

**2024 No. 120**

**AGRICULTURE, ENGLAND**

**FOOD, ENGLAND**

**The Official Controls (Import of High-Risk Food and Feed of  
Non-Animal Origin) (Amendment of Commission  
Implementing Regulation (EU) 2019/1793) (England)  
Regulations 2024**

<i>Made</i>	- - - -	<i>1st February 2024</i>
<i>Laid before Parliament</i>		<i>5th February 2024</i>
<i>Coming into force</i>		<i>7th March 2024</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by Articles 53(1)(b) and 57a(6) 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), 54(4)(a) and (b) and 144(6) 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 (“Official Controls Regulation”)(b).

As required by Article 9 of Regulation 178/2002, there has been open and transparent public consultation during the preparation and evaluation of these Regulations.

As required by Article 144(7) of the Official Controls Regulation, the Secretary of State has consulted with such bodies or persons as appear appropriate.

**Citation, commencement, extent and application**

**1.**—(1) These Regulations may be cited as the Official Controls (Import of High-Risk Food and Feed of Non-Animal Origin) (Amendment of Commission Implementing Regulation (EU) 2019/1793) (England) Regulations 2024 and come into force on 7th March 2024.

(2) These Regulations extend to England and Wales but apply in relation to England only.

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(a) EUR 2002/178, amended by S.I. 2019/641 and 2022/377. See Article 3(19) of EUR 2002/178 for the definition of “appropriate authority”.

(b) EUR 2017/625, amended by S.I. 2020/1481. See Article 3(2A) of EUR 2017/625 for the definition of “the appropriate authority”.

**Amendment of Commission Implementing Regulation (EU) 2019/1793 on the temporary increase of official controls and emergency measures, etc.**

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 implementing Regulations (EU) 2017/625 and (EC) No 178/2002 of the European Parliament and of the Council and repealing Commission Regulations (EC) No 669/2009, (EU) No 884/2014, (EU) 2015/175, (EU) 2017/186 and (EU) 2018/1660(a) is amended as follows.

(2) In Article 3 (sampling and analyses)—

(a) after paragraph (e), insert—

“(ea) for food listed in Annex II due to the risk of 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 (results of sampling and analyses performed by the competent authorities of the third country), in paragraph (2), after point (d) insert—

“(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) In Annex I, for the table (Table: England Food and feed of non-animal origin from certain third countries subject to a temporary increase of official controls at border controls posts and control points) substitute the table in Schedule 1 to these Regulations.

(5) In Annex II, for the first table (Table 1: England Food and feed of non-animal origin referred to in Article 1(1)(b)(i)), substitute the table in Schedule 2 to these Regulations.

(6) After Annex III, insert the Annex IIIa contained in Schedule 3 to these Regulations.

**Amendment of the Official Controls (Imports of High Risk Food and Feed of Non-Animal Origin) (Amendment of Commission Implementing Regulation (EU) 2019/1793) (England) Regulations 2022**

3. In the Official Controls (Imports of High Risk Food and Feed of Non-Animal Origin) (Amendment of Commission Implementing Regulation (EU) 2019/1793) (England) Regulations 2022(b)—

(a) in regulation 2 (amendment of Commission Implementing Regulation (EU) 2019/1793 on the temporary increase of official controls and emergency measures, etc), omit paragraphs (4) and (5)(a);

(b) omit Schedules 1 and 2.

Signed by authority of the Secretary of State for Health and Social Care

1st February 2024

*Andrea Leadsom*  
Parliamentary Under Secretary of State  
Department of Health and Social Care

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(a) EUR 2019/1793, amended by S.I. 2020/1631 and 2022/1193.

(b) S.I. 2022/1193.

# SCHEDULES

## SCHEDULE 1

Regulation 2(4)

Substitution of the table in Annex I to Commission Implementing Regulation (EU) 2019/1793 in relation to England

“Table: England

**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>Row</i>	<i>Country of origin</i>	<i>Food and feed (intended use)</i>	<i>CN code<sup>(1)</sup></i>	<i>TARIC sub-division</i>	<i>Hazard</i>	<i>Frequency of physical and identity checks (%)</i>
1	Bolivia (BO)	Groundnuts (peanuts), in shell <i>(Food and feed)</i>	1202 41 00		Aflatoxins	50
		Groundnuts (peanuts), shelled <i>(Food and feed)</i>	1202 42 00			
		Peanut butter <i>(Food and feed)</i>	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved <i>(Food and feed)</i>	2008 11 91 2008 11 96 2008 11 98			
		Groundnut flours and meals <i>(Food and feed)</i>	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 <i>(Food and feed)</i>	2305 00 00			
		Groundnuts paste <i>(Food and feed)</i>	ex2007 10 10 ex2007 10 99 ex2007 99 39	80 50 07; 08		
2	Brazil (BR)	Black pepper ( <i>Piper</i> ) <i>(Food – neither</i>	ex0904 11 00	10	<i>Salmonella</i> <sup>(2)</sup>	50

		<b><i>crushed nor ground)</i></b>				
		Groundnuts (peanuts), in shell <b><i>(Food and feed)</i></b>	1202 41 00		Pesticide residues <sup>(4)</sup>	20
		Groundnuts (peanuts), shelled <b><i>(Food and feed)</i></b>	1202 42 00			
		Peanut butter <b><i>(Food and feed)</i></b>	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved <b><i>(Food and feed)</i></b>	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 <b><i>(Food and feed)</i></b>	2305 00 00			
		Groundnut flours and meals <b><i>(Food and feed)</i></b>	ex1208 90 00	20		
		Groundnuts paste <b><i>(Food and feed)</i></b>	ex2007 10 10 ex2007 10 99 ex2007 99 39	80 50 07; 08		
3	China (CN)	Groundnuts (peanuts), in shell <b><i>(Food and feed)</i></b>	1202 41 00		Aflatoxins	10
		Groundnuts (peanuts), shelled <b><i>(Food and feed)</i></b>	1202 42 00			
		Peanut butter <b><i>(Food and feed)</i></b>	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved <b><i>(Food and feed)</i></b>	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	2305 00 00			

		extraction of groundnut oil <b>(Food and feed)</b>				
		Groundnut flours and meals <b>(Food and feed)</b>	ex1208 90 00	20		
		Groundnuts paste <b>(Food and feed)</b>	ex2007 10 10 ex2007 10 99 ex2007 99 39	80 50 07; 08		
		Sweet peppers ( <i>Capsicum annuum</i> ) <b>(Food – crushed or ground)</b>	ex0904 22 00	11	<i>Salmonella</i> <sup>(3)</sup>	10
		Tea, whether or not flavoured <b>(Food)</b>	0902		Pesticide residues <sup>(4) (5)</sup>	20
4	Colombia (CO)	Granadilla ( <i>Passiflora ligularis</i> ) and passion fruit ( <i>Passiflora edulis</i> ) <b>(Food)</b>	ex0810 90 20	30	Pesticide residues <sup>(4)</sup>	10
5	Dominican Republic (DO)	Aubergines ( <i>Solanum melongena</i> ) <b>(Food – fresh or chilled)</b>	0709 30 00		Pesticide residues <sup>(4)</sup>	20
		Sweet peppers ( <i>Capsicum annuum</i> ) <b>(Food – fresh, chilled or frozen)</b>	0709 60 10 0710 80 51		Pesticide residues <sup>(4) (6)</sup>	50
		Peppers of the genus <i>Capsicum</i> (other than sweet) <b>(Food – fresh, chilled or frozen)</b>	ex0709 60 99 ex0710 80 59	20 20		
		Yardlong beans ( <i>Vigna unguiculata</i> subsp. <i>sesquipedalis</i> ) <b>(Food – fresh, chilled or frozen)</b>	ex0708 20 00 ex0710 22 00	10 10		
6	Ecuador (EC)	Bananas <b>(Food - fresh or dried)</b>	0803 90 10 0803 90 90		Pesticide residues <sup>(4)</sup>	5
7	Egypt (EG)	Oranges <b>(Food – fresh or</b>	0805 10		Pesticide residues <sup>(4)</sup>	10

		<b>dried)</b>					
		Sweet peppers ( <i>Capsicum annuum</i> ) <b>(Food – fresh, chilled or frozen)</b>	0709 60 10 0710 80 51			Pesticide residues <sup>(4) (7)</sup>	20
		Peppers of the genus <i>Capsicum</i> (other than sweet) <b>(Food – fresh, chilled or frozen)</b>	ex0709 60 99 ex0710 80 59	20 20			
8	Georgia (GE)	Hazelnuts ( <i>Corylus</i> spp.), in shell <b>(Food)</b>	0802 21 00			Aflatoxins	20
		Hazelnuts ( <i>Corylus</i> spp.), shelled <b>(Food)</b>	0802 22 00				
		Flour, meal and powder of hazelnuts <b>(Food)</b>	ex1106 30 90	40			
		Hazelnuts, otherwise prepared or preserved <b>(Food)</b>	ex2008 19 19 ex2008 19 95 ex2008 19 99	30 20 30			
9	Ghana (GH)	Palm oil <b>(Food)</b>	1511 10 90 1511 90 11 ex1511 90 19 1511 90 99	90		Sudan dyes <sup>(8)</sup>	20
10	India (IN)	Curry leaves ( <i>Bergera/ Murraya koenigii</i> ) <b>(Food – fresh, chilled, frozen or dried)</b>	ex1211 90 86	10		Pesticide residues <sup>(4) (9)</sup>	50
		Okra <b>(Food – fresh, chilled or frozen)</b>	ex0709 99 90 ex0710 80 95	20 30		Pesticide residues <sup>(4) (10)</sup>	20
		Drumsticks ( <i>Moringa oleifera</i> ) <b>(Food fresh, chilled or frozen)</b>	ex0709 99 90 ex0710 80 95	10 75		Pesticide residues <sup>(4)</sup>	20
		Cinnamon and cinnamon-tree flowers	0906			Pesticide residues <sup>(4) (21)</sup>	10

		<b>(Food – dried spices)</b>				
		Cloves (whole fruit, cloves and stems) <b>(Food – dried spices)</b>	0907			
		Nutmeg, mace and cardamoms <b>(Food – dried spices)</b>	0908			
		Seeds of anise, badian, fennel, coriander, cumin or caraway, juniper berries <b>(Food – dried spices)</b>	0909			
		Ginger, saffron, turmeric ( <i>Curcuma</i> ), thyme, bay leaves, curry and other spices <b>(Food – dried spices)</b>	0910			
		Rice <b>(Food)</b>	1006		Aflatoxins and Ochratoxin A	5
					Pesticide residues <sup>(4)</sup>	5
11	Iran (IR)	Melon seeds <b>(Food)</b>	1207 70		Aflatoxins	10
12	Kenya (KE)	Beans ( <i>Vigna</i> spp., <i>Phaseolus</i> spp.) <b>(Food – fresh or chilled)</b>	0708 20		Pesticide residues <sup>(4)</sup>	10
		Peppers of the genus <i>Capsicum</i> (other than sweet) <b>(Food – fresh, chilled or frozen)</b>	ex0709 60 99 ex0710 80 59	20 20		
13	Cambodia (KH)	Chinese celery ( <i>Apium graveolens</i> ) <b>(Food – fresh or chilled herb)</b>	ex0709 40 00	20	Pesticide residues <sup>(4) (11)</sup>	50
		Yardlong beans	ex0708 20 00	10	Pesticide	50

		( <i>Vigna unguiculata</i> subsp. <i>sesquipedalis</i> ) <b>(Food – fresh, chilled or frozen)</b>	ex0710 22 00	10	residues <sup>(4) (12)</sup>	
14	Lebanon (LB)	Turnips ( <i>Brassica rapa</i> subsp. <i>rapa</i> ) <b>(Food – prepared or preserved by vinegar or acetic acid)</b>	ex2001 90 97	11; 19	Rhodamine B	50
		Turnips ( <i>Brassica rapa</i> subsp. <i>rapa</i> ) <b>(Food – prepared or preserved by brine or citric acid, not frozen)</b>	ex2005 99 80	93		
15	Madagascar (MG)	Cow peas ( <i>Vigna unguiculata</i> subspp.) <b>(Food)</b>	0713 35 00		Pesticide residues <sup>(4)</sup>	10
		Groundnuts (peanuts), in shell <b>(Food and feed)</b>	1202 41 00		Aflatoxins	50
		Groundnuts (peanuts), shelled <b>(Food and feed)</b>	1202 42 00			
		Peanut butter <b>(Food and feed)</b>	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved <b>(Food and feed)</b>	2008 11 91 2008 11 96 2008 11 98			
		Groundnut flours and meals <b>(Food and feed)</b>	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 <b>(Food and feed)</b>	2305 00 00			



16	Malaysia (MY)	Jackfruit ( <i>Artocarpus heterophyllus</i> ) <b>(Food – fresh)</b>	ex0810 90 20	20	Pesticide residues <sup>(4)</sup>	50
17	Nigeria (NG)	Sesamum seeds <b>(Food)</b>	1207 40 90		Salmonella <sup>(2)</sup>	50
18	Pakistan (PK)	Rice <b>(Food)</b>	1006		Aflatoxins and Ochratoxin A	5
					Pesticide residues <sup>(4)</sup>	5
19	Sierra Leone (SL)	Watermelon (egusi, <i>Citrullus</i> spp.) seeds and derived products <b>(Food)</b>	ex1207 70 00 ex1208 90 00 ex2008 99 99	10 10 50	Aflatoxins	50
20	Senegal (SN)	Groundnuts (peanuts), in shell <b>(Food and feed)</b>	1202 41 00		Aflatoxins	50
		Groundnuts (peanuts), shelled <b>(Food and feed)</b>	1202 42 00			
		Peanut butter <b>(Food and feed)</b>	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved <b>(Food and feed)</b>	2008 11 91 2008 11 96 2008 11 98			
		Groundnut flours and meals <b>(Food and feed)</b>	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 <b>(Food and feed)</b>	2305 00 00			
		Groundnuts paste <b>(Food and feed)</b>	ex2007 10 10 ex2007 10 99 ex2007 99 39	80 50 07; 08		
21	Syria (SY)	Sesamum seeds <b>(Food)</b>	1207 40 90		Salmonella <sup>(2)</sup>	10
		Tahini and halva from <i>Sesamum</i> seeds <b>(Food)</b>	ex1704 90 99 ex1806 20 95 ex1806 90 50 ex1806 90 60	12; 92 13; 93 10 11; 91		

			ex2008 19 19 ex2008 19 99	40 40		
		Turnips ( <i>Brassica rapa</i> subsp. <i>rapa</i> ) ( <b>Food – prepared or preserved by vinegar or acetic acid</b> )	ex2001 90 97	11; 19	Rhodamine B	50
		Turnips ( <i>Brassica rapa</i> subsp. <i>rapa</i> ) ( <b>Food – prepared or preserved by brine or citric acid, not frozen</b> )	ex2005 99 80	93		
22	Thailand (TH)	Food containing or consisting of betel leaves ( <i>Piper betle</i> ) ( <b>Food</b> )	ex1404 90 00		<i>Salmonella</i> <sup>(3)</sup>	10
		Peppers of the genus <i>Capsicum</i> (other than sweet) ( <b>Food – fresh, chilled or frozen</b> )	ex0709 60 99 ex0710 80 59	20 20	Pesticide residues <sup>(4) (13)</sup>	50
23	Türkiye (TR)	Lemons ( <i>Citrus limon, Citrus limonum</i> ) ( <b>Food – fresh, chilled or dried</b> )	0805 50 10		Pesticide residues <sup>(4) (14)</sup>	20
		Mandarins (including tangerines and satsumas); clementines, wilkins and similar citrus hybrids ( <b>Food – fresh or dried</b> )	0805 21 0805 22 0805 29		Pesticide residues <sup>(4)</sup>	20
		Oranges ( <b>Food – fresh or dried</b> )	0805 10		Pesticide residues <sup>(4)</sup>	20
		Pomegranates ( <b>Food – fresh or chilled</b> )	ex0810 90 75	30	Pesticide residues <sup>(4) (15)</sup>	20
		Sweet Peppers ( <i>Capsicum annuum</i> ) ( <b>Food – fresh,</b>	0709 60 10 0710 80 51		Pesticide residues <sup>(4) (16)</sup>	20

		<i>chilled or frozen)</i>				
		Peppers of the genus <i>Capsicum</i> (other than sweet) <b>(Food – fresh, chilled or frozen)</b>	ex0709 60 99 ex0710 80 59	20 20	Pesticide residues <sup>(4)</sup>	20
		Unprocessed whole, ground, milled, cracked, chopped apricot kernels intended to be placed on the market for the final consumer <b>(Food)</b> <sup>(17) (18)</sup>	ex1212 99 95	20	Cyanide	50
24	Uganda (UG)	Peppers of the genus <i>Capsicum</i> (other than sweet) <b>(Food – fresh, chilled or frozen)</b>	ex0709 60 99 ex0710 80 59	20 20	Pesticide residues <sup>(4)</sup>	50
25	United States (US)	Groundnuts (peanuts), in shell <b>(Food and feed)</b>	1202 41 00		Aflatoxins	10
		Groundnuts (peanuts), shelled <b>(Food and feed)</b>	1202 42 00			
		Peanut butter <b>(Food and feed)</b>	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved <b>(Food and feed)</b>	2008 11 91 2008 11 96 2008 11 98			
		Groundnut flours and meals <b>(Food and feed)</b>	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 <b>(Food and feed)</b>	2305 00 00			

		Groundnuts paste <b>(Food and feed)</b>	ex2007 10 10 ex2007 10 99 ex2007 99 39	80 50 07; 08		
26	Uzbekistan (UZ)	Dried apricots <b>(Food)</b>	0813 10 00		Sulphites <sup>(19)</sup>	50
		Apricots, otherwise prepared or preserved <b>(Food)</b>	2008 50			
27	Vietnam (VN)	Coriander leaves <b>(Food – fresh or chilled herbs)</b>	ex0709 99 90	72	Pesticide residues <sup>(4) (20)</sup>	50
		Basil (holy, sweet) <b>(Food – fresh or chilled herbs)</b>	ex1211 90 86	20		
		Mint <b>(Food – fresh or chilled herbs)</b>	ex1211 90 86	30		
		Parsley <b>(Food – fresh or chilled herbs)</b>	ex0709 99 90	40		
		Okra <b>(Food – fresh, chilled or frozen)</b>	ex0709 99 90 ex0710 80 95	20 30		
		Peppers of the genus <i>Capsicum</i> (other than sweet) <b>(Food – fresh, chilled or frozen)</b>	ex0709 60 99 ex0710 80 59	20 20		
		Pitahaya (dragon fruit) <b>(Food – fresh or chilled)</b>	ex0810 90 20	10		

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

(2) The sampling and the analyses must be performed in accordance with the sampling procedures and the analytical reference methods set out in point 1(a) of Annex III to this Regulation.

(3) The sampling and the analyses must be performed in accordance with the sampling procedures and the analytical reference methods set out in point 1(b) of Annex III to this Regulation.

(4) 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).

(5) Residues of Tolfenpyrad.

(a) EUR 2005/396, amended by S.I. 2019/557. S.I. 2019/557 was amended by S.I. 2020/1376.

- (6) 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 CS<sub>2</sub>, including maneb, mancozeb, metiram, propineb, thiram and ziram).
- (7) 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.
- (8) 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).
- (9) Residues of Acephate.
- (10) Residues of Diafenthiuron.
- (11) Residues of Phenthoate.
- (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.
- (17) '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 sulfite - Optimized Monier-Williams method", published by the British Standards Institution on 15th June 1998 (ISBN 0 580 29239 8), available from the British Standards Institution at <https://knowledge.bsigroup.com>; (2) BS EN 1988-2:1998 "Foodstuffs. Determination of sulfite - Enzymatic method", published by the British Standards Institution on 15th June 1998 (ISBN 0 580 29240 1), available from the British Standards Institution at <https://knowledge.bsigroup.com>; (3) ISO 5522:1981 "Fruits, vegetables and derived products — Determination of total sulphur dioxide content", published by the International Organization for Standardization in September 1981, edition 1, available from the ISO at <https://www.iso.org>.
- (20) Residues of Dithiocarbamates (dithiocarbamates expressed as CS<sub>2</sub>, 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)."

## SCHEDULE 2

Regulation 2(5)

### Substitution of the first table in Annex II to Commission Implementing Regulation (EU) 2019/1793 in relation to England

#### "Table 1: England

##### Food and feed of non-animal origin referred to in Article 1(1)(b)(i)

Row	Country of origin	Food and feed (intended use)	CN code <sup>(1)</sup>	TARIC sub-division	Hazard	Frequency of physical and identity

(a) EUR 2004/852, amended by S.I. 2019/642

						by checks (%)
1	Argentina (AR)	Groundnuts (peanuts), in shell <i>(Food and feed)</i>	1202 41 00		Aflatoxins	5
		Groundnuts (peanuts), shelled <i>(Food and feed)</i>	1202 42 00			
		Peanut butter <i>(Food and feed)</i>	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved <i>(Food and feed)</i>	2008 11 91 2008 11 96 2008 11 98			
		Groundnut flours and meals <i>(Food and feed)</i>	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 <i>(Food and feed)</i>	2305 00 00			
2	Azerbaijan (AZ)	Hazelnuts ( <i>Corylus</i> spp.) in shell <i>(Food)</i>	0802 21 00		Aflatoxins	20
		Hazelnuts ( <i>Corylus</i> spp.) shelled <i>(Food)</i>	0802 22 00			
		Mixtures of nuts or dried fruits containing hazelnuts <i>(Food)</i>	ex0813 50 39 ex0813 50 91 ex0813 50 99	70 70 70		

		Hazelnut paste ( <b>Food</b> )	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 ( <b>Food</b> )	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 ex2008 97 78 ex2008 97 92 ex2008 97 93 ex2008 97 94 ex2008 97 96 ex2008 97 97 ex2008 97 98	30 30 30 20  30 15		
		Flour, meal and powder of hazelnuts ( <b>Food</b> )	ex1106 30 90	40		
		Hazelnut oil ( <b>Food</b> )	ex1515 90 99	20		
3	Bangladesh (BD)	Food containing or consisting of betel leaves ( <i>Piper betle</i> ) ( <b>Food</b> )	ex1404 90 00		<i>Salmonella</i> <sup>(2)</sup>	50
4	Brazil (BR)	Brazil nuts, in shell ( <b>Food</b> )	0801 21 00		Aflatoxins	50
		Mixtures of nuts or dried fruits containing Brazil nuts in	ex0813 50 31 ex0813 50 39 ex0813 50 91 ex0813 50 99	20 20 20 20		

		shell <b>(Food)</b>				
5	China (CN)	Enoki Mushrooms <b>(Food)</b>	ex0709 59 00		<i>Listeria</i>	20
6	Egypt (EG)	Groundnuts (peanuts), in shell <b>(Food and feed)</b>	1202 41 00		Aflatoxins	20
		Groundnuts (peanuts), shelled <b>(Food and feed)</b>	1202 42 00			
		Peanut butter <b>(Food and feed)</b>	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved <b>(Food and feed)</b>	2008 11 91 2008 11 96 2008 11 98			
		Groundnut flours and meals <b>(Food and feed)</b>	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 <b>(Food and feed)</b>	2305 00 00			
		Groundnuts paste <b>(Food and feed)</b>	ex2007 10 10 ex2007 10 99 ex2007 99 39	80 50 07; 08		
		Vine leaves <b>(Food)</b>	ex2008 99 99	11; 19		
7	Ethiopia (ET)	Pepper of the genus <i>Piper</i> ; dried or crushed or ground fruit of the genus	0904		Aflatoxins	50



		<i>Capsicum</i> or of the genus <i>Pimenta</i> <b>(Food – dried spices)</b>				
		Ginger, saffron, turmeric ( <i>Curcuma</i> ), thyme, bay leaves, curry and other spices <b>(Food – dried spices)</b>	0910			
		<i>Sesamum</i> seeds <b>(Food)</b>	1207 40 90		<i>Salmonella</i> <sup>(2)</sup>	50
8	Ghana (GH)	Groundnuts (peanuts), in shell <b>(Food and feed)</b>	1202 41 00		Aflatoxins	50
		Groundnuts (peanuts), shelled <b>(Food and feed)</b>	1202 42 00			
		Peanut butter <b>(Food and feed)</b>	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved <b>(Food and feed)</b>	2008 11 91 2008 11 96 2008 11 98			
		Groundnut flours and meals <b>(Food and feed)</b>	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 <b>(Food and</b>	2305 00 00			

		<i>feed</i> )				
		Groundnuts paste <i>(Food and feed)</i>	ex2007 10 10 ex2007 10 99 ex2007 99 39	80 50 07; 08		
9	The Gambia (GM)	Groundnuts (peanuts), in shell <i>(Food and feed)</i>	1202 41 00		Aflatoxins	50
		Groundnuts (peanuts), shelled <i>(Food and feed)</i>	1202 42 00			
		Peanut butter <i>(Food and feed)</i>	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved <i>(Food and feed)</i>	2008 11 91 2008 11 96 2008 11 98			
		Groundnut flours and meals <i>(Food and feed)</i>	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 <i>(Food and feed)</i>	2305 00 00			
		Groundnuts paste <i>(Food and feed)</i>	ex2007 10 10 ex2007 10 99 ex2007 99 39	80 50 07; 08		
10	Indonesia (ID)	Nutmeg <i>(Myristica fragrans)</i> <i>(Food – dried spices)</i>	0908 11 00 0908 12 00		Aflatoxins	10
11	India (IN)	Food containing or consisting of	ex1404 90 00		<i>Salmonella</i> <sup>(3)</sup>	10

		betel leaves ( <i>Piper betle</i> ) <b>(Food)</b>				
		Nutmeg ( <i>Myristica fragrans</i> ) <b>(Food – dried spices)</b>	0908 11 00 0908 12 00			Aflatoxins 20
		Peppers of the genus <i>Capsicum</i> (sweet or other than sweet) <b>(Food – dried, roasted, crushed or ground)</b>	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 <b>(Food and feed)</b>	1202 41 00			Aflatoxins 50
		Groundnuts (peanuts), shelled <b>(Food and feed)</b>	1202 42 00			
		Peanut butter <b>(Food and feed)</b>	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved <b>(Food and feed)</b>	2008 11 91 2008 11 96 2008 11 98			
		Groundnut flours and meals <b>(Food and feed)</b>	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	2305 00 00			

		<b>(Food and feed)</b>				
		Groundnuts paste <b>(Food and feed)</b>	ex2007 10 10 ex2007 10 99 ex2007 99 39	80 50 07; 08		
		Guar gum <b>(Food and feed)</b>	ex1302 32 90		Pentachlorophenol and dioxins <sup>(4)</sup>	5
		Peppers of the genus <i>Capsicum</i> (sweet or other than sweet) <b>(Food – dried, roasted, crushed or ground)</b>	0904 ex2005 99 10 ex2005 99 80	10; 90 94	Pesticide residues <sup>(5) (6)</sup>	20
		Peppers of the genus <i>Capsicum</i> (other than sweet) <b>(Food – fresh, chilled or frozen)</b>	ex0709 60 99 ex0710 80 59	20 20	Pesticide residues <sup>(5) (6)</sup>	20
		<i>Sesamum</i> seeds <b>(Food)</b>	1207 40 90		<i>Salmonella</i> <sup>(2)</sup> Pesticides residues <sup>(5) (7)</sup>	20 50
12	Iran (IR)	Pistachios, in shell <b>(Food)</b>	0802 51 00		Aflatoxins	50
		Pistachios, shelled <b>(Food)</b>	0802 52 00			
		Mixtures of nuts or dried fruits containing pistachios <b>(Food)</b>	ex0813 50 39 ex0813 50 91 ex0813 50 99	60 60 60		
		Pistachio paste <b>(Food)</b>	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	ex2008 19 13 ex2008 19 93 ex2008 97 12 ex2008 97 14 ex2008 97 16	20 20 20 19 19		

		<b>(Food)</b>	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 ex2008 97 78 ex2008 97 92 ex2008 97 93 ex2008 97 94 ex2008 97 96 ex2008 97 97 ex2008 97 98	19 19 19 19 19 19 19 19 19 19 19 19 19 19 19 19 19		
		Flour, meal and powder of pistachios <b>(Food)</b>	ex1106 30 90	50		
13	South Korea (KR)	Enoki mushrooms <b>(Food)</b>	ex0709 59 00		<i>Listeria</i>	20
14	Sri Lanka (LK)	Peppers of the genus <i>Capsicum</i> (sweet or other than sweet) <b>(Food – dried, roasted, crushed or ground)</b>	0904 21 10 ex0904 21 90 ex0904 22 00 ex2005 99 10 ex2005 99 80	20 11; 19 10; 90 94	Aflatoxins	50
15	Nigeria (NG)	Watermelon (egusi, <i>Citrullus</i> spp.) seeds and derived products <b>(Food)</b>	ex1207 70 00 ex1208 90 00 ex2008 99 99	10 10 50	Aflatoxins	50
16	Pakistan (PK)	Peppers of the genus <i>Capsicum</i> (other than sweet) <b>(Food – fresh, chilled or frozen)</b>	ex0709 60 99 ex0710 80 59	20 20	Pesticide residues <sup>(5)</sup>	20
		Spice mixes <b>(Food)</b>	0910 91 10 0910 91 90		Aflatoxins	10
17	Sudan (SD)	Groundnuts	1202 41 00		Aflatoxins	50

		(peanuts), in shell <b>(Food and feed)</b>				
		Groundnuts (peanuts), shelled <b>(Food and feed)</b>	1202 42 00			
		Peanut butter <b>(Food and feed)</b>	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved <b>(Food and feed)</b>	2008 11 91 2008 11 96 2008 11 98			
		Groundnut flours and meals <b>(Food and feed)</b>	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 <b>(Food and feed)</b>	2305 00 00			
		Groundnuts paste <b>(Food and feed)</b>	ex2007 10 10 ex2007 10 99 ex2007 99 39	80 50 07; 08		
		<i>Sesamum</i> seeds <b>(Food)</b>	1207 40 90		<i>Salmonella</i> <sup>(2)</sup>	50
18	Türkiye (TR)	Dried figs <b>(Food)</b>	0804 20 90		Aflatoxins	20
		Mixtures of nuts or dried fruits containing figs <b>(Food)</b>	ex0813 50 99	50		
		Dried fig paste <b>(Food)</b>	ex2007 10 10 ex2007 10 99 ex2007 99 39	50 20 01; 02		

			ex2007 99 50	31		
			ex2007 99 97	21		
		Dried figs, prepared or preserved, including mixtures <b>(Food)</b>	ex2008 97 12	11		
			ex2008 97 14	11		
			ex2008 97 16	11		
			ex2008 97 18	11		
			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	60		
			ex2008 99 67	95		
			ex2008 99 99	60		
		Flour, meal or powder of dried figs <b>(Food)</b>	ex1106 30 90	60		
		Pistachios, in shell <b>(Food)</b>	0802 51 00		Aflatoxins	50
		Pistachios, shelled <b>(Food)</b>	0802 52 00			
		Mixtures of nuts or dried fruits containing pistachios <b>(Food)</b>	ex0813 50 39	60		
			ex0813 50 91	60		
			ex0813 50 99	60		
		Pistachio paste <b>(Food)</b>	ex2007 10 10	60		
			ex2007 10 99	30		
			ex2007 99 39	03; 04		
			ex2007 99 50	32		
			ex2007 99 97	22		

		Pistachios, prepared or preserved, including mixtures ( <b>Food</b> )	ex2008 19 13 ex2008 19 93 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 ex2008 97 78 ex2008 97 92 ex2008 97 93 ex2008 97 94 ex2008 97 96 ex2008 97 97 ex2008 97 98	20 20 19		
		Flour, meal and powder of pistachios ( <b>Food</b> )	ex1106 30 90	50		
		Vine leaves ( <b>Food</b> )	ex2008 99 99	11; 19	Pesticide residues <sup>(5) (8)</sup>	50
19	Uganda (UG)	<i>Sesamum</i> seeds ( <b>Food</b> )	1207 40 90		<i>Salmonella</i> <sup>(2)</sup>	20

<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 must be performed in accordance with the sampling procedures and the analytical reference methods set out in point 1(a) of Annex III to this Regulation.

<sup>(3)</sup> The sampling and the analyses must be performed in accordance with the sampling procedures and the analytical reference methods set out in point 1(b) of Annex III to this Regulation.

<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 30th June 2018 (ISBN 978 0 539 01414 3), and available from the British Standards Institution at <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 1st January 2020 and available at

[https://www.eurl-pesticides.eu/userfiles/file/EurlALL/AqcGuidance\\_SANTE\\_2019\\_12682.pdf](https://www.eurl-pesticides.eu/userfiles/file/EurlALL/AqcGuidance_SANTE_2019_12682.pdf).

<sup>(5)</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 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>(6)</sup> Residues of Carbofuran.

<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 CS<sub>2</sub>, including maneb, mancozeb, metiram, propineb, thiram and ziram) and metrafenone.”

## SCHEDULE 3

Regulation 2(6)

### Annex IIIa to be inserted into Commission Implementing Regulation (EU) 2019/1793

#### “Annex IIIa

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

##### Table: England

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

<i>Analytical reference method</i> <sup>(1)</sup>	<i>Weight of consignment</i>	<i>Number of sample units (n)</i>	<i>Sampling procedures</i>	<i>Analytical result required for each sample unit of the same consignment</i>
BS 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 shall 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 shall be tested separately.	No detection of <i>Listeria</i> in 25g

<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 31st July 2016 (ISBN 978 0 580 69940 5) and is available from the British Standards Institution <https://knowledge.bsigroup.com>.

<sup>(2)</sup> 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 31st 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 implementing Regulations (EU) 2017/625 and (EC) No 178/2002 of the European Parliament and of the Council and repealing Commission Regulations (EC) No 669/2009, (EU) No 884/2014, (EU) 2015/175, (EU) 2017/186 and (EU) 2018/1660, in relation to England.

Regulation 2(2), (3), (6) and Schedule 3 make provisions in relation to the sampling and analyses of food and feed of non-animal origin for the hazard *Listeria*. Schedule 3 sets out a new Annex outlining the sampling procedure and analytical reference method for the control of the presence of *Listeria* in food.

Regulation 2(4) substitutes Annex I with Schedule 1, which contains the list of food and feed of non-animal origin from certain third countries, which is subject to a temporary increase in official controls at border control posts in Great Britain.

Regulation 2(5) substitutes Table 1 in Annex II, with Schedule 2. This substitutes the respective table containing the lists of food and feed of non-animal origin from certain third countries subject to special conditions for entry into Great Britain due to contamination risks from the specified hazards.

Regulation 3 makes consequential amendments to the Official Controls (Imports of High Risk Food and Feed of Non-Animal Origin) (Amendment of Commission Implementing Regulation (EU) 2019/1793) (England) Regulations 2022.

In each Schedule, standards are specified within some footnotes to show requirements for the analytical methods and laboratories used. The documents referred to have been published online and the online addresses are specified under each footnote where relevant. Hard copies of these documents are available for inspection at the Food Standards Agency, Floors 6 and 7, Clive House, 70 Petty France, London SW1H 9EX, at reasonable times, following a written request to that address or to [imported.food@food.gov.uk](mailto:imported.food@food.gov.uk).

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. An explanatory memorandum has been published alongside this instrument at [www.legislation.gov.uk](http://www.legislation.gov.uk).

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