



22 November 2023

(23-7892)

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Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

*Addendum*

The following communication, received on 22 November 2023, is being circulated at the request of the Delegation of the United Kingdom.

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;

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

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

In response to a request from a WTO Member regarding the comment deadline contained within G/SPS/N/GBR/44 of 9 October 2023, in this instance the United Kingdom is able to extend the final date for comments from 18 November 2023 to 22 November 2023.

**This addendum concerns a:**

- Modification of final date for comments
- Notification of adoption, publication or entry into force of regulation
- Modification of content and/or scope of previously notified draft regulation
- Withdrawal of proposed regulation
- Change in proposed date of adoption, publication or date of entry into force
- Other:

**Comment period:** *(If the addendum extends the scope of the previously notified measure in terms of products and/or potentially affected Members, a new deadline for receipt of comments should be provided, normally of at least 60 calendar days. Under other circumstances, such as extension of originally announced final date for comments, the comment period provided in the addendum may vary.)*

- Sixty days from the date of circulation of the addendum to the notification and/or (dd/mm/yy): 22 November 2023

**Agency or authority designated to handle comments:**  National Notification Authority,  National Enquiry Point. **Address, fax number and e-mail address (if available) of other body:**

UK WTO SPS National Notification Authority and Enquiry Point  
WTO Policy Team  
EU and International Trade Directorate  
Department for Environment, Food and Rural Affairs  
Email: [uksps@defra.gov.uk](mailto:uksps@defra.gov.uk)

**Text(s) available from:**  National Notification Authority,  National Enquiry Point. **Address, fax number and e-mail address (if available) of other body:**

UK WTO SPS National Notification Authority and Enquiry Point  
WTO Policy Team  
EU and International Trade Directorate  
Department for Environment, Food and Rural Affairs  
Email: [uksps@defra.gov.uk](mailto:uksps@defra.gov.uk)



NOTIFICATION

1.	<p><b>Notifying Member:</b> <u>UNITED KINGDOM</u></p> <p><b>If applicable, name of local government involved:</b></p>
2.	<p><b>Agency responsible:</b> The UK Food Safety Authorities comprising of the Food Standards Agency (FSA) and Food Standards Scotland (FSS).</p>
3.	<p><b>Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):</b> HS Code(s): ex 2007 10 10 80; ex 2007 10 99 50; ex 2007 99 39 07; ex 2007 99 39 08; 1202 41 00; 1202 42 00; 2008 11 10; 2008 11 91; 2008 11 96; 2008 11 98; 2305 00 00; ex 1208 90 00 20; ex 0904 22 00 11; ex 0810 90 20 30; 0803 90 10; 0803 90 90; 0805 10; 1511 10 90; 1511 90 11, ex 1511 90 19 90; 1511 90 99; ex 0709 99 90 10; ex 0710 80 95 75; 1006; 0906; 0907; 0908; 0909; 0910; 1207 70; ex 0709 60 99 20; ex 0710 80 59 20; 0713 35 00; 0910 91 10; 0910 91 90; 1207 40 90; ex 1704 90 99 12; ex 1704 90 99 92; ex 1806 20 95 13; ex 1806 20 95 93; ex 1806 90 50 10; ex 1806 90 60 11; ex 1806 90 60 91; ex 2008 19 19 40; ex 2008 19 99 40; 0802 21 00; 0802 22 00; ex 0813 50 39 70; ex 0813 50 91 70; ex 0813 50 99 70; ex 2007 10 10 70; ex 2007 10 99 40; ex 2007 99 39 05; ex 2007 99 39 06; ex 2007 99 50 33; ex 2007 99 97 23; ex 2008 19 12 30; 2008 19 19 30; 2008 19 92 30; 2008 19 95 20; 2008 19 99 30; 2008 97 12 15; 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; ex 1106 30 90 40; ex 1515 90 99 20; ex 0810 90 20 10; 0709 59 00 00; ex 2008 99 99 11; ex 2008 99 99 19; 0904; ex 2005 99 10 10; ex 2005 99 10 90; 2005 99 80 94; 0908 11 00; 0908 12 00</p>
4.	<p><b>Regions or countries likely to be affected, to the extent relevant or practicable:</b></p> <p><input type="checkbox"/> <b>All trading partners</b></p> <p><input checked="" type="checkbox"/> <b>Specific regions or countries:</b> Bolivia, Plurinational State of; Brazil; China; Colombia; Ecuador; Egypt; The Gambia; Ghana; India; Indonesia; Kenya; Korea, Republic of; Madagascar; Pakistan; Senegal; Thailand; Türkiye; United States of America; Viet Nam; Iran; Sudan; Syria</p>
5.	<p><b>Title of the notified document:</b></p> <p>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; The Official Controls (Import of High Risk Food and Feed of Non-Animal Origin) Amendment (Scotland) Regulations 2024; The Official Controls (Import of High-Risk Food and Feed of Non-Animal Origin) (Amendment of Commission Implementing Regulation (EU) 2019/1793) (Wales) Regulations 2024. Legislation to follow in addenda when available.</p> <p><b>Language(s):</b> English. <b>Number of pages:</b></p>

**6. Description of content:**

Retained Regulation 2019/1793 sets rules concerning the temporary increase of official controls applicable to certain food and feed of non-animal origin entering Great Britain from the countries listed in that Regulation. This is due to the risk of contamination by aflatoxins, pesticide residues, dyes, preservatives, pentachlorophenol and dioxins by microbiological contamination.

The proposed changes listed below have been subject to an assessment of the risks, by the FSA and FSS, and are science and evidence based.

It is proposed that the notified document (the Regulation) amends Annexes 1, and 2 to Retained Regulation 2019/1793 by introducing the following changes:

**Annex 1**

- New listing of CN Codes for Groundnuts Paste (Food and feed) from Bolivia in Annex I.
- Groundnuts in shell, Groundnuts shelled, Peanut Butter, Groundnuts, otherwise prepared or preserved, Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of Groundnut Oil and Groundnut Flours and Meals (Food and feed) from Brazil listed in Annex I for Aflatoxins to be delisted.
- New listing of CN Codes for Groundnuts Paste (Food and feed) from Brazil in Annex I.
- New listing of CN Codes for Groundnuts Paste (Food and feed) from China in Annex I.
- Decrease from 20% to 10% frequency of identity and physical checks to be performed on Sweet Peppers (*Capsicum Annuum*) (Food – crushed or ground) from China for Salmonella.
- New listing in Annex I for Granadilla and Passion Fruit (Food) from Colombia at 10% frequency for identity and physical checks for Pesticide Residues.
- New listing in Annex I for Bananas (Food – fresh and dried) from Ecuador at 5% frequency for identity and physical checks for Pesticide Residues.
- New listing in Annex I for Oranges (Food – fresh or dried) from Egypt at 10% frequency of identity and physical checks for Pesticide Residues.
- Decrease from 50% to 20% frequency of identity and physical checks to be performed on Palm Oil (Food) from Ghana for Sudan Dyes.
- New listing in Annex I for Drumsticks (*Moringa Oleifera*) (Food fresh, chilled or frozen) from India at 20% frequency of identity and physical checks for Pesticide Residues.
- New listing in Annex I for Rice (Food) from India at 5% frequency of identity and physical checks for Aflatoxins and Ochratoxin A, and Pesticides.
- New listing in Annex I for Cinnamon and Cinnamon-Tree Flowers (Food – dried spices) from India at 10% frequency of identity and physical checks for Pesticide Residues.
- New listing in Annex I for Cloves (whole fruit, cloves and stems) (Food – dried spices) from India at 10% frequency of identity and physical checks for Pesticide Residues.
- New listing in Annex I for Nutmeg, Mace and Cardamoms (Food – dried spices) from India at 10% frequency of identity and physical checks for Pesticide Residues.
- New listing in Annex I for Seeds of Anise, Badian, Fennel, Coriander, Cumin or Caraway, Juniper Berries (Food – dried spices) from India at 10% frequency of identity and physical checks for Pesticide Residues.
- New listing in Annex I for Ginger, Saffron, Turmeric (*Curcuma*), Thyme, Bay Leaves, Curry and other spices (Food – dried spices) from India at 10% frequency of identity and physical checks for Pesticide Residues.
- New listing in Annex I for Melon Seeds (Food) from Iran at 10% frequency of identity and physical checks for Aflatoxins.
- New listing in Annex I for Peppers of the genus *Capsicum* (other than sweet) (Food – fresh, chilled or frozen) from Kenya at 10% frequency of identity and physical checks for Pesticide Residues.
- New listing in Annex I for Cow peas (*Vigna unguiculata*) (Food) from Madagascar at 10% frequency of identity and physical checks for Pesticide Residues.
- New listing in Annex I for Rice (Food) from Pakistan at 5% frequency of identity and physical checks for Aflatoxins, Ochratoxin A, and Pesticide Residues.
- Move Spice Mixes (Food) from Pakistan listed in Annex I to Annex II at 10% frequency of identity and physical checks for Aflatoxins.
- New listing of CN Codes for Groundnuts Paste (Food and feed) from Senegal in Annex I.

- New listing in Annex I of Sesamum Seeds (Food) from Syria at 10% frequency of identity and physical checks for Salmonella.
- New listing in Annex I of Tahini and Halva from Sesamum Seeds (Food) from Syria at 10% frequency of identity and physical checks for Salmonella.
- Increase from 20% to 50% frequency of identity and physical checks to be performed on Peppers of the Capsicum species (other than sweet) (Food – fresh, chilled or frozen) from Thailand for Pesticide residues.
- Hazelnuts (Corylus sp.) in shell, Hazelnuts (Corylus sp.) shelled, Mixtures of nuts or dried fruits containing hazelnuts, Hazelnut paste, Hazelnuts otherwise prepared or preserved including mixtures, Flour Meal and Powder of Hazelnuts and Hazelnut Oil (Food) from Türkiye in Annex 1 for Aflatoxins to be delisted.
- New listing of CN Codes for Groundnuts Paste (Food and feed) from United States in Annex I.
- Move Pitahaya (dragon fruit) (Food – fresh or chilled) from Vietnam listed in Annex II to Annex I at 50% frequency of identity and physical checks for pesticide residues.

## Annex 2

- New listing in Annex II for Enoki Mushrooms (Food) from China at 20% frequency of identity and physical checks for Listeria.
- New listing of CN Codes for Groundnuts Paste (Food and feed) from Egypt in Annex II.
- New listing in Annex II for Vine Leaves from (Food) from Egypt at 20% frequency of identity and physical checks for Pesticide Residues.
- New listing of CN Codes for Groundnuts Paste (Food and feed) from The Gambia in Annex II.
- New listing of CN Codes for Groundnuts Paste (Food and feed) from Ghana in Annex II.
- New listing of CN Codes for Groundnuts Paste (Food and feed) from India in Annex II.
- Increase from 10% to 20% frequency of identity and physical checks to be performed on Peppers of the Capsicum species (other than sweet) (Food –fresh, chilled or frozen) from India for Pesticide Residues.
- New listing in Annex II for Peppers of the Capsicum species (sweet or other than sweet) (Food – dried, roasted, crushed or ground) from India at 20% frequency of identity and physical checks for Pesticide Residues.
- Decrease from 20% to 10% frequency of identity and physical checks to be performed on Nutmeg (Myristica fragrans) (Food – dried spices) from Indonesia for Aflatoxins.
- Move Spice Mixes (Food) from Pakistan listed in Annex I to Annex II at 10% frequency of identity and physical checks for Aflatoxins.
- New listing in Annex II for Enoki Mushrooms (Food) from South Korea at 20% frequency of identity and physical checks for Listeria.
- New listing of CN Codes for Groundnuts Paste (Food and feed) from Sudan in Annex II.
- Move Pitahaya (dragon fruit) (Food – fresh or chilled) from Vietnam listed in Annex II to Annex I at 50% frequency of identify and physical checks for Pesticide Residues.

7. **Objective and rationale:**  food safety,  animal health,  plant protection,  protect humans from animal/plant pest or disease,  protect territory from other damage from pests.

8. **Is there a relevant international standard? If so, identify the standard:**

- Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):** CXG 47-2003, CXG 20-1995
- World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):**
- International Plant Protection Convention (e.g. ISPM number):**
- None**

**Does this proposed regulation conform to the relevant international standard?**

Yes  No

**If no, describe, whenever possible, how and why it deviates from the international standard:**

9.	<p><b>Other relevant documents and language(s) in which these are available:</b>  <u>Retained Regulation 2019/1793</u> on the temporary increase of official controls and emergency measures governing the entry into Great Britain 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. Full details of the proposed amendments to Retained Regulation 2019/1793 are laid out in the public consultations on the FSA and FSS websites, available here:  <u>FSA England and Wales Consultation on amendments to Retained (EU) Regulation 2019/1793</u>  <u>FSS Stakeholder Consultation on review of Retained (EU) Regulation 2019/1793</u></p>
10.	<p><b>Proposed date of adoption (dd/mm/yy):</b> 29 January 2024  <b>Proposed date of publication (dd/mm/yy):</b> 9 January 2024</p>
11.	<p><b>Proposed date of entry into force:</b> <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): 7 March 2024  <input type="checkbox"/> Trade facilitating measure</p>
12.	<p><b>Final date for comments:</b> <input type="checkbox"/> Sixty days from the date of circulation of the notification and/or (dd/mm/yy): 18 November 2023  <b>Agency or authority designated to handle comments:</b> <input checked="" type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body:          UK WTO SPS National Notification Authority and Enquiry Point          WTO Policy Team          EU and International Trade Directorate          Department for Environment, Food and Rural Affairs          Area 3E          17 Smith Square          London          Email: <a href="mailto:uksps@defra.gov.uk">uksps@defra.gov.uk</a>          Website: <a href="https://www.gov.uk/government/organisations/department-for-environment-food-rural-affairs">https://www.gov.uk/government/organisations/department-for-environment-food-rural-affairs</a></p>
13.	<p><b>Text(s) available from:</b> <input checked="" type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body:          UK WTO SPS National Notification Authority and Enquiry Point          WTO Policy Team          EU and International Trade Directorate          Department for Environment, Food and Rural Affairs          Area 3E          17 Smith Square          London          Email: <a href="mailto:uksps@defra.gov.uk">uksps@defra.gov.uk</a>          Website: <a href="https://www.gov.uk/government/organisations/department-for-environment-food-rural-affairs">https://www.gov.uk/government/organisations/department-for-environment-food-rural-affairs</a></p>