shelled	0802 22 00			
	(Food)				
	Flour, meal and powder	ex1106 30 90	40		

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Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
	of hazelnuts (<i>Corylus sp.</i>) (Food)				
	Hazelnuts (<i>Corylus sp.</i>), otherwise prepared or preserved (Food)	ex2008 19 19 ex2008 19 95 ex2008 19 99	30 20 30		
Ghana (GH)	Palm oil (Food)	1511 10 90 1511 90 11 ex1511 90 19 1511 90 99	90	Sudan dyes ⁽⁹⁾	50
India (IN)	Curry leaves (<i>Bergera/ Murraya koenigii</i>) (Food – fresh, chilled, frozen or dried)	ex1211 90 86	10	Pesticide residues ⁽⁵⁾⁽¹⁰⁾	50
	Okra (Food – fresh, chilled or frozen)	ex0709 99 90 ex0710 80 95	20 30	Pesticide residues ⁽⁵⁾⁽¹¹⁾	20
Kenya (KE)	Beans (<i>Vigna spp</i> ., <i>Phaseolus spp.</i>) (Food – fresh or chilled)	0708 20		Pesticide residues ⁽⁵⁾	10
Cambodia (KH)	Chinese celery (<i>Apium graveolens</i>) (Food – fresh or chilled herb)	ex0709 40 00	20	Pesticide residues ⁽⁵⁾⁽¹²⁾	50
	Yardlong beans <i>(Vigna unguiculata ssp .sesquipedalis,</i>	ex0708 20 00 ex0710 22 00	10 10	Pesticide residues ⁽⁵⁾⁽¹³⁾	50

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<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>
	<i>Vigna unguiculata</i> ssp. <i>unguiculata</i> (Food – fresh, chilled or frozen vegetables)				
Lebanon (LB)	Turnips (<i>Brassica rapa</i> ssp. <i>rapa</i>) (Food – prepared or preserved by vinegar or acetic acid)	ex2001 90 97	11; 19	Rhodamine B	50
	Turnips (<i>Brassica rapa</i> ssp. <i>rapa</i>) (Food – prepared or preserved by brine or citric acid, not frozen)	ex2005 99 80	93	Rhodamine B	50
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,	2305 00 00			

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<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>
	whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil (Food and feed)				
Malaysia (MY)	Jackfruit (<i>Artocarpus heterophyllus</i>) (Food – fresh)	ex0810 90 20	20	Pesticide residues ⁽⁵⁾	50
Nigeria (NG)	<i>Sesamum</i> seeds (Food)	1207 40 90		<i>Salmonella</i> ⁽²⁾	50
Pakistan (PK)	Spice mixes (Food)	0910 91 10 0910 91 90		Aflatoxins	50
Sierra Leone (SL)	Watermelon (<i>Egusi, Citrullus</i> spp.) seeds and derived products (Food)	ex1207 70 00 ex1208 90 00 ex2008 99 99	10 10 50	Aflatoxins	50
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			

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Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
	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			
Syria (SY)	Turnips (<i>Brassica rapa</i> ssp. <i>rapa</i>) (Food – prepared or preserved by vinegar or acetic acid)	ex2001 90 97	11; 19	Rhodamine B	50
	Turnips (<i>Brassica rapa</i> ssp. <i>rapa</i>) (Food – prepared or preserved by brine or citric acid, not frozen)	ex2005 99 80	93	Rhodamine B	50
Thailand (TH)	Food containing or consisting of betel leaves (<i>Piper betle</i>) (Food)	1404 90 00		<i>Salmonella</i> ⁽⁴⁾	10
	Peppers of the <i>Capsicum</i> species (other than sweet) (Food – fresh, chilled or frozen)	ex0709 60 99 ex0710 80 59	20 20	Pesticide residues ⁽⁵⁾⁽¹⁴⁾	20
Turkey (TR)	Hazelnuts (<i>Corylus</i> sp.) in shell (Food)	0802 21 00		Aflatoxins	5

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<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>
	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 (<i>Corylus sp.</i>) 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 ex2008 97 51	30 30 30 20 30 15 15 15 15 15 15 15 15 15		

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Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		ex2008 97 59	15		
		ex2008 97 72	15		
		ex2008 97 74	15		
		ex2008 97 76	15		
		ex2008 97 78	15		
		ex2008 97 92	15		
		ex2008 97 93	15		
		ex2008 97 94	15		
		ex2008 97 96	15		
		ex2008 97 97	15		
		ex2008 97 98	15		
	Flour, meal and powder of hazelnuts(<i>Corylus sp.</i>) (Food)	ex1106 30 90	40		
	Hazelnut (<i>Corylus sp.</i>) oil (Food)	ex1515 90 99	20		
	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>) (Food – fresh, chilled or dried)	0805 50 10		Pesticide residues (5)(15)	20
	Mandarins (including tangerines and satsumas); clementines, wilkings and similar citrus hybrids	0805 21 0805 22 0805 29		Pesticide residues (5)	20

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Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
	(Food – fresh or dried)				
	Oranges (Food – fresh or dried)	0805 10		Pesticide residues (5)	20
	Pomegranates (Food – fresh or chilled)	ex0810 90 75	30	Pesticide residues (5)(16)	20
	Sweet Peppers (<i>Capsicum annuum</i>) (Food – fresh, chilled or frozen)	0709 60 10 0710 80 51		Pesticide residues (5)(17)	20
	Peppers of the <i>Capsicum</i> species (other than sweet) (Food – fresh, chilled or frozen)	ex0709 60 99 ex0710 80 59	20 20	Pesticide residues (5)	20
	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
Uganda (UG)	Peppers of the <i>Capsicum</i> species (other than sweet) (Food – fresh, chilled or frozen)	ex0709 60 99 ex0710 80 59	20 20	Pesticide residues (5)	50

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<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>
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 (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			
Uzbekistan (UZ)	Dried apricots (Food)	0813 10 00		Sulphites ⁽²⁰⁾	50
	Apricots, otherwise prepared or preserved (Food)	2008 50			
Vietnam (VN)	Coriander leaves	ex0709 99 90	72	Pesticide residues ⁽⁵⁾⁽²¹⁾	50

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Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
	(Food – fresh or chilled herbs)				
	Basil (holy, sweet)	ex1211 90 86	20		
	(Food – fresh or chilled herbs)				
	Mint	ex1211 90 86	30		
	(Food – fresh or chilled herbs)				
	Parsley	ex0709 99 90	40		
	(Food – fresh or chilled herbs)				
	Okra	ex0709 99 90	20	Pesticide residues (5)(21)	50
	(Food – fresh, chilled or frozen)	ex0710 80 95	30		
	Peppers of the <i>Capsicum</i> species (other than sweet)	ex0709 60 99	20	Pesticide residues (5)(21)	50 ²⁾
	(Food – fresh, chilled or frozen)	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 are to be performed in accordance with the sampling procedures and the analytical reference methods set out in point 1(a) of Annex III to these Regulations.
- (3) Residues of Triclopyr & Haloxyfop.
- (4) The sampling and the analyses are to be performed in accordance with the sampling procedures and the analytical reference methods set out in point 1(b) of Annex III to these Regulations.
- (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 origin⁴ 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.

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- (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) The following reference methods may be used: (1) BS EN 1988-1:1998 “*Foodstuffs. Determination of sulphite – Optimized Monier-Williams method*”, published by the British Standards Institution on 15 June 1998 (ISBN 0 580 29239 8), available from the British Standards Institution at <https://knowledge.bsigroup.com>; (2) EN 1988-2:1998 “*Foodstuffs. Determination of sulfite – Enzymatic method*”, published by the British Standards Institution on 15 June 1998 (ISBN 0 580 29240 1), available from the British Standards Institution at <https://knowledge.bsigroup.com>; and (3) ISO 5522:1981 “*Fruits, vegetables and derived products – Determination of total sulphur dioxide content*”, published by the International Organisation of Standardisation (ISO) on 1 September 1981, last reviewed and confirmed on 13 January 2022, available from ISO at <https://www.iso.org/home.html>.
- (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 to Commission Implementing Regulation (EU) 2019/1793

“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 (Food and feed)	1202 41 00		Aflatoxins	5
	Groundnuts (peanuts), shelled	1202 42 00			

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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	2008 11 10			
	(Food and feed)				
	Groundnuts (peanuts), otherwise prepared or preserved	2008 11 91 2008 11 96 2008 11 98			
	(Food and feed)				
	Groundnut flours and meals	ex1208 90 00	20		
	(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	2305 00 00			
	(Food and feed)				
Azerbaijan (AZ)	Hazelnuts (<i>Corylus sp.</i>), in shell	0802 21 00		Aflatoxins	20
	(Food)				
	Hazelnuts (<i>Corylus sp.</i>), shelled	0802 22 00			
	(Food)				
	Mixtures of nuts or dried fruits containing hazelnuts	ex0813 50 39 ex0813 50 91 ex0813 50 99	70 70 70		
	(Food)				

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<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>
	Hazelnut (<i>Corylus sp.</i>)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 ex2008 97 51 ex2008 97 59 ex2008 97 72 ex2008 97 74 ex2008 97 76	30 30 30 20 30 15 15 15 15 15 15 15 15 15 15 15 15 15		

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Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of physical and identity checks (%)
		ex2008 97 78	15		
		ex2008 97 92	15		
		ex2008 97 93	15		
		ex2008 97 94	15		
		ex2008 97 96	15		
		ex2008 97 97	15		
		ex2008 97 98	15		
	Flour, meal and powder of hazelnuts (<i>Corylus sp.</i>) (Food)	ex1106 30 90	40		
	Hazelnut (<i>Corylus sp.</i>) oil (Food)	ex1515 90 99	20		
Bangladesh (BD)	Food containing or consisting of betel leaves (<i>Piper betle</i>) (Food)	1404 90 00		<i>Salmonella</i> ⁽²⁾	50
Brazil (BR)	Brazil nuts in shell (Food)	0801 21 00		Aflatoxins	50
	Mixtures of nuts or dried fruits containing Brazil nuts in shell. (Food)	ex0813 50 31	20		
		ex0813 50 39	20		
		ex0813 50 91	20		
		ex0813 50 99	20		
Egypt (EG)	Groundnuts (peanuts), in shell (Food and feed)	1202 41 00		Aflatoxins	20

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	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			
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> (Food – dried spices)	0904		Aflatoxins	50
	Ginger, saffron, turmeric (curcuma), thyme, bay leaves,	0910			

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<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>
	curry and other spices (Food – dried spices)				
	Sesamum seeds (Food)	1207 40 90		Salmonella ⁽²⁾	50
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			
Gambia (GM)	Groundnuts (peanuts), in shell	1202 41 00		Aflatoxins	50

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<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>
	(Food and feed)				
	Groundnuts (peanuts), shelled	1202 42 00			
	(Food and feed)				
	Peanut butter	2008 11 10			
	(Food and feed)				
	Groundnuts (peanuts), otherwise prepared or preserved	2008 11 91 2008 11 96 2008 11 98			
	(Food and feed)				
	Groundnut flours and meals	ex1208 90 00	20		
	(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	2305 00 00			
	(Food and feed)				
Indonesia (ID)	Nutmeg (<i>Myristica fragrans</i>)	0908 11 00 0908 12 00		Aflatoxins	20
	(Food – dried spices)				
India (IN)	Food containing or consisting of betel leaves (<i>Piper betle</i>)	1404 90 00		<i>Salmonella</i> ⁽³⁾	10
	(Food)				

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<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>
	Nutmeg (<i>Myristica fragrans</i>) (Food – dried spices)	0908 11 00 0908 12 00		Aflatoxins	20
	Peppers of the <i>Capsicum</i> 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
	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	2305 00 00			

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<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>
	ground or in the form of pellets, resulting from the extraction of groundnut oil (Food and feed)				
	Guar gum (Food and feed)	1302 32 90		Pentachloro phenol and dioxins ⁽⁴⁾	5
	Peppers of the <i>Capsicum</i> species (other than sweet) (Food – fresh, chilled or frozen)	ex0709 60 99 ex0710 80 59	20 20	Pesticide residues ⁽⁵⁾⁽⁶⁾	10
	<i>Sesamum</i> seeds (Food)	1207 40 90		<i>Salmonella</i> ⁽²⁾ Pesticides residues ⁽⁵⁾⁽⁷⁾	20 50
Iran (IR)	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	60 30 03; 04 32		

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<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>
		ex2007 99 97	22		
	Pistachios, prepared or preserved, including mixtures (Food)	ex2008 19 13	20		
		ex2008 19 93	20		
		ex2008 97 12	19		
		ex2008 97 14	19		
		ex2008 97 16	19		
		ex2008 97 18	19		
		ex2008 97 32	19		
		ex2008 97 34	19		
		ex2008 97 36	19		
		ex2008 97 38	19		
		ex2008 97 51	19		
		ex2008 97 59	19		
		ex2008 97 72	19		
		ex2008 97 74	19		
		ex2008 97 76	19		
		ex2008 97 78	19		
		ex2008 97 92	19		
		ex2008 97 93	19		
		ex2008 97 94	19		
		ex2008 97 96	19		
		ex2008 97 97	19		
		ex2008 97 98	19		
	Flour, meal and	ex1106 30 90	50		

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<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>
	powder of pistachios (Food)				
Sri Lanka (LK)	Peppers of the <i>Capsicum</i> species (sweet or other than sweet) (Food – dried, roasted, crushed or ground)	0904 21 10 ex0904 21 90 ex0904 22 00 ex2005 99 10 ex2005 99 80	20 11; 19 10; 90 94	Aflatoxins	50
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
Pakistan (PK)	Peppers of the <i>Capsicum</i> species (other than sweet) (Food – fresh, chilled or frozen)	ex0709 60 99 ex0710 80 59	20 20	Pesticide residues ⁽⁵⁾	20
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			

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<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 (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			
	Sesamum seeds (Food)	1207 40 90		Salmonella ⁽²⁾	50
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 ex2008 97 14 ex2008 97 16 ex2008 9718	11 11 11 11		

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<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>
		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	10		
		ex2008 99 67	60		
		ex2008 99 99	95		
			60		

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<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>
	Flour, meal or powder of dried figs (Food)	ex1106 30 90	60		
	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	20 20 19 19 19 19 19 19		

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<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>
		ex2008 97 36	19		
		ex2008 97 38	19		
		ex2008 97 51	19		
		ex2008 97 59	19		
		ex2008 97 72	19		
		ex2008 97 74	19		
		ex2008 97 76	19		
		ex2008 97 78	19		
		ex2008 97 92	19		
		ex2008 97 93	19		
		ex2008 97 94	19		
		ex2008 97 96	19		
		ex2008 97 97	19		
		ex2008 97 98	19		
	Flour, meal and powder of pistachios (Food)	ex1106 30 90	50		
	Vine leaves (Food)	ex2008 99 99	11; 19	Pesticide residues ⁽⁵⁾⁽⁸⁾	50
Uganda (UG)	<i>Sesamum</i> seeds (Food)	1207 40 90		<i>Salmonella</i> ⁽²⁾	20
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'.

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- (2) The sampling and the analyses are to be performed in accordance with the sampling procedures and the analytical reference methods set out in point 1(a) of Annex III to these Regulations.
- (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 these Regulations.
- (4) The analytical report referred to in Article 10(3) of this Regulation is to be issued by a laboratory accredited in accordance with BS EN ISO/IEC 17025:2017 (“*General requirements for the competence 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 at <https://knowledge.bsigroup.com>) analysis of PCP in food and feed. The analytical report is to 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 is to be performed with an acidified solvent. The analysis is to 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. The modified QuEChERS method is available at QuEChERS: Home.
- (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</i> ⁽¹⁾	<i>Description</i> ⁽²⁾
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 [Council Regulation \(EEC\) No. 2658/87](#) on the tariff and statistical nomenclature and on the Common Customs Tariff.6
- (3) Mixtures of two or more of the products of different headings are to be classified in heading 0910.

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SCHEDULE 3

Regulation 2(4)

New Annex II(a) to Commission Implementing Regulation (EU) 2019/1793

“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)	Food consisting of dried beans (Food)	0713 35 00		Pesticide residues”
		0713 39 00		
		0713 90 00		

(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(2) provides that Annex 1 of Regulation (EU) 2019/1793 is substituted, with amendments, with the Annex in schedule 1 which contains a list which sets out food and feed of non-animal origin from certain third countries which is subject to a temporary increase of official controls at border controls posts and control points in Great Britain.

Regulation 2(3) provides that Annex 2 of Regulation (EU) 2019/1793 is substituted, with amendments, with the Annex in schedule 2. The Annex in schedule 2 comprises two tables. Table 1 contains the list of 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 2 contains the list of compound food containing any of the food listed in Table 1 to Annex 2 due to the risk of contamination by aflatoxins in a quantity above 20% of either a single product or as the sum of those products.

Regulation 2(4) provides that Annex 2(a) of Regulation (EU) 2019/1793 is substituted, with amendments, with the Annex in schedule 3 which contains the list of food and feed from certain third countries subject to suspension of entry into Great Britain.

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.

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