

COMMISSION IMPLEMENTING REGULATION (EU) 2020/625**of 6 May 2020****amending 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 Implementing Regulation (EU) 2015/943 and Commission Implementing Decision 2014/88/EU****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 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 ⁽¹⁾, and in particular Article 53(1)(b)(i) and (ii) thereof,Having regard to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 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, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) ⁽²⁾, and in particular point (b) of the first subparagraph of Article 47(2) and points (a) and (b) of the first subparagraph of Article 54(4) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2019/1793 ⁽³⁾ lays down rules concerning the temporary increase of official controls at the entry into the Union on certain food and feed of non-animal origin from certain third countries listed in Annex I to that Regulation and special conditions governing the entry into the Union of certain food and feed from certain third countries due to the risk of contamination by aflatoxins, pesticide residues, pentachlorophenol and dioxins and microbiological contamination, listed in Annex II to that Regulation.
- (2) Certain categories of consignments of food and feed are excluded from the scope of application of Implementing Regulation (EU) 2019/1793 provided that their gross weight does not exceed 30 kg. Since hazards relate to the products themselves and not to their immediate containers or packaging, this weight limit should relate only to the products themselves. It is therefore appropriate to amend Article 1(3) of Implementing Regulation (EU) 2019/1793 to replace the reference to the gross weight therein by a reference to the net weight.
- (3) Article 12 of Implementing Regulation (EU) 2019/1793 provides that the lists set out in its Annexes I and II are to be reviewed on a regular basis not exceeding a period of six months, in order to take into account new information related to risks and non-compliance.

⁽¹⁾ OJ L 31, 1.2.2002, p. 1.

⁽²⁾ OJ L 95, 7.4.2017, p. 1.

⁽³⁾ Commission Implementing Regulation (EU) 2019/1793 of 22 October 2019 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 (OJ L 277, 29.10.2019, p. 89).

- (4) The occurrence and relevance of recent food incidents notified through the Rapid Alert System for Food and Feed ('RASFF'), as established by Regulation (EC) No 178/2002, information regarding official controls performed by Member States on food and feed of non-animal origin, as well as the biannual reports on consignments of food and feed of non-animal origin submitted by Member States to the Commission in 2019 in accordance with Article 15 of Commission Regulation (EC) No 669/2009 ⁽⁴⁾, indicate that the lists set out in Annexes I and II to Implementing Regulation (EU) 2019/1793 should be amended.
- (5) In particular, for consignments of oranges, mandarins, clementines, wilkings and similar citrus hybrids from Turkey, the data resulting from notifications received through the RASFF and information regarding official controls performed by Member States indicate the emergence of new risks to human health, due to possible pesticide residues contamination, requiring an increased level of official controls. In addition, for spice mixes from Pakistan, data resulting from notifications received through the RASFF and information regarding official controls performed by Member States indicate the emergence of new risks to human health due to possible aflatoxin contamination, which require an increased level of official controls. Entries concerning those consignments should therefore be included in Annex I to Implementing Regulation (EU) 2019/1793.
- (6) Due to the high frequency of non-compliance with the relevant requirements provided for in Union legislation detected during official controls performed by Member States in accordance with Regulation (EC) No 669/2009 in the first semester of 2019, it is appropriate to increase the frequency of identity and physical checks to be performed on beans from Kenya and dried grapes and pomegranates from Turkey. Entries concerning those consignments in Annex I to Implementing Regulation (EU) 2019/1793 should therefore be amended accordingly.
- (7) *Sesamum* seeds from Sudan and Uganda are already subject to an increased level of official controls as regards the presence of *Salmonella* since July and January 2017, respectively. The official controls carried out on those foodstuffs by the Member States show an increase of the rate of non-compliance since the establishment of the increased level of official controls. Those results provide evidence that the entry of those foodstuffs into the Union constitutes a serious risk for human health.
- (8) In order to protect human health in the Union, it is therefore necessary, in addition to the increased level of official controls, to provide for special conditions in relation to *Sesamum* seeds from Sudan and Uganda. In particular, all consignments of *Sesamum* seeds from Sudan and Uganda should be accompanied by an official certificate stating that all results of sampling and analysis show the absence of *Salmonella* in 25 g. The results of the sampling and analysis should be attached to that certificate. The entries concerning *Sesamum* seeds from Sudan and Uganda should therefore be deleted from Annex I to Implementing Regulation (EU) 2019/1793 and included in Annex II thereto.
- (9) In addition, peppers of the *Capsicum* species (other than sweet) from India and Pakistan are already subject to an increased level of official controls as regards the presence of pesticide residues since January 2018. That frequency rate was increased already in January 2019 from 10 % to 20 % due to a high degree of non-compliance with the relevant requirements provided for in Union legislation. The official controls carried out on these foodstuffs by the Member States show a persistent high rate of non-compliance for peppers of the *Capsicum* species (other than sweet) from India and an increase of the rate of non-compliance for peppers of the *Capsicum* species (other than sweet) from Pakistan since the increased level of official controls. Several RASFF notifications were transmitted concerning both commodities since the establishment of an increased level of official controls. Those results provide evidence that the entry of those foods into the Union constitutes a serious risk for human health.
- (10) In order to protect human health in the Union, it is therefore necessary in addition to the increased level of official controls, to provide for special conditions in relation to peppers of the *Capsicum* species (other than sweet) from India and Pakistan. In particular, all consignments of peppers (other than sweet) from India and Pakistan should be accompanied by an official certificate stating that the products have been sampled and analysed for pesticide residues and all results show that the relevant maximum residue levels of pesticides have not been exceeded. The results of the sampling and analysis should be attached to that certificate. The entries concerning peppers of the *Capsicum* species (other than sweet) from India and Pakistan should therefore be deleted from Annex I to Implementing Regulation (EU) 2019/1793 and included in Annex II thereto.

⁽⁴⁾ Commission Regulation (EC) No 669/2009 of 24 July 2009 implementing Regulation (EC) No 882/2004 of the European Parliament and of the Council as regards the increased level of official controls on imports of certain feed and food of non-animal origin and amending Decision 2006/504/EC (OJ L 194, 25.7.2009, p. 11).

- (11) For curry leaves from India, the frequency of non-compliance with the relevant requirements provided for in Union legislation detected during official controls performed by Member States has decreased. It is therefore appropriate to delete from Annex II to Implementing Regulation (EU) 2019/1793 and include in Annex I to that Regulation the entry concerning curry leaves from India. It is appropriate to increase the frequency of identity and physical checks to be performed on this commodity, given that the requirements concerning official certification and sampling and analysis for pesticide residues in the third country will be discontinued for this commodity.
- (12) For raspberries from Serbia, dried apricots and apricots, otherwise prepared or preserved from Turkey and lemons from Turkey, the available information indicates an overall satisfactory degree of compliance with the relevant safety requirements provided for in Union legislation and for which an increased level of official controls is therefore no longer justified. The entries in Annex I to Implementing Regulation (EU) 2019/1793 concerning those commodities should therefore be deleted.
- (13) The Combined Nomenclature code indicated for *Sesamum* seeds in Annexes I and II to Implementing Regulation (EU) 2019/1793 includes raw and processed *Sesamum* seeds. It is appropriate from a risk management perspective to cover both raw and processed *Sesamum* seeds in Annexes I and II to Implementing Regulation (EU) 2019/1793, as in particular in the case of the countries of origin mentioned in Annexes I and II to Implementing Regulation (EU) 2019/1793, raw or processed *Sesamum* seeds present the same risks. All the product descriptions in Annexes I and II to Implementing Regulation (EU) 2019/1793 concerning *Sesamum* seeds should therefore be amended to cover both raw and processed *Sesamum* seeds. Additionally, in order to better align with the product description for that Combined Nomenclature code in Council Regulation (EEC) No 2658/87 ⁽⁵⁾, these products should be referred to in Annexes I and II to Implementing Regulation (EU) 2019/1793 as '*Sesamum* seeds' only, and not as 'Sesame seeds (*Sesamum* seeds)'.
(*Sesamum* seeds).
- (14) Groundnut flours and meals present the same risk as the forms of that food and feed currently listed in Annexes I and II to Implementing Regulation (EU) 2019/1793. All entries in Annexes I and II to Implementing Regulation (EU) 2019/1793 concerning groundnuts should therefore be amended to include groundnut flours and meals.
- (15) Similarly, oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil present the same risk as the forms of that commodity currently listed in Annexes I and II to Implementing Regulation (EU) 2019/1793. Certain entries in Annex I to Implementing Regulation (EU) 2019/1793 concerning groundnuts do not include groundnuts in the aforementioned form. It is therefore appropriate to amend all the entries concerning groundnuts in Annex I to Implementing Regulation (EU) 2019/1793 to include oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil.
- (16) The Combined Nomenclature codes indicated for peppers of the *Capsicum* species (sweet or other than sweet) from Sri Lanka and India respectively and for apricots, otherwise prepared or preserved from Uzbekistan should be modified in Implementing Regulation (EU) 2019/1793, in order to ensure consistency with the description for these commodities in Annexes I and II to that Regulation.
- (17) In order to ensure consistency and clarity, it is appropriate to replace Annex I and Annex II to Implementing Regulation (EU) 2019/1793 in their entirety.
- (18) Commission Implementing Decision 2014/88/EU ⁽⁶⁾ prohibits the importation into the Union of foodstuffs containing or consisting of betel leaves originating in or consigned from Bangladesh. It was adopted following a high number of notifications issued in the RASFF due to the presence of a wide range of *Salmonella* strains, including *Salmonella* Typhimurium, found in foodstuffs containing or consisting of betel leaves ('Piper betle', commonly known as 'Paan leaf' or 'Betel quid') from Bangladesh.
- (19) Bangladesh has not submitted a satisfactory action plan. Therefore, it cannot be concluded that the guarantees provided by Bangladesh are sufficient to address the serious risks to human health previously identified. The emergency measures established by Implementing Decision 2014/88/EU should therefore remain in place.

⁽⁵⁾ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

⁽⁶⁾ Commission Implementing Decision 2014/88/EU of 13 February 2014 suspending temporarily imports from Bangladesh of foodstuffs containing or consisting of betel leaves ('Piper betle') (OJ L 45, 15.2.2014, p. 34).

- (20) Commission Implementing Regulation (EU) 2015/943 ⁽⁷⁾ suspends the import into the Union of dried beans under CN codes 0713 39 00, 0713 35 00 and 0713 90 00 originating from Nigeria, due to continued presence of dichlorvos. Commission Implementing Regulation (EU) 2019/1256 ⁽⁸⁾ extended the date of application of Implementing Regulation (EU) 2015/943 until 30 June 2022, to allow Nigeria to implement the appropriate risk management measures and provide the required guarantees.
- (21) The rules laid down in Implementing Regulation (EU) 2019/1793, in Implementing Decision 2014/88/EU and in Implementing Regulation (EU) 2015/943 are substantively linked, as they all concern the imposition of additional measures governing the entry into the Union of certain food and feed from certain third countries due to an identified risk and which apply depending on the gravity of the risk. It is therefore appropriate to facilitate the correct and comprehensive application of the relevant rules by establishing in a single act the provisions concerning the temporary increase of official controls on certain food and feed of non-animal origin and the respective emergency measures. Implementing Decision 2014/88/EU and Implementing Regulation (EU) 2015/943 should therefore be repealed and their provisions transferred to Implementing Regulation (EU) 2019/1793, and the latter be amended accordingly.
- (22) In the interest of legal certainty, it is appropriate to provide that Member States may authorise the entry into the Union of consignments of *Sesamum* seeds from Sudan and Uganda and of peppers of the *Capsicum* species (other than sweet) from India and Pakistan which are not accompanied by an official certificate and the results of sampling and analysis if they left their country of origin or the country of dispatch if that country is different from the country of origin, before the date of entry into force of this Regulation.
- (23) Implementing Regulation (EU) 2019/1793 should therefore be amended accordingly.
- (24) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Implementing Regulation (EU) 2019/1793

Implementing Regulation (EU) 2019/1793 is amended as follows:

(1) Article 1 is amended as follows:

(a) in paragraph 1, the following point (ba) is inserted:

‘(ba) suspension of the entry into the Union of the food and feed listed in Annex IIa;’;

(b) paragraph 3 is replaced by the following:

‘3. This Regulation does not apply to the following categories of consignments of food and feed referred to in points (a) and (b) of paragraph 1 unless their net weight exceeds 30 kg:

- (a) consignments of food and feed sent as trade samples, laboratory samples or as display items for exhibitions, which are not intended to be placed on the market;
- (b) consignments of food and feed which form part of passengers personal luggage and are intended for personal consumption or use;
- (c) non-commercial consignments of food and feed sent to natural persons which are not intended to be placed on the market;
- (d) consignments of food and feed intended for scientific purposes.’;

⁽⁷⁾ Commission Implementing Regulation (EU) 2015/943 of 18 June 2015 on emergency measures suspending imports of dried beans from Nigeria and amending Annex I to Regulation (EC) No 669/2009 (OJ L 154, 19.6.2015, p. 8).

⁽⁸⁾ Commission Implementing Regulation (EU) 2019/1256 of 23 July 2019 amending Implementing Regulation (EU) 2015/943 on emergency measures suspending imports of dried beans from Nigeria, as regards extending its period of application (OJ L 196, 24.7.2019, p. 3).

(2) the heading of Section 3 is replaced by the following:

‘SPECIAL CONDITIONS GOVERNING THE ENTRY INTO THE UNION AND SUSPENSION OF ENTRY INTO THE UNION OF CERTAIN FOOD AND FEED FROM CERTAIN THIRD COUNTRIES’;

(3) the following Article 11a is inserted:

‘Article 11a

Suspension of entry into the Union

1. Member States shall prohibit the entry into the Union of the food and feed listed in Annex IIa.

2. Paragraph 1 shall apply to food and feed intended for placing on the Union market, and to food and feed intended for private use or consumption within the custom territory of the Union.’;

(4) Annexes I and II are amended in accordance with the Annex to this Regulation;

(5) an Annex IIa is inserted in accordance with the Annex to this Regulation.

Article 2

Repeals

1. Implementing Regulation (EU) 2015/943 and Implementing Decision 2014/88/EU are repealed.

2. References to the repealed acts shall be construed as references to Implementing Regulation (EU) 2019/1793.

Article 3

Transitional measures

Consignments of *Sesamum* seeds from Sudan and Uganda and of peppers of the *Capsicum* species (other than sweet) from India and Pakistan having left the country of origin, or the country of dispatch if that country is different from the country of origin, before the date of entry into force of this Regulation may enter the Union without being accompanied by the results of sampling and analyses and the official certificate provided for in Articles 10 and 11 of Implementing Regulation (EU) 2019/1793.

Article 4

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 6 May 2020.

For the Commission

The President

Ursula VON DER LEYEN

ANNEX

1. Annexes I and II to Implementing Regulation (EU) 2019/1793 are amended as follows:

(1) Annex I is replaced by the following:

'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

Food and feed (intended use)	CN code (*)	TARIC sub-division	Country of origin	Hazard	Frequency of identity and physical checks (%)
— Groundnuts (peanuts), in shell	— 1202 41 00	20	Bolivia (BO)	Aflatoxins	50
— Groundnuts (peanuts), shelled	— 1202 42 00				
— Peanut butter	— 2008 11 10				
— Groundnuts (peanuts), otherwise prepared or preserved	— 2008 11 91; 2008 11 96; 2008 11 98				
— Groundnut flours and meals	— ex 1208 90 00				
— 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				
— Black pepper (<i>Piper</i>) (Food – neither crushed nor ground)	ex 0904 11 00	10	Brazil (BR)	<i>Salmonella</i> (2)	20
Goji berries (wolfberries) (<i>Lycium barbarum</i> L.) (Food – fresh, chilled or dried)	ex 0813 40 95; ex 0810 90 75	10 10	China (CN)	Pesticide residues (3) (4) (5)	20
Sweet peppers (<i>Capsicum annuum</i>) (Food – crushed or ground)	ex 0904 22 00	11	China (CN)	<i>Salmonella</i> (6)	20
Tea, whether or not flavoured (Food)	0902		China (CN)	Pesticide residues (3) (7)	20
Aubergines (<i>Solanum melongena</i>) (Food – fresh or chilled)	0709 30 00		Dominican Republic (DO)	Pesticide residues (3)	20
— Sweet peppers (<i>Capsicum annuum</i>)	— 0709 60 10; 0710 80 51		Dominican Republic (DO)	Pesticide residues (3) (8)	50

Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Country of origin	Hazard	Frequency of identity and physical checks (%)
— Peppers of the <i>Capsicum</i> species (other than sweet)	— ex 0709 60 99; ex 0710 80 59	20 20			
— Yardlong beans (<i>Vigna unguiculata</i> ssp. <i>sesquipedalis</i> , <i>Vigna unguiculata</i> ssp. <i>unguiculata</i>) (Food – fresh, chilled or frozen)	— ex 0708 20 00; ex 0710 22 00	10 10			
— Sweet peppers (<i>Capsicum annuum</i>)	— 0709 60 10; 0710 80 51		Egypt (EG)	Pesticide residues ⁽²⁾ ⁽⁹⁾	20
— Peppers of the <i>Capsicum</i> species (other than sweet) (Food – fresh, chilled or frozen)	— ex 0709 60 99; ex 0710 80 59	20 20			
Sesamum seeds (Food)	1207 40 90		Ethiopia (ET)	<i>Salmonella</i> ⁽²⁾	50
— Hazelnuts, in shell	— 0802 21 00		Georgia (GE)	Aflatoxins	50
— Hazelnuts, shelled	— 0802 22 00				
— Flour, meal and powder of hazelnuts	— ex 1106 30 90	40			
— Hazelnuts, otherwise prepared or preserved (Food)	— ex 2008 19 19; ex 2008 19 95; ex 2008 19 99	30 20 30			
Palm oil (Food)	1511 10 90; 1511 90 11; ex 1511 90 19; 1511 90 99	90	Ghana (GH)	Sudan dyes ⁽¹⁰⁾	50
Curry leaves (<i>Bergera/Murraya koenigii</i>) (Food – fresh, chilled, frozen or dried)	ex 1211 90 86	10	India (IN)	Pesticide residues ⁽²⁾ ⁽¹¹⁾	50
Okra (Food – fresh, chilled or frozen)	ex 0709 99 90; ex 0710 80 95	20 30	India (IN)	Pesticide residues ⁽²⁾ ⁽¹²⁾	10
Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) (Food – fresh or chilled)	0708 20		Kenya (KE)	Pesticide residues ⁽²⁾	10
Chinese celery (<i>Apium graveolens</i>) (Food – fresh or chilled herb)	ex 0709 40 00	20	Cambodia (KH)	Pesticide residues ⁽²⁾ ⁽¹³⁾	50

Food and feed (intended use)	CN code (1)	TARIC sub-division	Country of origin	Hazard	Frequency of identity and physical checks (%)
Yardlong beans (<i>Vigna unguiculata</i> ssp. <i>sesquipedalis</i> , <i>Vigna unguiculata</i> ssp. <i>unguiculata</i>) (Food – fresh, chilled or frozen vegetables)	ex 0708 20 00; ex 0710 22 00	10 10	Cambodia (KH)	Pesticide residues (2) (14)	50
Turnips (<i>Brassica rapa</i> ssp. <i>rapa</i>) (Food – prepared or preserved by vinegar or acetic acid)	ex 2001 90 97	11; 19	Lebanon (LB)	Rhodamine B	50
Turnips (<i>Brassica rapa</i> ssp. <i>rapa</i>) (Food – prepared or preserved by brine or citric acid, not frozen)	ex 2005 99 80	93	Lebanon (LB)	Rhodamine B	50
Peppers of the <i>Capsicum</i> species (sweet or other than sweet) (Food – dried, roasted, crushed or ground)	0904 21 10; ex 0904 21 90; ex 0904 22 00; ex 2005 99 10; ex 2005 99 80	20 11; 19 10; 90 94	Sri Lanka (LK)	Aflatoxins	50
— Groundnuts (peanuts), in shell	— 1202 41 00		Madagascar (MG)	Aflatoxins	50
— Groundnuts (peanuts), shelled	— 1202 42 00				
— Peanut butter	— 2008 11 10				
— Groundnuts (peanuts), otherwise prepared or preserved	— 2008 11 91; 2008 11 96; 2008 11 98				
— Groundnut flours and meals	— ex 1208 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				
Jackfruit (<i>Artocarpus heterophyllus</i>) (Food – fresh)	ex 0810 90 20	20	Malaysia (MY)	Pesticide residues (2)	20
Sesamum seeds (Food)	1207 40 90		Nigeria (NG)	Salmonella (2)	50
Spice mixes (Food)	0910 91 10; 0910 91 90		Pakistan (PK)	Aflatoxins	50

Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Country of origin	Hazard	Frequency of identity and physical checks (%)
Watermelon (<i>Egusi, Citrullus spp.</i>) seeds and derived products (Food)	ex 1207 70 00; ex 1208 90 00; ex 2008 99 99	10 10 50	Sierra Leone (SL)	Aflatoxins	50
— Groundnuts (peanuts), in shell	— 1202 41 00		Senegal (SN)	Aflatoxins	50
— Groundnuts (peanuts), shelled	— 1202 42 00				
— Peanut butter	— 2008 11 10				
— Groundnuts (peanuts), otherwise prepared or preserved	— 2008 11 91; 2008 11 96; 2008 11 98				
— Groundnut flours and meals	— ex 1208 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				
Turnips (<i>Brassica rapa ssp. rapa</i>) (Food – prepared or preserved by vinegar or acetic acid)	ex 2001 90 97	11; 19	Syria (SY)	Rhodamine B	50
Turnips (<i>Brassica rapa ssp. rapa</i>) (Food – prepared or preserved by brine or citric acid, not frozen)	ex 2005 99 80	93	Syria (SY)	Rhodamine B	50
Peppers of the <i>Capsicum</i> species (other than sweet) (Food – fresh, chilled or frozen)	ex 0709 60 99; ex 0710 80 59	20 20	Thailand (TH)	Pesticide residues ⁽²⁾ ⁽¹³⁾	10
Dried grapes (including dried grapes cut or crushed into a paste, without any further treatment) (Food)	0806 20		Turkey (TR)	Ochratoxin A	10
Mandarins (including tangerines and satsumas); clementines, wilkings and similar citrus hybrids (Food – fresh or dried)	0805 21; 0805 22; 0805 29		Turkey (TR)	Pesticide residues ⁽²⁾	5

Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Country of origin	Hazard	Frequency of identity and physical checks (%)
Oranges (Food – fresh or dried)	0805 10		Turkey (TR)	Pesticide residues ⁽²⁾	10
Pomegranates (Food – fresh or chilled)	ex 0810 90 75	30	Turkey (TR)	Pesticide residues ⁽²⁾ ⁽¹⁶⁾	20
Sweet Peppers (<i>Capsicum annuum</i>) (Food – fresh, chilled or frozen)	0709 60 10; 0710 80 51		Turkey (TR)	Pesticide residues ⁽²⁾ ⁽¹⁷⁾	10
Unprocessed whole, ground, milled, cracked, chopped apricot kernels intended to be placed on the market for the final consumer ⁽¹⁸⁾ ⁽¹⁹⁾ (Food)	ex 1212 99 95	20	Turkey (TR)	Cyanide	50
Peppers of the <i>Capsicum</i> species (other than sweet) (Food – fresh, chilled or frozen)	ex 0709 60 99; ex 0710 80 59	20 20	Uganda (UG)	Pesticide residues ⁽²⁾	20
— Groundnuts (peanuts), in shell	— 1202 41 00		United States (US)	Aflatoxins	10
— Groundnuts (peanuts), shelled	— 1202 42 00				
— Peanut butter	— 2008 11 10				
— Groundnuts (peanuts), otherwise prepared or preserved	— 2008 11 91; 2008 11 96; 2008 11 98				
— Groundnut flours and meals	— ex 1208 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				
— Pistachios, in shell	— 0802 51 00		United States (US)	Aflatoxins	10
— Pistachios, shelled	— 0802 52 00				
— Pistachios, roasted (Food)	— ex 2008 19 13; ex 2008 19 93	20 20			
— Dried apricots	— 0813 10 00		Uzbekistan (UZ)	Sulphites ⁽²⁰⁾	50
— Apricots, otherwise prepared or preserved (Food)	— 2008 50				

Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Country of origin	Hazard	Frequency of identity and physical checks (%)
— Coriander leaves	— ex 0709 99 90	72	Vietnam (VN)	Pesticide residues ⁽³⁾ ⁽²¹⁾	50
— Basil (holy, sweet)	— ex 1211 90 86	20			
— Mint	— ex 1211 90 86	30			
— Parsley (Food – fresh or chilled herbs)	— ex 0709 99 90	40			
Okra (Food – fresh, chilled or frozen)	ex 0709 99 90; ex 0710 80 95	20 30	Vietnam (VN)	Pesticide residues ⁽³⁾ ⁽²¹⁾	50
Peppers of the <i>Capsicum</i> species (other than sweet) (Food – fresh, chilled or frozen)	ex 0709 60 99; ex 0710 80 59	20 20'	Vietnam (VN)	Pesticide residues ⁽³⁾ ⁽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 shall 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 at least those pesticides listed in the control programme adopted in accordance with Article 29(2) of Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC (OJ L 70, 16.3.2005, p. 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).

⁽⁴⁾ Residues of Amitraz.

⁽⁵⁾ Residues of Nicotine.

⁽⁶⁾ The sampling and the analyses shall be performed in accordance with the sampling procedures and the analytical reference methods set out in point 1(b) of Annex III to this Regulation.

⁽⁷⁾ Residues of Tolfenpyrad.

⁽⁸⁾ Residues of Amitraz (amitraz including the metabolites containing the 2,4 -dimethylaniline moiety expressed as amitraz), Diafenthiuron, Dicofof (sum of p, p' and o,p' isomers) and Dithiocarbamates (dithiocarbamates expressed as CS2, including maneb, mancozeb, metiram, propineb, thiram and ziram).

⁽⁹⁾ Residues of Dicofof (sum of p, p' and o,p' isomers), Dinotefuran, Folpet, Prochloraz (sum of prochloraz and its metabolites containing the 2,4,6-Trichlorophenol moiety expressed as prochloraz), Thiophanate-methyl and Triforine.

⁽¹⁰⁾ 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).

⁽¹¹⁾ Residues of acephate.

⁽¹²⁾ Residues of Diafenthiuron.

⁽¹³⁾ Residues of Phenthoate.

⁽¹⁴⁾ Residues of Chlorbufam.

⁽¹⁵⁾ Residues of Formetanate (sum of formetanate and its salts expressed as formetanate (hydrochloride)), Prothiofos and Triforine.

⁽¹⁶⁾ Residues of Prochloraz.

⁽¹⁷⁾ Residues of Diafenthiuron, Formetanate (sum of formetanate and its salts expressed as formetanate (hydrochloride)) and Thiophanate-methyl.

⁽¹⁸⁾ “Unprocessed products” as defined in Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (OJ L 139, 30.4.2004, p. 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 of 28 January 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 (OJ L 31, 1.2.2002, p. 1).

⁽²⁰⁾ Reference methods: EN 1988-1:1998, EN 1988-2:1998 or ISO 5522:1981.

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

(2) Annex II is replaced by the following:

‘ANNEX II

Food and feed from certain third countries subject to special conditions for the entry into the Union due to contamination risk by mycotoxins, including aflatoxins, pesticide residues, pentachlorophenol and dioxins and microbiological contamination

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

Food and feed (intended use)	CN code (1)	TARIC sub-division	Country of origin	Hazard	Frequency of identity and physical checks (%)
— Groundnuts (peanuts), in shell	— 1202 41 00		Argentina (AR)	Aflatoxins	5
— Groundnuts (peanuts), shelled	— 1202 42 00				
— Peanut butter	— 2008 11 10				
— Groundnuts (peanuts), otherwise prepared or preserved	— 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	— 2305 00 00				
— Groundnut flours and meals (Food and feed)	— ex 1208 90 00	20			
— Hazelnuts (Corylus sp.) in shell	— 0802 21 00		Azerbaijan (AZ)	Aflatoxins	20
— Hazelnuts (Corylus sp.) shelled	— 0802 22 00				
— Mixtures of nuts or dried fruits containing hazelnuts	— ex 0813 50 39; ex 0813 50 91; ex 0813 50 99	70 70 70			
— Hazelnut paste	— ex 2007 10 10; ex 2007 10 99; ex 2007 99 39; ex 2007 99 50; ex 2007 99 97	70 40 05; 06 33 23			
— Hazelnuts, otherwise prepared or preserved, including mixtures	— ex 2008 19 12; ex 2008 19 19; ex 2008 19 92; ex 2008 19 95; ex 2008 19 99; ex 2008 97 12; ex 2008 97 14; ex 2008 97 16; ex 2008 97 18; ex 2008 97 32; ex 2008 97 34; ex 2008 97 36;	30 30 30 20 30 15 15 15 15 15 15 15			

Food and feed (intended use)	CN code (*)	TARIC sub-division	Country of origin	Hazard	Frequency of identity and physical checks (%)
	ex 2008 97 38; ex 2008 97 51; ex 2008 97 59; ex 2008 97 72; ex 2008 97 74; ex 2008 97 76; ex 2008 97 78; ex 2008 97 92; ex 2008 97 93; ex 2008 97 94; ex 2008 97 96; ex 2008 97 97; ex 2008 97 98	15 15 15 15 15 15 15 15 15 15 15 15			
— Flour, meal and powder of hazelnuts	— ex 1106 30 90	40			
— Hazelnut oil (Food)	— ex 1515 90 99	20			
— Brazil nuts in shell	— 0801 21 00		Brazil (BR)	Aflatoxins	50
— Mixtures of nuts or dried fruits containing Brazil nuts in shell. (Food)	— ex 0813 50 31; ex 0813 50 39; ex 0813 50 91; ex 0813 50 99	20 20 20 20			
— Groundnuts (peanuts), in shell	— 1202 41 00		Brazil (BR)	Aflatoxins	10
— Groundnuts (peanuts), shelled	— 1202 42 00				
— Peanut butter	— 2008 11 10				
— Groundnuts (peanuts), otherwise prepared or preserved	— 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	— 2305 00 00				
— Groundnut flours and meals (Food and feed)	— ex 1208 90 00	20			
— Groundnuts (peanuts), in shell	— 1202 41 00		China (CN)	Aflatoxins	20
— Groundnuts (peanuts), shelled	— 1202 42 00				
— Peanut butter	— 2008 11 10				
— Groundnuts (peanuts), otherwise prepared or preserved	— 2008 11 91; 2008 11 96; 2008 11 98				

Food and feed (intended use)	CN code (*)	TARIC sub-division	Country of origin	Hazard	Frequency of identity and physical checks (%)
— 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				
— Groundnut flours and meals (Food and feed)	— ex 1208 90 00	20			
— Groundnuts (peanuts), in shell	— 1202 41 00		Egypt (EG)	Aflatoxins	20
— Groundnuts (peanuts), shelled	— 1202 42 00				
— Peanut butter	— 2008 11 10				
— Groundnuts (peanuts), otherwise prepared or preserved	— 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	— 2305 00 00				
— Groundnut flours and meals (Food and feed)	— ex 1208 90 00	20			
— Pepper of the genus Piper; dried or crushed or ground fruit of the genus Capsicum or of the genus Pimenta	— 0904		Ethiopia (ET)	Aflatoxins	50
— Ginger, saffron, turmeric (curcuma), thyme, bay leaves, curry and other spices (Food – dried spices)	— 0910				
— Groundnuts (peanuts), in shell	— 1202 41 00		Ghana (GH)	Aflatoxins	50
— Groundnuts (peanuts), shelled	— 1202 42 00				
— Peanut butter	— 2008 11 10				
— Groundnuts (peanuts), otherwise prepared or preserved	— 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	— 2305 00 00				
— Groundnut flours and meals (Food and feed)	— ex 1208 90 00	20			

Food and feed (intended use)	CN code (*)	TARIC sub-division	Country of origin	Hazard	Frequency of identity and physical checks (%)
— Groundnuts (peanuts), in shell	— 1202 41 00		Gambia (GM)	Aflatoxins	50
— Groundnuts (peanuts), shelled	— 1202 42 00				
— Peanut butter	— 2008 11 10				
— Groundnuts (peanuts), otherwise prepared or preserved	— 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	— 2305 00 00				
— Groundnut flours and meals (Food and feed)	— ex 1208 90 00	20			
Nutmeg (<i>Myristica fragrans</i>) (Food – dried spices)	0908 11 00; 0908 12 00		Indonesia (ID)	Aflatoxins	20
Betel leaves (<i>Piper betle</i> L.) (Food)	ex 1404 90 00	10	India (IN)	<i>Salmonella</i> (?)	10
Peppers of the <i>Capsicum</i> species (sweet or other than sweet) (Food – dried, roasted, crushed or ground)	0904 21 10; ex 0904 22 00; ex 0904 21 90; ex 2005 99 10; ex 2005 99 80	11; 19 20 10; 90 94	India (IN)	Aflatoxins	20
Nutmeg (<i>Myristica fragrans</i>) (Food – dried spices)	— 0908 11 00; 0908 12 00		India (IN)	Aflatoxins	20
— Groundnuts (peanuts), in shell	— 1202 41 00		India (IN)	Aflatoxins	10
— Groundnuts (peanuts), shelled	— 1202 42 00				
— Peanut butter	— 2008 11 10				
— Groundnuts (peanuts), otherwise prepared or preserved	— 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	— 2305 00 00				
— Groundnut flours and meals (Food and feed)	— ex 1208 90 00	20			

Food and feed (intended use)	CN code (*)	TARIC sub-division	Country of origin	Hazard	Frequency of identity and physical checks (%)
	ex 2008 97 97;	11			
	ex 2008 97 98;	11			
	ex 2008 99 28	10			
	ex 2008 99 34;	10			
	ex 2008 99 37;	10			
	ex 2008 99 40;	10			
	ex 2008 99 49;	60			
	ex 2008 99 67;	95			
	ex 2008 99 99	60			
— Flour, meal or powder of dried figs (Food)	— ex 1106 30 90	60			
— Hazelnuts (<i>Corylus</i> sp.) in shell	— 0802 21 00		Turkey (TR)	Aflatoxins	5
— Hazelnuts (<i>Corylus</i> sp.) shelled	— 0802 22 00				
— Mixtures of nuts or dried fruits containing hazelnuts	— ex 0813 50 39;	70			
	ex 0813 50 91;	70			
	ex 0813 50 99	70			
— Hazelnut paste	— ex 2007 10 10;	70			
	ex 2007 10 99;	40			
	ex 2007 99 39;	05; 06			
	ex 2007 99 50;	33			
	ex 2007 99 97	23			
— Hazelnuts, otherwise prepared or preserved, including mixtures	— ex 2008 19 12;	30			
	ex 2008 19 19;	30			
	ex 2008 19 92;	30			
	ex 2008 19 95;	20			
	ex 2008 19 99;	30			
	ex 2008 97 12;	15			
	ex 2008 97 14;	15			
	ex 2008 97 16;	15			
	ex 2008 97 18;	15			
	ex 2008 97 32;	15			
	ex 2008 97 34;	15			
	ex 2008 97 36;	15			
	ex 2008 97 38;	15			
	ex 2008 97 51;	15			
	ex 2008 97 59;	15			
	ex 2008 97 72;	15			
	ex 2008 97 74;	15			
	ex 2008 97 76;	15			
	ex 2008 97 78;	15			
	ex 2008 97 92;	15			
	ex 2008 97 93;	15			
	ex 2008 97 94;	15			
	ex 2008 97 96;	15			
	ex 2008 97 97;	15			
	ex 2008 97 98	15			
— Flour, meal and powder of hazelnuts	— ex 1106 30 90	40			
— Hazelnut oil (Food)	— ex 1515 90 99	20			

- b) the measurement uncertainty of the analytical result;
 c) the limit of detection (LOD) of the analytical method; and
 d) the limit of quantification (LOQ) of the analytical method.

The extraction before analysis shall be performed with an acidified solvent. The analysis shall be carried out according to the modified version of the QuEChERS method as set out on the website of the European Union Reference Laboratories for Residues of Pesticides or according to an equally reliable method

- (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 of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC (OJ L 70, 16.3.2005, p. 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).
 (⁵) Residues of Carbofuran.
 (⁶) The sampling and the analyses shall 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.
 (⁷) Residues of dithiocarbamates (dithiocarbamates expressed as CS₂, including maneb, mancozeb, metiram, propineb, thiram and ziram) and metrafenone.
 (⁸) Residues of dithiocarbamates (dithiocarbamates expressed as CS₂, including maneb, mancozeb, metiram, propineb, thiram and ziram), Phenthoate and Quinalphos.

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 (¹)	Description (²)
ex 1704 90	Sugar confectionery (including white chocolate), not containing cocoa, other than chewing gum, whether or not sugar-coated
ex 1806	Chocolate and other food preparations containing cocoa
ex 1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products'

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

(²) The description of the goods is as laid down in the description column of the CN in Annex I to Regulation (EEC) No 2658/87. For further explanation of the exact coverage of the Common Customs Tariff, please refer to the latest amendment to that Annex.

2. The following Annex IIa is inserted in Implementing Regulation (EU) 2019/1793:

'ANNEX IIa

Food and feed from certain third countries subject to suspension of entry into the Union referred to in Article 11a

Food and feed (intended use)	CN code (¹)	TARIC sub-division	Country of origin	Hazard
— Foodstuffs containing or consisting of betel leaves ("Piper betle") (Food)	— 1404 90 00 (²)		Bangladesh (BD) (³)	<i>Salmonella</i>

Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Country of origin	Hazard
— Foodstuffs consisting of dried beans (Food)	— 0713 35 00 — 0713 39 00 — 0713 90 00		Nigeria (NG)	Pesticide residues'

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

⁽²⁾ Foodstuffs containing or consisting of betel leaves ("Piper betle") including, but not limited to, those declared under CN code 1404 90 00.

⁽³⁾ Country of origin and/or country of dispatch.