## 2024 No. 12

## **AGRICULTURE**

## **FOOD**

The Official Controls (Import of High Risk Food and Feed of Non-Animal Origin) Amendment (Scotland) Regulations 2024

Made - - - - - 16th January 2024

Laid before the Scottish Parliament 18th January 2024

Coming into force - - 7th March 2024

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 34(6), 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) ("Regulation 2017/625") and all other powers enabling them to do so.

There has been consultation as required by Article 9 of Regulation 178/2002 and as required by Article 144(7) of Regulation 2017/625.

#### 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 2024 and come into force on 7 March 2024.
  - (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(**c**) is amended as follows.
  - (2) In Article 3 (sampling and analyses)—
    - (a) after paragraph (e), insert—

<sup>(</sup>a) EUR 2002/178, as amended by S.I. 2019/641 and 2020/1504.

<sup>(</sup>**b**) EUR 2017/625, as amended by S.I. 2020/1481.

<sup>(</sup>c) EUR 2019/793, as amended by S.I. 2020/1631.

- "(ea) for food listed in Annex II due to the presence of *Listeria*, the sampling and the analyses for the control of *Listeria* must be performed in accordance with the sampling procedures and the analytical reference methods laid down in Annex IIIa;
- (b) in paragraph (f), for "and (e)" substitute ", (e) and (ea)".
- (3) In Article 10(2) (results of sampling and analyses performed by the competent authorities of the third country), at the end of sub-paragraph (d), insert—

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- (e) the absence of *Listeria* in 25 g, for consignments of food listed in Annex II due to risk of microbiological contamination by *Listeria*.".
- (4) For 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), substitute the Annex in schedule 1 of these Regulations.
- (5) For 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), substitute the Annex in schedule 2 of these Regulations.
- (6) After Annex III (sampling procedures and analytical reference methods referred to in Article 3(e)), insert the Annex in schedule 3 of these Regulations.

JENNI MINTO
Authorised to sign by the Scottish Ministers

St Andrew's House, Edinburgh 16th January 2024 New Annex I of 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

Country of origin	(intended use)	CN code <sup>(1)</sup>	TARIC sub- division	Hazard	Frequency of physical and identity checks (%)
Bolivia (BO)	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	2008 11 91 2008 11 96 2008 11 98			
	(Food and feed) 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	2305 00 00			
	extraction of groundnut oil (Food and feed)				
	Groundnuts paste (Food and feed)	ex2007 10 10 ex2007 10 99 ex2007 99 39	80 50 07;08		
Brazil (BR)	Black pepper (Piper) (Food – neither crushed nor ground)	ex0904 11 00	10	Salmonella <sup>(2)</sup>	50
	Groundnuts (peanuts), in shell (Food and feed)	1202 41 00		Pesticide residues <sup>(4)</sup>	20

	G 1 .	1202 42 00			
	Groundnuts	1202 42 00			
	(peanuts), shelled				
	(Food and feed)			-	
	Peanut butter	2008 11 10			
	(Food and feed)				
	Groundnuts	2008 11 91			
	(peanuts), otherwise	2008 11 96			
	prepared or	2008 11 98			
	preserved				
	(Food and feed)				
	Oilcake and other	2305 00 00			
	solid residues,				
	whether or not				
	ground or in the				
	form of pellets,				
	resulting from the				
	extraction of				
	groundnut oil				
	(Food and feed)	1000 00 00	200	-	
	Groundnut flours	ex1208 90 00	20		
	and meals				
	(Food and feed)				
	Groundnuts paste	ex2007 10 10	80		
	(Food and feed)	ex2007 10 99	50		
		ex2007 99 39	07;08		
China (CN)	Groundnuts	1202 41 00		Aflatoxins	10
	(peanuts) in shell				
	(Food and feed)				
	Groundnuts	1202 42 00			
	(peanuts), shelled				
	(Food and feed)				
	Peanut butter	2008 11 10			
	(Food and feed)				
	Groundnuts	2008 11 91			
	(peanuts), otherwise	2008 11 96			
	prepared or	2008 11 98			
	preserved				
	(Food and feed)				
	Oilcake and other	2305 00 00			
	solid residues,				
	whether or not				
	ground or in the				
	form of pellets,				
	resulting from the				
	extraction of				
	groundnut oil				
	(Food and feed)			-	
	Groundnut flours	ex1208 90 00	20		
	and meals				
	(Food and feed)			_	
	Groundnuts paste	ex2007 10 10	80		
	(Food and feed)	ex2007 10 99	50		
		ex2007 99 39	07;08		
	Sweet peppers	ex0904 22 00	11	Salmonella <sup>(4)</sup>	10

	(Camaianus)				
	(Capsicum annuum)				
	(Food – crushed or				
	ground)	0002		D	20
	Tea, whether or not	0902		Pesticide	20
	flavoured			residues <sup>(4) (5)</sup>	
	(Food)				
Columbia	Granadilla	ex0810 90 20	30	Pesticide	10
(CO)	(Passiflora			residues <sup>(4)</sup>	
	ligularis) and				
	passion fruit				
	(Passiflora edulis)				
	(Food)				
Dominican	Aubergines	0709 30 00		Pesticide	20
Republic	(Solanum			residues <sup>(4)</sup>	
(DO)	melongena)				
	(Food – fresh or				
	chilled)				
	Sweet peppers	0709 60 10		Pesticide	50
	(Capsicum annuum)	0710 80 51		residues <sup>(4) (6)</sup>	
	(Food – fresh,				
	chilled or frozen)				
	Peppers of the	ex0709 60 99	20		
	genus Capsicum	ex0710 80 59	20		
	(other than sweet)				
	(Food – fresh,				
	chilled or frozen)				
	Yardlong beans	ex0708 20 00	10		
	(Vigna unguiculata	ex0710 22 00	10		
	subsp.sesquipedalis)				
	(Food – fresh,				
	chilled or frozen)				
Ecuador	Bananas	0803 90 10		Pesticide	5
(EC)	(Food – fresh or	0803 90 90		residues(4)	
	dried)				
Egypt (EG)	Oranges	0805 10		Pesticide	10
	(Food – fresh or			residues(4)	
	dried)				
	Sweet peppers	0709 60 10		Pesticide	20
	(Capsicum annuum)	0710 80 51		residues(4) (7)	
	(Food – fresh,				
	chilled or frozen)				
	Peppers of the	ex0709 60 99	20		
	genus Capsicum	ex0710 80 59	20		
	(other than sweet)	0.10,10 00 0			
	(Food – fresh,				
	chilled				
	or frozen)				
Georgia	Hazelnuts (Corylus	0802 21 00		Aflatoxins	20
(GE)	spp.), in shell	0002 21 00		7 HILLOANIS	20
(02)	(Food)				
	Hazelnuts (Corylus	0802 22 00			
	spp.), shelled	0002 22 00			
	(Food)				
	·	ex1106 30 90	40	<del> </del>	
	Flour, meal and	CX1100 30 90	40		

	powder of hazelnuts (Corylus spp.) (Food) Hazelnuts (Corylus spp.), otherwise	ex2008 19 19 ex2008 19 95	30 20		
	prepared or preserved (Food)	ex2008 19 99	30		
Ghana (GH)	Palm oil (Food)	1511 10 90 1511 90 11 ex1511 90 19 1511 90 99	90	Sudan dyes <sup>(8)</sup>	20
India (IN)	Curry leaves (Bergera/ Murraya koenigii) (Food – fresh, chilled, frozen or dried)	ex1211 90 86	10	Pesticide residues <sup>(4)</sup> (9)	50
	Drumsticks (Moringa oleifera) (Food – fresh, chilled or frozen)	ex0709 99 90 ex0710 80 95	10 75	Pesticide residues <sup>(4)</sup>	20
	Okra (Food – fresh, chilled or frozen)	ex0709 99 90 ex0710 80 95	20 30	Pesticide residues <sup>(4)</sup> (10)	20
	Rice (Food)	1006		Aflatoxins and Ochratoxin A	5
				Pesticide residues <sup>(4)</sup>	5
	Cinnamon and cinnamon-tree flowers (Food – dried spices)	0906		Pesticide residues <sup>(4)</sup> (21)	10
	Cloves (whole fruit, cloves and stems) (Food – dried spices)	0907		Pesticide Residues <sup>(4)</sup> (21)	10
	Nutmeg, mace and cardamoms (Food – dried spices)	0908		Pesticide residues <sup>(4)</sup> (21)	10
	Seeds of anise, badian, fennel, coriander, cumin or caraway, juniper berries (Food – dried spices)	0909		Pesticide residues <sup>(4)</sup> (21)	10
	Ginger, saffron, turmeric ( <i>Curcuma</i> ), thyme, bay leaves, curry and other spices	0910		Pesticide residues <sup>(4)</sup> (21)	10

	(Food – dried				
Iran (IR)	spices) Melon seeds	1207 70		Aflatoxins	10
nun (III)	(Food)	1207 70		Titutoxiiis	10
Kenya (KE)	Beans (Vigna spp.,	0708 20		Pesticide	10
	Phaseolus spp.)			residues <sup>(4)</sup>	
	(Food – fresh or				
	chilled)	0700 (0.00	20	D .: : 1	10
	Peppers of the genus <i>Capsicum</i>	ex0709 60 99	20	Pesticide residues <sup>(4)</sup>	10
	(other than sweet)	ex0710 80 59	20	residues	
	(Food – fresh,				
	chilled or frozen)				
Cambodia	Chinese celery	ex0709 40 00	20	Pesticide	50
(KH)	(Apium graveolens)			residues <sup>(4) (11)</sup>	
	(Food – fresh or				
	<i>chilled herb)</i> Yardlong beans	ex0708 20 00	10	Pesticide	50
	(Vigna unguiculata	ex0710 22 00	10	residues <sup>(4)</sup> (12)	30
	subsp. sesquipedalis)	CX0710 22 00			
	(Food – fresh,				
	chilled or frozen)				
Lebanon	Turnips (Brassica	ex2001 90 97	11; 19	Rhodamine B	50
(LB)	rapa subsp. rapa )				
	(Food – prepared or preserved by				
	vinegar or acetic				
	acid)				
	Turnips (Brassica	ex2005 99 80	93	Rhodamine B	50
	rapa subsp. rapa )				
	(Food – prepared				
	or preserved by brine or citric acid,				
	not frozen)				
Madagascar	Cow peas (Vigna	0713 35 00		Pesticide	10
(MG)	unguiculata			residues <sup>(4)</sup>	
	subspp.)				
	(Food)	1202 11 00		A CI	70
	Groundnuts (peanuts), in shell	1202 41 00		Aflatoxins	50
	(Food and feed)				
	Groundnuts	1202 42 00		1	
	(peanuts), shelled	1202 .200			
	(Food and feed)				
	Peanut butter	2008 11 10			
	(Food and feed)			4	
	Groundnuts	2008 11 91			
	(peanuts), otherwise prepared or	2008 11 96			
	preserved	2008 11 98			
	(Food and feed)				
	Groundnut flours	ex1208 90 00	20		
	and meals				
	(Food and feed)				

Molaysia	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)  Jackfruit	2305 00 00 ex0810 90 20	20	Pesticide	50
Malaysia (MY)	(Artocarpus heterophyllus) (Food – fresh)	ex0810 90 20	20	residues <sup>(4)</sup>	30
Nigeria (NG)	Sesamum seeds (Food)	1207 40 90		Salmonella <sup>(2)</sup>	50
Pakistan (PK)	Rice (Food)	1006		Aflatoxins and Ochratoxin A	5
				Pesticide residues <sup>(4)</sup>	5
Sierra Leone (SL)	Watermelon (egusi, Citrullus 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	2008 11 10			
	(Food and feed)				
	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			
	Groundnuts paste (Food and feed)	ex2007 10 10 ex2007 10 99 ex2007 99 39	80 50 07;08	Aflatoxins	50
Syria (SY)	Sesamum seeds	1207 40 90	,	Salmonella <sup>(2)</sup>	10

	(Food)				
	(Food)	av 1704 00 00	12, 02	Calman 11 -(2)	10
	Tahini and halva from Sesamum	ex1704 90 99	12; 92	Salmonella <sup>(2)</sup>	10
	seeds	ex1806 20 95	13; 93		
		ex1806 90 50	10		
	(Food)	ex1806 90 60	11;91		
		ex2008 19 19	40		
		ex2009 19 99	40		
	Turnips (Brassica	ex2001 90 97	11; 19	Rhodamine B	50
	rapa subsp. rapa )				
	(Food – prepared				
	or preserved by				
	vinegar or acetic				
	acid)	2005 00 00	02	D1 1 ' D	50
	Turnips (Brassica	ex2005 99 80	93	Rhodamine B	50
	rapa subsp. rapa )				
	(Food – prepared				
	or preserved by				
	brine or citric acid, not frozen)				
Thailand	Food containing or	ex1404 90 00		Salmonella <sup>(3)</sup>	10
(TH)	consisting of betel	EX1404 90 00		Saimonella	10
(111)	leaves (Piper betle)				
	(Food)				
	Peppers of the	ex0709 60 99	20	Pesticide	50
	genus Capsicum	ex0710 80 59	20	residues <sup>(4)</sup> (13)	30
	(other than sweet)	CX0710 00 39	20	residues	
	(Food – fresh,				
	chilled or frozen)				
Türkiye	Lemons (Citrus	0805 50 10		Pesticide	20
(TR)	limon, Citrus			residues(4) (14)	
	limonum)				
	(Food – fresh,				
	chilled or dried)				
	Mandarins	0805 21		Pesticide	20
	(including	0805 22		residues <sup>(4)</sup>	
	tangerines and	0805 29			
	satsumas);				
	clementines,				
	wilkings and similar				
	citrus hybrids				
	(Food – fresh or				
	dried)	0005.10		D (1.11	20
	Oranges	0805 10		Pesticide	20
	(Food – fresh or			residues <sup>(4)</sup>	
	dried)	0010 00 77	20	Daniel 1	20
	Pomegranates	ex0810 90 75	30	Pesticide	20
	(Food – fresh or			residues <sup>(4) (15)</sup>	
	chilled)	0=00 15			1
	Sweet Peppers	0709 60 10		Pesticide	20
	(Capsicum annuum)	0710 80 51		residues(4) (16)	
	(Food – fresh,				
	chilled or frozen)				

	D C.1	0700 60 00	20	D .: : 1	20
	Peppers of the genus Capsicum	ex0709 60 99 ex0710 80 59	20 20	Pesticide residues <sup>(4)</sup>	20
	(other than sweet) (Food – fresh, chilled or frozen)				
	Unprocessed whole, ground, milled, cracked, chopped apricot kernels intended to be placed on the market for the final consumer <sup>(17)</sup> (18) (Food)	ex1212 99 95	20	Cyanide	50
Uganda (UG)	Peppers of the genus <i>Capsicum</i> (other than sweet) ( <i>Food – fresh</i> ,	ex0709 60 99 ex0710 80 59	20 20	Pesticide residues <sup>(4)</sup>	50
	chilled or frozen)				
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	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 (Food and feed)	2305 00 00	80		
	Groundnuts paste	ex2007 10 10	80		
	(Food and feed)	ex2007 10 99 ex2007 99 39	50 07;08		
Uzbekistan (UZ)	Dried apricots (Food)	0813 10 00		Sulphites <sup>(19)</sup>	50
	Apricots, otherwise prepared or preserved (Food)	2008 50			

Vietnam (VN)	Coriander leaves (Food – fresh or chilled herbs)	ex0709 99 90	72	Pesticide residues <sup>(4)</sup> (20)	50
	Basil (holy, sweet) (Food – fresh or chilled herbs)	ex1211 90 86	20	Pesticide residues <sup>(4)</sup> (20)	50
	Mint (Food – fresh or chilled herbs)	ex1211 90 86	30	Pesticide residues <sup>(4)</sup> (20)	50
	Parsley (Food – fresh or chilled herbs)	ex0709 99 90	40	Pesticide residues <sup>(4)</sup> (20)	50
	Okra (Food – fresh, chilled or frozen)	ex0709 99 90 ex0710 80 95	20 30	Pesticide residues <sup>(4)</sup> (20)	50
	Peppers of the genus <i>Capsicum</i> (other than sweet) ( <i>Food – fresh</i> , <i>chilled or frozen</i> )	ex0709 60 99 ex0710 80 59	20 20	Pesticide residues <sup>(4)</sup> (20)	50
	Pitahaya (dragon fruit) (Food – fresh or chilled)	ex0810 90 20	10	Pesticide residues <sup>(4)</sup> (20)	50

<sup>(1)</sup> Where only certain products under any CN are required to be examined, the CN code is marked 'ex'.

<sup>(2)</sup> 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 of these Regulations.

<sup>(3)</sup> 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 of these Regulations.

<sup>&</sup>lt;sup>(4)</sup> 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(a) 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).

<sup>(5)</sup> Residues of Tolfenpyrad.

<sup>&</sup>lt;sup>(6)</sup> 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).

<sup>&</sup>lt;sup>(7)</sup> 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.

<sup>&</sup>lt;sup>(8)</sup> 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).

<sup>(9)</sup> Residues of Acephate.

<sup>(10)</sup> Residues of Diafenthiuron.

<sup>(11)</sup> Residues of Phenthoate.

<sup>(</sup>a) EUR 2005/396, as amended by S.I. 2019/557. S.I. 2019/557 was amended by S.I. 2019/1410 and S.I. 2020/1376.

- (12) Residues of Chlorbufam.
- (13) Residues of Formetanate (sum of formetanate and its salts expressed as formetanate (hydrochloride)), Prothiofos and Triforine.
- (14) Residues of chlorpyrifos/chlorpyrifos-methyl and fenbutatin oxide.
- (15) Residues of Prochloraz (sum of prochloraz, BTS 44595 (M201-04) and BTS 44596 (M201-03), expressed as prochloraz).
- (16) Residues of Diafenthiuron, Formetanate (sum of formetanate and its salts expressed as formetanate (hydrochloride)) and Thiophanate-methyl.
- <sup>(17)</sup> 'Unprocessed products' as defined in Regulation (EC) No 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs(a).
- (18) 'Placing on the market' and 'final consumer' as defined in Regulation (EC) No 178/2002.
- (19) 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.
- (20) Residues of Dithiocarbamates (dithiocarbamates expressed as CS2, including maneb, mancozeb, metiram, propineb, thiram and ziram), Phenthoate and Quinalphos.
- (21) Residues of Ethylene Oxide (sum of ethylene oxide and 2-chloro-ethanol, expressed as ethylene oxide)."

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<sup>(</sup>a) EUR 2004/852; as amended by S.I. 2019/642.

New Annex II of 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  $\mathbf{1}(\mathbf{1})(\mathbf{b})(\mathbf{i})$ 

Country of origin	Food and feed (intended use)	CN code <sup>(1)</sup>	TARIC sub- division	Hazard	Frequency of physical and identity checks (%)
Argentina (AR)	Groundnuts (peanuts), in shell (Food and feed)	1202 41 00		Aflatoxins	5
	Groundnuts (peanuts), shelled (Food and feed)	1202 42 00			
	Peanut butter (Food and feed)	2008 11 10			
	Groundnuts (peanuts), otherwise prepared or	2008 11 91 2008 11 96 2008 11 98			
	preserved (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 (Food and feed)	2305 00 00			
Azerbaijan (AZ)	Hazelnuts (Corylus spp.), in shell (Food)	0802 21 00		Aflatoxins	20
	Hazelnuts (Corylus	0802 22 00			

	) 1 11 1				
	spp.), shelled				
	(Food)				
	Mixtures of nuts	ex0813 50 39	70		
	or dried fruits	ex0813 50 91	70		
	containing	ex0813 50 99	70		
	hazelnuts				
	(Food)				
	Hazelnut	ex2007 10 10	70		
	(Corylus	ex2007 10 99	40		
	spp.)paste	ex2007 99 39	05; 06		
	(Food)	ex2007 99 50	33		
		ex2007 99 97	23		
	Hazelnuts,	ex2008 19 12	30		
	otherwise	ex2008 19 19	30		
	prepared or	ex2008 19 92	30		
	preserved,	ex2008 19 95	20		
	including	ex2008 19 99	30		
	mixtures	ex2008 97 12	15		
	(Food)	ex2008 97 14	15		
		ex2008 97 16	15		
		ex2008 97 18	15		
		ex2008 97 18 ex2008 97 32	15		
		ex2008 97 34	15		
		ex2008 97 36	15		
		ex2008 97 38	15		
		ex2008 97 51	15		
		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	ex1106 30 90	40		
	powder of	CATTOO 50 70			
	hazelnuts				
	(Corylus spp.)				
	(Food)				
	Hazelnut	ex1515 90 99	20		
	(Corylus spp.) oil	CATOTO JO J			
	(Food)				
Bangladesh	Food containing	ex1404 90 00		Salmonella <sup>(2)</sup>	50
(BD)	or consisting of				
	betel leaves				
	(Piper betle)				
	(Food)				
Brazil (BR)	Brazil nuts in	0801 21 00		Aflatoxins	50
	shell	2222			
	(Food)				
	(2 000)	L		1	

	3.62	0012 #0 21	20		
	Mixtures of nuts	ex0813 50 31	20		
	or dried fruits	ex0813 50 39	20		
	containing Brazil	ex0813 50 91	20		
	nuts in shell.	ex0813 50 99	20		
GI : (G) F	(Food)	0,500,500			20
China (CN)	Enoki mushrooms	ex0709 59 00		Listeria	20
Egypt (EG)	Groundnuts	1202 41 00		Aflatoxins	20
	(peanuts), in shell				
	(Food and feed)				
	Groundnuts	1202 42 00			
	(peanuts), shelled				
	(Food and feed)				
	Peanut butter	2008 11 10			
	(Food and feed)				
	Groundnuts	2008 11 91			
	(peanuts),	2008 11 96			
	otherwise	2008 11 98			
	prepared or				
	preserved				
	(Food and feed)				
	Groundnut flours	ex1208 90 00	20		
	and meals				
	(Food and feed)				
	Oilcake and other	2305 00 00			
	solid residues,				
	whether or not				
	ground or in the				
	form of pellets,				
	resulting from the				
	extraction of				
	groundnut oil				
	(Food and feed)				
	Groundnuts paste	ex2007 10 10	80		
	(Food and feed)	ex2007 10 99	50		
		ex2007 99 39	07;08		
	Vine leaves	ex2008 99 99	11;19	Pesticide	20
	(Food)			residues(5) (8)	
Ethiopia	Pepper of the	0904		Aflatoxins	50
(ET)	genus <i>Piper</i> ;				
	dried or crushed				
	or ground fruit of				
	the genus				
	Capsicum or of				
	the genus				
	Pimenta				
	(Food – dried				
	spices)			_	
	Ginger, saffron,	0910			
	turmeric				
	(Curcuma),				
	thyme, bay				
	leaves, curry and				
	other spices				
	(Food – dried				
	spices)				
				•	•

	Sesamum seeds	1207 40 90		Salmonella <sup>(2)</sup>	50
	(Food)	1207 40 90		Saimonella	30
Ghana (GH)	Groundnuts (peanuts), in shell (Food and feed)	1202 41 00		Aflatoxins	50
	Groundnuts (peanuts), shelled	1202 42 00			
	(Food and feed)				
	Peanut butter	2008 11 10			
	(Food and feed)				
	Groundnuts	2008 11 91			
	(peanuts), otherwise	2008 11 96			
	prepared or	2008 11 98			
	preserved				
	(Food and feed)				
	Groundnut flours	ex1208 90 00	20		
	and meals				
	(Food and feed)				
	Oilcake and other solid residues,	2305 00 00			
	whether or not				
	ground or in the				
	form of pellets,				
	resulting from the				
	extraction of				
	groundnut oil (Food and feed)				
	Groundnuts paste	ex2007 10 10	80		
	(Food and feed)	ex2007 10 10 ex2007 10 99	50		
	(1 oou unu jeeu)	ex2007 99 39	07;08		
The Gambia	Groundnuts	1202 41 00	07,00	Aflatoxins	50
(GM)	(peanuts), in shell				
, ,	(Food and feed)				
	Groundnuts	1202 42 00			
	(peanuts), shelled				
	(Food and feed)				
	Peanut butter	2008 11 10			
	(Food and feed)			_	
	Groundnuts	2008 11 91			
	(peanuts),	2008 11 96			
	otherwise prepared or	2008 11 98			
	preserved				
	(Food and feed)				
	Groundnut flours	ex1208 90 00	20		
	and meals				
	(Food and feed)				
	Oilcake and other	2305 00 00			
	solid residues,				
	whether or not				
	ground or in the				
	form of pellets,				
	resulting from the				

	extraction of groundnut oil				
	(Food and feed)				
	Groundnuts paste	ex2007 10 10	80		
	(Food and feed)	ex2007 10 99	50		
		ex2007 99 39	07;08		
Indonesia	Nutmeg	0908 11 00		Aflatoxins	10
(ID)	(Myristica	0908 12 00			
	fragrans)				
	(Food – dried				
	spices)				
India (IN)	Food containing	ex1404 90 00		Salmonella <sup>(3)</sup>	10
	or consisting of				
	betel leaves				
	(Piper betle)				
	(Food)				
	Nutmeg	0908 11 00		Aflatoxins	20
	(Myristica	0908 12 00			
	fragrans)				
	(Food – dried				
	spices)				
	Peppers of the	0904 21 10		Aflatoxins	20
	genus Capsicum	ex0904 22 00	11; 19		
	(sweet or other	ex0904 21 90	20		
	than sweet)	ex2005 99 10	10; 90		
	(Food – dried,	ex2005 99 80	94		
	roasted, crushed				
	or				
	ground)	1202 41 00		A CL 4	50
	Groundnuts	1202 41 00		Aflatoxins	50
	(peanuts), in shell				
	(Food and feed) Groundnuts	1202 42 00			
	(peanuts), shelled	1202 42 00			
	(Food and feed)				
	Peanut butter	2008 11 10			
		2006 11 10			
	(Food and feed) Groundnuts	2008 11 91			
	(peanuts),	2008 11 91			
	otherwise	2008 11 98			
	prepared or	2008 11 98			
	preserved				
	(Food and feed)				
	Groundnut flours	ex1208 90 00	20		
	and meals				
	(Food and feed)				
	Oilcake and other	2305 00 00			
	solid residues,	_			
	whether or not				
	ground or in the				
	form of pellets,				
	resulting from the				
	extraction of				
	groundnut oil				

	(Food and feed)				
	Groundnuts paste	ex2007 10 10	80	-	
	-		50		
	(Food and feed)	ex2007 10 99			
		ex2007 99 39	07;08	D . 11	_
	Guar gum	ex1302 32 90		Pentachloro	5
	(Food and feed)			phenol and	
				dioxins <sup>(4)</sup>	
	Peppers of the	ex0709 60 99	20	Pesticide	20
	genus Capsicum	ex0710 80 59	20	residues(5) (6)	
	(other than sweet)				
	(Food-fresh,				
	chilled or frozen)				
	Peppers of the	0904		Pesticide	20
	genus Capsicum	ex2005 99 10	10;90	residues(5) (6)	
	(sweet or other	ex2005 99 80	94		
	than sweet)				
	(Food – dried,				
	roasted, crushed				
	or ground)				
	Sesamum seeds	1207 40 90		Salmonella <sup>(2)</sup>	20
	(Food)			Pesticides residues <sup>(5) (7)</sup>	50
Iran (IR)	Pistachios, in	0802 51 00		Aflatoxins	50
Hall (IK)	shell	0802 31 00		Aliatoxilis	30
	(Food)				
	<del>_</del>	0002.52.00		-	
	Pistachios, shelled	0802 52 00			
	(Food)	0012 50 20	(0	-	
	Mixtures of nuts or dried fruits	ex0813 50 39	60		
	containing	ex0813 50 91	60		
	pistachios	ex0813 50 99	60		
	(Food)				
		ex2007 10 10	60	-	
	Pistachio paste				
	(Food)	ex2007 10 99	30		
		ex2007 99 39	03; 04		
		ex2007 99 50	32		
		ex2007 99 97	22	-	
	Pistachios,	ex2008 19 13	20		
	prepared or	ex2008 19 93	20		
	preserved,	ex2008 97 12	19		
	including	ex2008 97 14	19		
	mixtures	ex2008 97 16	19		
	(Food)	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		
L	1	=		L	L

		T			
		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		
	powder of				
	pistachios				
	(Food)				
South Korea	Enoki mushrooms	ex0709 59 00		Listeria	20
(KR)	(Food)				
Sri Lanka	Peppers of the	0904 21 10	20	Aflatoxins	50
(LK)	genus Capsicum	ex0904 21 90	20		
	(sweet or other	ex0904 22 00	11; 19		
	than sweet)	ex2005 99 10	10; 90		
	(Food – dried, roasted, crushed	ex2005 99 80	94		
	or ground)				
Nigeria (NG)	Watermelon	ex1207 70 00	10	Aflatoxins	50
ringeria (110)	(egusi, Citrullus	ex1207 70 00 ex1208 90 00	10	Tillatoxilis	
	spp.) seeds and	ex2008 99 99	50		
	derived products	CA2000 77 77	30		
	(Food)				
Pakistan	Peppers of the	ex0709 60 99	20	Pesticide	20
(PK)	genus Capsicum	ex0710 80 59	20	residues <sup>(5)</sup>	
	(other than sweet)				
	(Food – fresh,				
	chilled or frozen)				
	Spice mixes	0910 91 10		Aflatoxins	10
	(Food)	0910 91 90			
Sudan (SD)	Groundnuts	1202 41 00		Aflatoxins	50
	(peanuts), in shell				
	(Food and feed)	1202 12 00			
	Groundnuts	1202 42 00			
	(peanuts), shelled				
	(Food and feed)	2000 11 10			
	Peanut butter	2008 11 10			
	(Food and feed) Groundnuts	2008 11 91		+	
	(peanuts),				
	otherwise	2008 11 96 2008 11 98			
	prepared or	2000 11 98			
	preserved				
	(Food and feed)				
	Groundnut flours	ex1208 90 00	20		
	and meals				
	(Food and feed)				
	Oilcake and other	2305 00 00			
	solid residues,				
	whether or not				
	ground or in the				
	form of pellets,				

	40 00116i f 1				
	resulting from the extraction of				
	groundnut oil				
	(Food and feed)				
	Groundnuts paste	ex2007 10 10	80		
	-	ex2007 10 10 ex2007 10 99	50		
	(Food and feed)				
	G 1	ex2007 99 39	07;08	G 1 11 (2)	70
	Sesamum seeds	1207 40 90		Salmonella <sup>(2)</sup>	50
	(Food)				
Türkiye (TR)	Dried figs	0804 20 90		Aflatoxins	20
	(Food)				
	Mixtures of nuts	ex0813 50 99	50		
	or dried fruits				
	containing figs				
	(Food)				
	Dried fig paste	ex2007 10 10	50		
	(Food)	ex2007 10 99	20		
		ex2007 99 39	01; 02		
		ex2007 99 50	31		
		ex2007 99 97	21		
	Dried figs,	ex2008 97 12	11		
	prepared or	ex2008 97 14	11		
	preserved,	ex2008 97 16	11		
	including	ex2008 97 18	11		
	mixtures	ex2008 97 32	11		
	(Food)	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 94 ex2008 97 96	11		
		ex2008 97 90 ex2008 97 97	11		
		ex2008 97 97 ex2008 97 98	11		
		ex2008 97 98 ex2008 99 28	10		
		ex2008 99 34 ex2008 99 37	10		
		ex2008 99 37 ex2008 99 40	10		
			10		
		ex2008 99 49	60		
		ex2008 99 67	95		
	T1 .	ex2008 99 99	60	_	
	Flour, meal or	ex1106 30 90	60		
	powder of dried				
	figs				
	(Food)				
	Pistachios, in	0802 51 00		Aflatoxins	50
	shell				

	(Food)				
	Pistachios,	0802 52 00			
	shelled				
	(Food)				
	Mixtures of nuts	ex0813 50 39	60		
	or dried fruits	ex0813 50 91	60		
	containing	ex0813 50 99	60		
	pistachios				
	(Food)				
	Pistachio	ex2007 10 10	60		
	Paste	ex2007 10 99	30		
	(Food)	ex2007 99 39	03; 04		
		ex2007 99 50	32		
		ex2007 99 97	22		
	Pistachios,	ex2008 19 13	20		
	prepared or	ex2008 19 93	20		
	preserved,	ex2008 97 12	19		
	including	ex2008 97 14	19		
	mixtures	ex2008 97 16	19		
	(Food)	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	1	
	powder of				
	pistachios				
	(Food)				
	Vine leaves	ex2008 99 99	11; 19	Pesticide	50
	(Food)			residues(5) (8)	
Uganda (UG)	Sesamum seeds	1207 40 90		Salmonella <sup>(2)</sup>	20
	(Food)				
(1) Where	e only certain product	s under any CN code	are required	I to be examined	the CN code is

<sup>(1)</sup> Where only certain products under any CN code are required to be examined, the CN code is marked 'ex'.

<sup>(2)</sup> 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 of these Regulations.

<sup>(3)</sup> 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 of these Regulations.

<sup>&</sup>lt;sup>(4)</sup> The analytical report referred to in Article 10(3) of this Regulation must be issued by a laboratory accredited for the analysis of PCP in food and feed in accordance with BS EN

ISO/IEC 17025:2017 "General requirements for the competence of 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 https://knowledge.bsigroup.com). The analytical report must 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; (d) the limit of quantification (LOQ) of the analytical method. The extraction before analysis must be performed with an acidified solvent. The analysis must be carried out according to the modified version of the QuEChERS method or according to an equally reliable method. The modified version of the QuEChERS method is set out in the document "Analytical Quality Control and Method Validation Procedures for Pesticide Residues Analysis in Food and Feed" (SANTE 2017/11813), implemented on 1 January 2020 and available https://www.eurlpesticides.eu/userfiles/file/EurlALL/AgcGuidance SANTE 2019 12682.pdf.

(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(a) 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).

- <sup>(7)</sup> Residues of ethylene oxide (sum of ethylene oxide and 2-chloro-ethanol, expressed as ethylene oxide).
- <sup>(8)</sup> Residues of dithiocarbamates (dithiocarbamates expressed as CS2, including maneb, mancozeb, metiram, propineb, thiram and ziram) and metrafenone.

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.

CN Code <sup>(1)</sup>	Description
ex1704 90	Sugar confectionery (including white chocolate), not containing cocoa,
	other than chewing gum, whether or not sugar-coated.
ex1806	Chocolate and other food preparations containing cocoa.
ex1905	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 <sup>(2)</sup> .

<sup>(1)</sup> Where only certain products under any CN code are required to be examined, the CN code is marked 'ex'.

<sup>(6)</sup> Residues of Carbofuran.

<sup>(2)</sup> Mixtures of two or more of the products of different headings are to be classified in heading 0910."

<sup>(</sup>a) EUR 2005/396, as amended by S.I. 2019/557. S.I. 2019/557 was amended by S.I. 2019/1410 and S.I. 2020/1376.

# New Annex IIIa of Commission Implementing Regulation (EU) 2019/1793

### "ANNEX IIIa

### Sampling procedure and analytical reference method for the control of presence of *Listeria* in food

Sampling procedure and analytical reference method for the control of presence of *Listeria* in food, referred to in Article 3(ea)

Analytical reference method <sup>(1)</sup>	Weight of consignment	Number of sample units (n)	Sampling procedures	Analytical result required for each sample unit of the same consignment
EN ISO 11290- 1:2017 <sup>(2)</sup>	Any weight	5	n sample units are collected of a minimum of 100 g each. If batches are identified in the CHED, the sample units must be collected from the different batches randomly chosen from the consignment. If batches cannot be identified, the sample units are collected randomly from the consignment. Pooling of sample units is not allowed. Each sample unit must be tested separately.	No detection of Listeria in 25g

<sup>&</sup>lt;sup>(1)</sup> The listed method must be used, or a method validated against it in accordance with the protocol set out in BS EN ISO 16140-2:2016 "Microbiology of the food chain. Method validation - Protocol for the validation of alternative (proprietary) methods against a reference method". BS EN ISO 16140-2:2016 was published by the British Standards Institution on 31 July 2016 (ISBN 978 0 580 69940 5). Available from the British Standards Institution https://knowledge.bsigroup.com.

<sup>(2)</sup> Under reference BS EN ISO 11290-1:2017 "Microbiology of the food chain. Horizontal method for the detection and enumeration of Listeria monocytogenes and of Listeria spp. - Detection method". Published by the British Standards Institution on 31 August 2017 (ISBN 978 0 580 77715 8). Available from the British Standards Institution https://knowledge.bsigroup.com."

#### 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) and (3) inserts provision into Regulation (EU) 2019/1793 concerning the sampling and analyses of food and feed of non-animal origin for the hazard *Listeria*. Regulation 2(6) and schedule 3 make related provision through the addition of Annex IIIa of Regulation (EU) 2019/1793 which outlines the sampling procedure and analytical reference method for the control of the presence of *Listeria* in food.

Regulation 2(4) provides that Annex I 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(5) provides that Annex II 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 of 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.

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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