
W E L S H S T A T U T O R Y
I N S T R U M E N T S

2022 No. 1330 (W. 269)

AGRICULTURE, WALES

FOOD, WALES

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend, in relation to Wales, 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 2019/1793”).

Regulation 2 substitutes, with amendments, Annexes 1, 2 and 2a to Regulation 2019/1793. The substitution of Annex 1 is made using powers in Articles 47(2)(b) and 54(4)(a) of Regulation (EU) 2017/625 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. The substitution of Annexes 2 and 2a is made using powers in Article 53 of Regulation (EC) No 178/2002 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 and Article 54(4)(b) of Regulation (EU) 2017/625.

Annex 1 contains the list of food and feed of non-animal origin that is subject to a temporary increase in official controls at border control posts or at control points in Great Britain. The changes being made to Annex 1 are as follows.

- The frequency of checks on black pepper from Brazil (for Salmonella) is increased from 20% to 50%.
- The entry for groundnuts (peanuts) and associated products from Brazil (for aflatoxins) is transferred into Annex 1 (from Annex 2, Table 1). There is no change to the prescribed frequency of checks, which remains at 10%.
- A new entry for groundnuts (peanuts) and associated products from Brazil (for pesticide residues). The frequency of checks is prescribed at 20%.
- The entry for goji berries from China (for pesticide residue) has been removed.
- The entry for groundnuts (peanuts) and associated products from China (for aflatoxins) is transferred into Annex 1 (from Annex 2, Table 1). The frequency of checks is decreased from 20% to 10%.
- The entry for sesamum seeds from Ethiopia (for Salmonella) has been removed (the entry is transferred into Annex 2, Table 1).
- The frequency of checks on hazelnuts and associated products from Georgia (for aflatoxins) is decreased from 50% to 20%.
- The frequency of checks on okra from India (for pesticide residues) is increased from 10% to 20%.
- The entry for peppers of the *Capsicum* species (sweet or other than sweet) from Sri Lanka (for aflatoxins) has been removed (the entry is transferred into Annex 2, Table 1).
- The frequency of checks on jackfruit from Malaysia (for pesticide residues) is increased from 20% to 50%.
- A new entry for food containing or consisting of betel leaves (*Piper betle*) from Thailand (for Salmonella). The frequency of checks is prescribed at 10%.
- The frequency of checks on peppers of the *Capsicum* species (other than sweet) from Thailand (for pesticide residues) is increased from 10% to 20%.
- The entry for dried grapes (including dried grapes cut or crusted into a paste without further treatment) from Turkey (for Ochratoxin A) has been removed.
- The entry for hazelnuts and associated products from Turkey (for aflatoxins) is transferred into Annex 1 (from Annex 2,

Table 1). There is no change to the prescribed frequency of checks, which remains at 5%.

- A new entry for lemons from Turkey (for pesticide residues). The frequency of checks is prescribed at 20%.
- The frequency of checks for mandarins (including tangerines and satsumas), clementine, wilkings and similar citrus hybrids from Turkey (for pesticide residues) is increased from 5% to 20%.
- The frequency of checks on oranges from Turkey (for pesticide residues) is increased from 10% to 20%.
- The frequency of checks on sweet peppers (*Capsicum annum*) from Turkey (for pesticide residues) is increased from 10% to 20%.
- A new entry for peppers of the *Capsicum* species (other than sweet) from Turkey (for pesticide residues). The frequency of checks is prescribed at 20%.
- The frequency of checks on peppers of the *Capsicum* species (other than sweet) from Uganda (for pesticide residues) is increased from 20% to 50%.
- The entry for pistachios and associated products from the United States (for aflatoxins) has been removed.

Annex 2, Table 1, contains the list of food and feed of non-animal origin for which special conditions are prescribed governing their entry into Great Britain. The changes being made to Annex 2, Table 1, are as follows.

- A new entry for food containing or consisting of betel leaves (*Piper betle*) from Bangladesh (for Salmonella). The frequency of checks is prescribed at 50%.
- The entry for groundnuts (peanuts) and associated products from Brazil (for aflatoxins) has been removed (the entry is transferred into Annex 1).
- The entry for groundnuts (peanuts) and associated products from China (for aflatoxins) has been removed (the entry is transferred into Annex 1).
- The entry for sesamum seeds from Ethiopia (for Salmonella) is transferred into Annex 2, Table 1 (from Annex 1). There is no change to the prescribed frequency of checks, which remains at 50%.
- The entry for betel leaves (*Piper betle*) from India has been amended as follows.

- The scope of the entry is extended to include food containing betel leaves.
- The TARIC sub-division has been removed.
- The frequency of checks on groundnuts (peanuts) and associated products from India (for aflatoxins) is increased from 10% to 50%.
- The TARIC sub-division for guar gum from India has been removed.
- The entry for peppers of the *Capsicum* species (sweet or other than sweet) from Sri Lanka (for aflatoxins) is transferred into Annex 2, Table 1 (from Annex 1). There is no change to the prescribed frequency of checks, which remains at 50%.
- The frequency of checks for sesamum seeds from Sudan (for Salmonella) is increased from 20% to 50%.
- The entry for hazelnuts and associated products from Turkey (for aflatoxins) has been removed (the entry is transferred into Annex 1).
- The frequency of checks on vine leaves from Turkey (for pesticide residues) is increased from 20% to 50%.

Annex 2, Table 2, contains a 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. The change being made to Table 2 of Annex 2 is to add a new entry for mixtures of spices.

Annex 2a contains the list of food and feed of non-animal origin that is prohibited from entering Great Britain. The entry in Annex 2a for food containing or consisting of betel leaves (*Piper betle*) from Bangladesh (for Salmonella) has been removed (but see the new entry for this in Annex 2, Table 1).

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

W E L S H S T A T U T O R Y
I N S T R U M E N T S

2022 No. 1330 (W. 269)

AGRICULTURE, WALES

FOOD, WALES

The Official Controls (Import of High-Risk Food and Feed of Non-Animal Origin) (Amendment of Commission Implementing Regulation (EU) 2019/1793) (Wales) Regulations 2022

Made 14 December 2022

Laid before Senedd Cymru 16 December 2022

Coming into force 17 January 2023

The Welsh Ministers make these Regulations in exercise of the powers conferred by—

- Articles 47(2)(b) and 54(4)(a) and (b) of Regulation (EU) 2017/625 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⁽¹⁾;
- Article 53(1)(b) of Regulation (EC) No 178/2002 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⁽²⁾.

(1) EUR 2017/625, amended by S.I. 2020/1481; there are other amending instruments but none is relevant. The term “the appropriate authority” is defined in Article 3(2A) of EUR 2017/625.

(2) EUR 2002/178, amended by S.I. 2019/641 and 2022/377. S.I. 2019/641 was amended by S.I. 2020/1504. The term “appropriate authority” is defined in Article 3(19) of EUR 2002/178.

As required by Article 144(7) of Regulation (EU) 2017/625, before making these Regulations the Welsh Ministers have consulted such bodies and persons as appear to the Welsh Ministers to be representative of the interests likely to be substantially affected by these Regulations and such other bodies or persons as the Welsh Ministers consider appropriate.

As required by Article 9 of Regulation (EC) No 178/2002, there has been open and transparent public consultation during the preparation and evaluation of these Regulations.

Title, extent, application and commencement

1.—(1) The title of these Regulations is the Official Controls (Import of High-Risk Food and Feed of Non-Animal Origin) (Amendment of Commission Implementing Regulation (EU) 2019/1793) (Wales) Regulations 2022.

(2) These Regulations—

- (a) extend to England and Wales;
- (b) apply in relation to Wales;
- (c) come into force on 17 January 2023.

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⁽¹⁾ is amended as follows.

(2) For Annex 1, substitute the Annex 1 contained in Schedule 1 to these Regulations.

(3) For Annex 2, substitute the Annex 2 contained in Schedule 2 to these Regulations.

(4) For Annex 2a, substitute the Annex 2a contained in Schedule 3 to these Regulations.

Lynne Neagle

Deputy Minister for Mental Health and Wellbeing,
under the authority of the Minister for Health and
Social Services, one of the Welsh Ministers
14 December 2022

(1) EUR 2019/1793, amended by S.I. 2020/1631.

SCHEDULE 1

Regulation 2(2)

Annex to be substituted for Annex 1 to Commission Implementing Regulation (EU) 2019/1793

“ANNEX 1

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		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			
Brazil (BR)	Black pepper (<i>Piper</i>) (Food – neither crushed nor ground)	ex0904 11 00	10	<i>Salmonella</i> ⁽²⁾	50
	Groundnuts (peanuts), in shell (Food and feed)	1202 41 00		Aflatoxins Pesticide residues ⁽³⁾	10 20
	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			
	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 (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		
	Sweet peppers (<i>Capsicum annuum</i>) (Food – crushed or ground)	ex0904 22 00	11	<i>Salmonella</i> ⁽⁴⁾	20
	Tea, whether or not flavoured (Food)	0902		Pesticide residues ^{(5) (6)}	20
Dominican Republic (DO)	Aubergines (<i>Solanum melongena</i>) (Food – fresh or chilled)	0709 30 00		Pesticide residues ⁽⁵⁾	20
	Sweet peppers (<i>Capsicum annuum</i>) (Food – fresh, chilled or frozen)	0709 60 10 0710 80 51			
	Peppers of the	ex0709 60 99	20		50

	<i>Capsicum</i> species (other than sweet) (Food – fresh, chilled or frozen)	ex0710 80 59	20		
	Yardlong beans (<i>Vigna unguiculata</i> ssp. <i>sesquipedalis</i> , <i>Vigna unguiculata</i> ssp. <i>unguiculata</i>) (Food – fresh, chilled or frozen)	ex0708 20 00 ex0710 22 00	10 10		
Egypt (EG)	Sweet peppers (<i>Capsicum annuum</i>) (Food – fresh, chilled or frozen)	0709 60 10 0710 80 51		Pesticide residues ^{(5) (8)}	20
	Peppers of the <i>Capsicum</i> species (other than sweet) (Food – fresh, chilled or frozen)	ex0709 60 99 ex0710 80 59	20 20		
Georgia (GE)	Hazelnuts (<i>Corylus</i> spp.), in shell (Food)	0802 21 00		Aflatoxins	20
	Hazelnuts (<i>Corylus</i> spp.), shelled (Food)	0802 22 00			
	Flour, meal and powder of hazelnuts (Food)	ex1106 30 90	40		
	Hazelnuts, 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</i> spp., <i>Phaseolus</i> spp.) (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</i> ssp. <i>sesquipedalis</i> , <i>Vigna unguiculata</i> ssp. <i>unguiculata</i>) (Food – fresh, chilled or frozen vegetables)	ex0708 20 00 ex0710 22 00	10 10	Pesticide residues ^{(5) (13)}	50
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, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil (Food and feed)	2305 00 00			
Malaysia (MY)	Jackfruit (<i>Artocarpus heterophyllus</i>) (Food – fresh)	ex0810 90 20	20	Pesticide residues ⁽⁵⁾	50
Nigeria (NG)	Sesamum 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</i> , <i>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			
	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)	ex1404 90 00		<i>Salmonella</i>	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> spp.) in shell (Food)	0802 21 00		Aflatoxins	5
	Hazelnuts (<i>Corylus</i> spp.), 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 paste (Food)	ex2007 10 10	70			
	ex2007 10 99	40			
	ex2007 99 39	05; 06			
	ex2007 99 50	33			
	ex2007 99 97	23			
	Hazelnuts, otherwise prepared or preserved, including mixtures (Food)	ex2008 19 12			30
		ex2008 19 19			30
		ex2008 19 92			30
ex2008 19 95		20			
ex2008 19 99		30			
ex2008 97 12		15			
ex2008 97 14		15			
ex2008 97 16		15			
ex2008 97 18		15			
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 powder of hazelnuts (Food)	ex1106 30 90	40			
Hazelnut 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 (Food – fresh or dried)	0805 21 0805 22 0805 29		Pesticide residues ⁽⁵⁾	20	
Oranges (Food – fresh or dried)	0805 10		Pesticide residues ⁽⁵⁾	20	

	Pomegranates <i>(Food – fresh or chilled)</i>	ex0810 90 75	30	Pesticide residues ^{(5) (16)}	20
	Sweet Peppers <i>(Capsicum annuum)</i> <i>(Food – fresh, chilled or frozen)</i>	0709 60 10 0710 80 51		Pesticide residues ^{(5) (17)}	20
	Peppers of the <i>Capsicum</i> species (other than sweet) <i>(Food – fresh, chilled or frozen)</i>	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)} <i>(Food)</i>	ex1212 99 95	20	Cyanide	50
Uganda (UG)	Peppers of the <i>Capsicum</i> species (other than sweet) <i>(Food – fresh, chilled or frozen)</i>	ex0709 60 99 ex0710 80 59	20 20	Pesticide residues ⁽⁵⁾	50
United States (US)	Groundnuts (peanuts), in shell <i>(Food and feed)</i>	1202 41 00		Aflatoxins	10
	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			
Uzbekistan (UZ)	Dried apricots <i>(Food)</i>	0813 10 00		Sulphites ⁽²⁰⁾	50
	Apricots, otherwise prepared or preserved <i>(Food)</i>	2008 50			

Vietnam (VN)	Coriander leaves <i>(Food – fresh or chilled herbs)</i>	ex0709 99 90	72	Pesticide residues ^{(5) (21)}	50
	Basil (holy, sweet) <i>(Food – fresh or chilled herbs)</i>	ex1211 90 86	20		
	Mint <i>(Food – fresh or chilled herbs)</i>	ex1211 90 86	30		
	Parsley <i>(Food – fresh or chilled herbs)</i>	ex0709 99 90	40		
	Okra <i>(Food – fresh, chilled or frozen)</i>	ex0709 99 90 ex0710 80 95	20 30	Pesticide residues ^{(5) (21)}	50
	Peppers of the <i>Capsicum</i> species (other than sweet) <i>(Food – fresh, chilled or frozen)</i>	ex0709 60 99 ex0710 80 59	20 20	Pesticide residues ^{(5) (21)}	50

⁽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⁾ Residues of Triclopyr & Haloxyfop.

⁽⁴⁾ 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.

⁽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⁽¹⁾ 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.

⁽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).

⁽¹⁾ EUR 2005/396, amended by S.I. 2019/557. S.I. 2019/557 was amended by S.I. 2020/1376.

⁽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⁽¹⁾.

⁽¹⁹⁾ ‘Placing on the market’ and ‘final consumer’ as defined in 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.

⁽²⁰⁾ 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 15 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 15 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>.

⁽²¹⁾ Residues of Dithiocarbamates (dithiocarbamates expressed as CS₂, including maneb, mancozeb, metiram, propineb, thiram and ziram), Phenthoate and Quinalphos.”

⁽¹⁾ EUR 2004/852, amended by S.I. 2019/642; there are other amending instruments but none is relevant.

SCHEDULE 2

Regulation 2(3)

Annex to be substituted for Annex 2 to Commission Implementing Regulation (EU) 2019/1793

“ANNEX 2

Food and feed from certain third countries subject to special conditions for the 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 (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			
Azerbaijan (AZ)	Hazelnuts (<i>Corylus</i> spp.), in shell (Food)	0802 21 00		Aflatoxins	20
	Hazelnuts (<i>Corylus</i> spp.), shelled (Food)	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 <i>(Food)</i>	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 <i>(Food)</i>	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 <i>(Food)</i>	ex1106 30 90	40		
	Hazelnut oil <i>(Food)</i>	ex1515 90 99	20		
Bangladesh (BD)	Food containing or consisting of betel leaves (<i>Piper betle</i>) <i>(Food)</i>	ex1404 90 00		<i>Salmonella</i> ⁽²⁾	50
Brazil (BR)	Brazil nuts, in shell <i>(Food)</i>	0801 21 00		Aflatoxins	50
	Mixtures of nuts or dried fruits containing Brazil nuts in shell. <i>(Food)</i>	ex0813 50 31 ex0813 50 39 ex0813 50 91 ex0813 50 99	20 20 20 20		
Egypt (EG)	Groundnuts (peanuts), in shell <i>(Food and feed)</i>	1202 41 00		Aflatoxins	20

	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, curry and other spices (Food – dried spices)	0910			
	Sesamum seeds (Food)	1207 40 90		<i>Salmonella</i> ⁽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 (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			
Indonesia (ID)	Nutmeg (<i>Myristica fragrans</i>) (Food – dried spices)	0908 11 00 0908 12 00		Aflatoxins	20
India (IN)	Food containing or consisting of betel leaves (<i>Piper betle</i>) (Food)	ex1404 90 00		<i>Salmonella</i> ⁽³⁾	10
	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			
	Guar gum (Food and feed)	ex1302 32 90		Pentachlorophenol and dioxins ⁽⁴⁾	5
	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
	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 ex2007 99 97	60 30 03; 04 32 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 powder of pistachios (Food)	ex1106 30 90	50		
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</i> , <i>Citrullus</i> spp.) 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			
	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			

	<i>Sesamum</i> seeds (Food)	1207 40 90		<i>Salmonella</i> ⁽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 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 ex2008 99 28 ex2008 99 34 ex2008 99 37 ex2008 99 40 ex2008 99 49 ex2008 99 67 ex2008 99 99	11 10 10 10 10 60 95 60		
	Flour, meal or powder of dried figs (Food)	ex1106 30 90	60		
	Pistachios, in shell (Food)	0802 51 00			
	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	ex2007 10 10	60		

	(Food)	ex2007 10 99 ex2007 99 39 ex2007 99 50 ex2007 99 97	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 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 (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'.

⁽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⁾ 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 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 1 January 2020 and available at https://www.eurl-pesticides.eu/userfiles/file/EurlALL/AqcGuidance_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 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⁽¹⁾</i>	<i>Description</i>
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 ⁽²⁾ .

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

⁽²⁾ Mixtures of two or more of the products of different headings are to be classified in heading 0910.”

SCHEDULE 3

Regulation 2(4)

Annex to be substituted for Annex 2a to Commission Implementing Regulation (EU) 2019/1793

“ANNEX 2a

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 0713 39 00 0713 90 00		Pesticide residues

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