



**KARADENİZ İHRACATÇI BİRLİKLERİ
GENEL SEKRETERLİĞİ**

Sayı : 35649853-TİM.KİB.GSK.UYG.2023/330-1527

Giresun, 22/05/2023

Konu : Bazı Gıda Ürünlerinin AB'ye İthalatında Uygulanan Arttırılmış Resmi Kontroller

E-POSTA

**KARADENİZ İHRACATÇI BİRLİKLERİ ÜYELERİNE SİRKÜLER
2023 / 283**

Sayın üyemiz,

Avrupa Birliği Nezdinde Türkiye Daimi Temsilciliğinin bir yazısına atfen, T.C. Ticaret Bakanlığı İhracat Genel Müdürlüğünden alınan 17/05/2023 tarih 85516148 sayılı yazıda;

Aralarında ülkemizin de bulunduğu belirli üçüncü ülkelerden AB'ye girişinde bazı ürünlere yönelik resmi kontrollerin ve acil durum tedbirlerinin geçici olarak arttırılmasına ilişkin 2019/1793 sayılı Komisyon Uygulama Tüzüğü, AB tarafından düzenli olarak gözden geçirilmekte ve bu çerçevede, kontrol noktalarında resmi kontrollerin geçici olarak artırılmasına tabi olan belirli üçüncü ülkelerden gelen hayvansal olmayan gıda ve yemlere ilişkin EK-I ve çeşitli kontaminasyon riski nedeniyle Birliğe giriş için özel koşullara tabi olan belirli üçüncü ülkelerden gelen gıda ve yemlere ilişkin EK-II listelerinin güncellendiği,

Bu kapsamda, Bitkiler, Hayvanlar, Gıda ve Yem Daimi Komitesi- Kontroller ve İthalat Koşulları Bölümü (The Standing Committee on Plants, Animals, Food and Feed- Section Controls and Import Conditions) toplantısında gözden geçirme teklifinin onaylandığı belirtilerek beklenen Tüzük değişikliği kapsamında;

- Ülkemizden portakal ve nar sevkiyatları ile ilgili olarak, üye devletler tarafından gerçekleştirilen resmi kontroller sırasında, pestisit kalıntıları ile kontaminasyona ilişkin olarak Birlik mevzuatında öngörülen ilgili gerekliliklere yüksek oranda uyumsuzluk tespit edildiği ve bu nedenle Birliğe yönelik sevkiyatlarda gerçekleştirilecek belge ve fiziksel kontrol sıklığının %20'den **%30'a** çıkarılmasının,
- Aralık 2021'den bu yana etilen oksit ile kontaminasyon riski nedeniyle Birliğe girişlerinde artan düzeyde resmi kontrollere ve özel koşullara tabi keçiyoynuzu (harnup), keçiyoynuzu tohumu, dekortike edilmemiş, ezilmemiş veya öğütülmemiş ve değiştirilmiş olsun ya da olmasın keçiyoynuzu veya keçiyoynuzu tohumundan elde edilen müsilaajlar ve kıvam arttırıcılarda üye devletler tarafından gerçekleştirilen resmi kontrollerin Birlik mevzuatında öngörülen ilgili gerekliliklere uyum konusunda gelişmeler olduğunu gösterdiği ve söz konusu gıda maddelerinin Birliğe girişinin insan sağlığı için ciddi bir risk oluşturmadığına dair kanıt sağlamakta olduğu, sonuç olarak, her sevkiyata, tüm numune alma ve analiz sonuçlarının 396/2005 sayılı Tüzük (EC) ile uyumluluk gösterdiğini belirten resmi bir sertifikanın eşlik etmesinin gerekmediği ancak mevcut uyum düzeyinin korunmasını sağlamak için resmi kontrollerin artırılması gerektiği,

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Salih AKSOY tarafından 5070
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Ayrıntılı bilgi için: Şahin KURUL – Şube Müdürü



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bu nedenle, 2019/1793 sayılı Uygulama Tüzüğü'nün Ek II'de yer alan ülkemizden söz konusu ürünlerin Tüzüğün Ek I'ine aktarılarak, belge ve fiziksel kontrol sıklığının Birliğe giren sevkiyatların **%20**'si olarak belirlenmesinin, buna karşın keçiyoynuzu sakızı içeren gıda katkı maddeleri karışımlarının EK-II'de yer almaya devam etmesinin,

- Temmuz 2019'dan bu yana siyanürle kirlenme riski nedeniyle Birliğe girişlerinde artırılmış resmi kontrol seviyesine ve özel koşullara tabi Türkiye'den nihai tüketici için piyasaya sürülmesi amaçlanan işlenmemiş kayısı çekirdekleri üzerinde gerçekleştirilen resmi kontrollerin, artırılmış resmi kontrol seviyesinin oluşturulmasından bu yana sürekli olarak yüksek oranda uyumsuzluk gösterdiği ve insan sağlığı açısından ciddi bir risk teşkil ettiğine dair kanıtlar sunduğu, bu nedenle, resmi kontrollerin artırılmış seviyesine ek olarak, anılan üründe özel koşulların sağlanmasının ve özellikle numune alma ve analiz sonuçlarının 1881/2006 sayılı Tüzük ile uyumlu olduğunu gösteren resmi bir sertifikanın eşlik etmesinin gerektiği, bu nedenle, 2019/1793 sayılı Uygulama Tüzüğü'nün Ek-I'inde yer alan nihai tüketici için piyasaya sürülmek üzere Türkiye'den gelen işlenmemiş kayısı çekirdeklerinin, belge ve fiziksel kontrol sıklığı Birliğe giren sevkiyatların **%50**'si olarak belirlenerek anılan Tüzüğün Ek II Madde 1'ine aktarılmasının,
- ABD menşeli olup Türkiye'den Birliğe sevk edilen antepfıstığı ve türevi ürün sevkiyatlarına ilişkin elde edilen bilgiler ışığında, bu ürünlerin aflatoksin ile kontaminasyon riski nedeniyle Birliğe girişine ilişkin özel koşulların belirlenmesinin gerektiği, bu nedenle, ABD menşeli olan ve Türkiye'den Birliğe gönderilen antepfıstığı ve türevi ürünlerin, Birliğe giren sevkiyatların **%50**'si olarak belirlenen belge ve fiziksel kontrol sıklığı ile 2019/1793 sayılı Uygulama Tüzüğü'nün Ek-II Madde 3'e dahil edilmesinin ve ülkemiz yetkili makamları tarafından verilen ve numune alma sonuçlarının 1881/2006 sayılı Tüzük ile uyumlu olduğunu gösteren resmi bir sertifika ile birlikte sunulmasının kararlaştırıldığı anlaşılmakta olup, anılan tedbirlerin AB Resmi Gazetesi'nde yayımlanmasının ardından Temmuz 2023'te yürürlüğe girmesinin beklendiği ifade edilmektedir.

Bilgilerinize sunarız.

e-imzalıdır
Salih AKSOY
Genel Sekreter V.

EKLER:

Ek.I- Taslak Tüzük (12 sayfa)

Ek.II- Taslak Tüzük Eki (20 sayfa)

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EUROPEAN
COMMISSION

Brussels, **XXX**
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[...](2023) **XXX** draft

COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

amending 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

(Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) .../...

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amending 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

(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 safety¹, and in particular Article 53(1), point (b)(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 Article 47(2), first subparagraph, point (b), and Article 54(4), first subparagraph, points (a) and (b), thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2019/1793³ lays down rules on the temporary increase of official controls at the entry into the Union on certain consignments of food and feed of non-animal origin from certain third countries listed in Annex I to that Implementing Regulation, and on the imposition of special conditions governing the entry into the Union of certain consignments of food and feed from certain third countries due to the risk of contamination by mycotoxins, including aflatoxins, pesticide residues, pentachlorophenol and dioxins, microbiological contamination, Sudan dyes, Rhodamine B and plant toxins listed in Annex II to that Implementing Regulation.

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).

- (2) Article 12 of Implementing Regulation (EU) 2019/1793 lays down the obligation of the Commission to review at regular intervals not exceeding six months the lists set out in the Annexes to that Implementing Regulation, in order to take into account new information related to risks to human health and non-compliance with Union legislation. Such new information includes the data resulting from notifications received through the Rapid Alert System for Food and Feed ('RASFF') established by Regulation (EC) No 178/2002, as well as data and information concerning consignments and the results of the documentary, identity and physical checks carried out by Member States and communicated to the Commission.
- (3) Recent notifications received through the RASFF indicate the existence of serious direct or indirect risk to human health deriving from some food or feed. Additionally, official controls performed by the Member States on some food and feed of non-animal origin in the second semester of 2022 indicate that the lists set out in Annexes I and II to Implementing Regulation (EU) 2019/1793 should be amended in order to protect human health in the Union.
- (4) Sweet peppers (*Capsicum annuum*) and peppers of the genus *Capsicum* (other than sweet) from the Dominican Republic have been subject to an increased level of official controls and to special conditions at their entry into the Union, due to the risk of contamination by pesticide residues since January 2010. The official controls carried out by the Member States show improvement in compliance with the relevant requirements provided for in Union legislation. The results of those controls provide evidence that the entry of those foodstuffs into the Union no longer constitutes a serious risk for human health. Consequently, it is not necessary to continue to provide that each consignment be accompanied by an official certificate stating that all results of sampling and analysis show compliance with Regulation (EC) No 396/2005 of the European Parliament and of the Council⁴. At the same time, Member States should continue to carry out official controls to ensure that the current level of compliance will be maintained. Therefore, the entry of sweet peppers (*Capsicum annuum*) and peppers of the genus *Capsicum* (other than sweet) from Dominican Republic in point 1 of Annex II to Implementing Regulation (EU) 2019/1793 should be deleted and transferred to Annex I to that Implementing Regulation, maintaining the level of frequency of identity and physical checks at 50 % of consignments entering the Union.
- (5) In relation to consignments of sweet peppers (*Capsicum annuum*), peppers of the genus *Capsicum* (other than sweet) and oranges from Egypt, a high rate of non-compliance with the relevant requirements provided for in Union legislation with respect to contamination by pesticide residues was detected during official controls performed by the Member States in accordance with Articles 5 and 6 of Implementing Regulation (EU) 2019/1793. It is therefore appropriate to increase the frequency of identity and physical checks to be performed on those consignments entering the Union to 30 %.
- (6) In relation to consignments of sugar apple (*Annona squamosa*) from Egypt, data from RASFF notifications and information regarding official controls performed by the Member States indicate the emergence of new risks to human health, due to a possible contamination by pesticide residues. It is therefore necessary to require an increased level of official controls on entries of that commodity from Egypt. That commodity

⁴ 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).

should therefore be included in Annex I to Implementing Regulation (EU) 2019/1793, with a frequency of identity and physical checks set at 20 % of consignments entering the Union.

- (7) Groundnuts and products produced from groundnuts from The Gambia have been subjected to an increased level of official controls and to special conditions at their entry into the Union due to the risk of contamination by aflatoxins since January 2019. Those commodities have not been imported into the Union for more than three years. Therefore, the entry on groundnuts and products produced from groundnuts from The Gambia in point 1 of Annex II to Implementing Regulation (EU) 2019/1793 should be deleted and transferred to Annex I to that Implementing Regulation, with a frequency of identity and physical checks set at 50 % of consignments entering the Union. Member States should continue to carry out official controls to ensure that after the lifting of the special conditions, when trade potentially restarts, those commodities introduced into the Union comply with the relevant requirements provided for in Union legislation with respect to contamination by aflatoxins.
- (8) In relation to consignments of drumsticks (*Moringa oleifera*) from India, a high rate of non-compliance with the relevant requirements provided for in Union legislation with respect to contamination by pesticide residues was detected during official controls performed by the Member States in accordance with Articles 5 and 6 of Implementing Regulation (EU) 2019/1793. It is therefore appropriate to increase the frequency of identity and physical checks to be performed on those consignments entering the Union to 20 %.
- (9) In relation to consignments of rice from India, a high rate of non-compliance with the relevant requirements provided for in Union legislation with respect to contamination by pesticide residues was detected during official controls performed by the Member States in accordance with Articles 5 and 6 of Implementing Regulation (EU) 2019/1793. It is therefore appropriate to increase the frequency of identity and physical checks to be performed on those consignments entering the Union to 10 %.
- (10) In relation to consignments of guava (*Psidium guajava*) from India, a high rate of non-compliance with the relevant requirements provided for in Union legislation with respect to contamination by pesticide residues was detected during official controls performed by the Member States in accordance with Articles 5 and 6 of Implementing Regulation (EU) 2019/1793. It is therefore appropriate to increase the frequency of identity and physical checks to be performed on those consignments entering the Union to 30 %.
- (11) Peppers of the genus *Capsicum* (sweet or other than sweet) from India have been subjected to an increased level of official controls and to special conditions at their entry into the Union due to the risk of contamination by aflatoxins since January 2016. The official controls carried out by the Member States show improvements in compliance with the relevant requirements provided for in Union legislation. The results of those controls provide evidence that the entry of those foodstuffs into the Union does not constitute a serious risk for human health. Consequently, it is not necessary to continue to provide that each consignment is to be accompanied by an official certificate stating that all results of sampling and analysis show compliance with Commission Regulation (EC) No 1881/2006⁵. At the same time, Member States should continue to carry out official controls to ensure that the current level of

⁵ Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p.5).

compliance will be maintained. Therefore, the entry on peppers of the genus *Capsicum* (sweet or other than sweet) from India in point 1 of Annex II to Implementing Regulation (EU) 2019/1793 should be deleted and transferred to Annex I to that Implementing Regulation, with a frequency of identity and physical checks set at 10 % of consignments entering the Union.

- (12) Locust beans (carob), locust beans seeds, not decorticated, crushed or ground, and mucilages and thickeners, whether or not modified, derived from locust beans or locust beans seeds, from India and guar gum from India have been subjected to an increased level of official controls and to special conditions at their entry into the Union due to the risk of contamination by ethylene oxide since January 2022. The official controls carried out by the Member States show improvements in compliance with the relevant requirements provided for in Union legislation. The results of those controls provide evidence that the entry of those foodstuffs into the Union does not constitute a serious risk for human health. Consequently, it is not necessary to continue to provide that each consignment is to be accompanied by an official certificate stating that all results of sampling and analysis show compliance with Regulation (EC) No 396/2005. At the same time, Member States should continue to carry out official controls to ensure that the current level of compliance will be maintained. Therefore, the entries on locust beans (carob), locust beans seeds, not decorticated, crushed or ground, and mucilages and thickeners, whether or not modified, derived from locust beans or locust beans seeds, from India and guar gum from India in point 1 of Annex II to Implementing Regulation (EU) 2019/1793 should be deleted and transferred to Annex I to that Implementing Regulation, with a frequency of identity and physical checks set at 20 % of consignments entering the Union.
- (13) Guar gum from India has been subjected to an increased level of official controls and to special conditions at its entry into the Union due to the risk of contamination by pentachlorophenol and dioxins since February 2015. The official controls carried out by the Member States show improvements in compliance with the relevant requirements provided for in Union legislation. The results of those controls provide evidence that the entry of those foodstuffs into the Union does not constitute a serious risk for human health. Consequently, it is not necessary to continue to provide that each consignment is to be accompanied by an official certificate stating that all results of sampling and analysis show compliance with Union requirements. At the same time, Member States should continue to carry out official controls to ensure that the current level of compliance will be maintained. Therefore, the entry on guar gum from India in point 1 of Annex II to Implementing Regulation (EU) 2019/1793 should be deleted and transferred to Annex I to that Implementing Regulation, with a frequency of identity and physical checks set at 50 % of consignments entering the Union.
- (14) In relation to consignments of cumin seeds from India, data from RASFF notifications and information regarding official controls performed by the Member States indicate the emergence of new risks to human health, due to possible contamination by pesticide residues. It is therefore necessary to require an increased level of official controls on entries of that commodity from India. That commodity should therefore be included in Annex I to Implementing Regulation (EU) 2019/1793, with a frequency of identity and physical checks set at 20 % of consignments entering the Union.
- (15) Instant noodles containing spices/seasonings or sauces from South Korea have been subjected to an increased level of official controls and to special conditions at their entry into the Union due to the risk of contamination by ethylene oxide since

December 2021. The official controls carried out by the Member States show improvements in compliance with the relevant requirements provided for in Union legislation. The results of those controls provide evidence that the entry of those foodstuffs into the Union does not constitute a serious risk for human health. Consequently, it is not necessary to continue to provide that each consignment is to be accompanied by an official certificate stating that all results of sampling and analysis show compliance with Regulation (EC) No 396/2005. At the same time, Member States should continue to carry out official controls to ensure that the current level of compliance will be maintained. Therefore, the entry on instant noodles containing spices/seasonings or sauces from South Korea in point 1 of Annex II to Implementing Regulation (EU) 2019/1793 should be deleted and transferred to Annex I to that Implementing Regulation, with a frequency of identity and physical checks set at 20 % of consignments entering the Union.

- (16) In relation to consignments of gotukola (*Centella asiatica*) and mukunuwenna (*Alternanthera sessilis*) from Sri Lanka, a high rate of non-compliance with the relevant requirements provided for in Union legislation with respect to contamination by pesticide residues was detected during official controls performed by the Member States in accordance with Articles 5 and 6 of Implementing Regulation (EU) 2019/1793. It is therefore appropriate to increase the frequency of identity and physical checks to be performed on those consignments entering the Union to 50 %.
- (17) Locust beans (carob), locust beans seeds, not decorticated, crushed or ground, and mucilages and thickeners, whether or not modified, derived from locust beans or locust beans seeds, from Malaysia have been subjected to an increased level of official controls due to the risk of contamination by ethylene oxide since December 2021. Those commodities have not been imported into the Union for more than one year. Therefore, their entry in Annex I to Implementing Regulation (EU) 2019/1793 should be deleted.
- (18) In relation to consignments of green papaya (*Carica papaya*) from Mexico, data from RASFF notifications and information regarding official controls performed by the Member States indicate the emergence of new risks to human health, due to a possible contamination by pesticide residues. It is therefore necessary to require an increased level of official controls on entries of that commodity from Mexico. That commodity should therefore be included in Annex I to Implementing Regulation (EU) 2019/1793, with a frequency of identity and physical checks set at 20 % of consignments entering the Union.
- (19) Watermelon (Egusi, *Citrullus* spp.) seeds and derived products from Nigeria have been subjected to an increased level of official controls due to the risk of contamination by aflatoxins since January 2019. Those commodities have not been imported into the Union for more than three years. Therefore, their entry in Annex I to Implementing Regulation (EU) 2019/1793 should be deleted.
- (20) Peppers of the genus *Capsicum* (other than sweet) from Pakistan have been subjected to an increased level of official controls and to special conditions at their entry into the Union due to the risk of contamination by pesticide residues since January 2019. Those commodities have not been imported into the Union for more than three years. Therefore, the entry on peppers of the genus *Capsicum* (other than sweet) from Pakistan in point 1 of Annex II to Implementing Regulation (EU) 2019/1793 should be deleted and transferred to Annex I to that Implementing Regulation, with a frequency of identity and physical checks set at 20 % of consignments entering the Union.

Member States should continue to carry out official controls to ensure that after the lifting of the special conditions, when trade potentially restarts, those commodities introduced into the Union comply with the relevant requirements provided for in Union legislation with respect to contamination by pesticide residues.

- (21) Groundnuts and products produced from groundnuts from Senegal have been subjected to an increased level of official controls due to the risk of contamination by aflatoxins since July 2017. Those commodities have not been imported into the Union for more than three years. Therefore, their entry in Annex I to Implementing Regulation (EU) 2019/1793 should be deleted.
- (22) Groundnuts and products produced from groundnuts from Sudan have been subjected to an increased level of official controls and to special conditions at their entry into the Union due to the risk of contamination by aflatoxins since January 2019. Those commodities have not been imported into the Union for more than three years. Therefore, the entry on groundnuts and products produced from groundnuts from Sudan in point 1 of Annex II to Implementing Regulation (EU) 2019/1793 should be deleted and transferred to Annex I to that Implementing Regulation, with a frequency of identity and physical checks set at 50 % of consignments entering the Union. Member States should continue to carry out official controls to ensure that after the lifting of the special conditions, when trade potentially restarts, those commodities introduced into the Union comply with the relevant requirements provided for in Union legislation with respect to contamination by aflatoxins.
- (23) In relation to consignments of tahini and halva from Syria, data from RASFF notifications and information regarding official controls performed by the Member States indicate the emergence of new risks to human health, due to a possible contamination by *Salmonella*. It is therefore necessary to require an increased level of official controls on entries of those commodities from Syria. Those commodities should therefore be included in Annex I to Implementing Regulation (EU) 2019/1793, with a frequency of identity and physical checks set at 20 % of consignments entering the Union.
- (24) In relation to consignments of pomegranates from Türkiye, a high rate of non-compliance with the relevant requirements provided for in Union legislation with respect to contamination by pesticide residues was detected during official controls performed by the Member States in accordance with Articles 5 and 6 of Implementing Regulation (EU) 2019/1793. It is therefore appropriate to increase the frequency of identity and physical checks to be performed on those consignments entering the Union to 30 %.
- (25) Locust beans (carob), locust beans seeds, not decorticated, crushed or ground, and mucilages and thickeners, whether or not modified, derived from locust beans or locust beans seeds, from Türkiye have been subjected to an increased level of official controls and to special conditions at their entry into the Union due to the risk of contamination by ethylene oxide since December 2021. The official controls carried out by the Member States show improvements in compliance with the relevant requirements provided for in Union legislation. The results of those controls provide evidence that the entry of those foodstuffs into the Union does not constitute a serious risk for human health. Consequently, it is not necessary to continue to provide that each consignment is to be accompanied by an official certificate stating that all results of sampling and analysis show compliance with Regulation (EC) No 396/2005. At the same time, Member States should continue to carry out official controls to ensure that

the current level of compliance will be maintained. Therefore, the entry on locust beans (carob), locust beans seeds, not decorticated, crushed or ground, and mucilages and thickeners, whether or not modified, derived from locust beans or locust beans seeds, from Türkiye in point 1 of Annex II to Implementing Regulation (EU) 2019/1793 should be deleted and transferred to Annex I to that Implementing Regulation, with a frequency of identity and physical checks set at 20 % of consignments entering the Union.

- (26) Dried apricots and apricots, otherwise prepared or preserved, from Uzbekistan have been subjected to an increased level of official controls due to the risk of contamination by sulphites since April 2015. The official controls carried out on those commodities by the Member States indicate an overall satisfactory degree of compliance with the relevant requirements provided for in Union legislation. Therefore, an increased level of official controls is no longer justified for these commodities and their entry in Annex I to Implementing Regulation (EU) 2019/1793 should be deleted.
- (27) Instant noodles containing spices/seasonings or sauces from Vietnam have been subjected to an increased level of official controls and to special conditions at their entry into the Union due to the risk of contamination by ethylene oxide since December 2021. The official controls carried out by the Member States show improvements in compliance with the relevant requirements provided for in Union legislation. The results of those controls provide evidence that the entry of those foodstuffs into the Union does not constitute a serious risk for human health. Consequently, it is not necessary to continue to provide that each consignment is to be accompanied by an official certificate stating that all results of sampling and analysis show compliance with Regulation (EC) No 396/2005. At the same time, Member States should continue to carry out official controls to ensure that the current level of compliance will be maintained. Therefore, the entry on instant noodles containing spices/seasonings or sauces from Vietnam in point 1 of Annex II to Implementing Regulation (EU) 2019/1793 should be deleted and transferred to Annex I to that Implementing Regulation, with a frequency of identity and physical checks set at 20 % of consignments entering the Union.
- (28) In order to ensure efficient protection against potential health risks arising from a possible contamination of groundnuts by aflatoxins, in the entry for Bolivia, in the column referring to ‘food and feed (intended use)’, in the table in point 1 of Annex II to Implementing Regulation (EU) 2019/1793, the wording ‘including mixtures’ should be added in the row referring to ‘groundnuts (peanuts), otherwise prepared or preserved’. Equally, in the column referring to ‘CN code’, the CN codes for mixtures should be added.
- (29) In relation to consignments of groundnuts and products produced from groundnuts from Egypt, a high rate of non-compliance with the relevant requirements provided for in Union legislation with respect to contamination by aflatoxins was detected during official controls performed by the Member States in accordance with Articles 7 and 8 of Implementing Regulation (EU) 2019/1793. It is therefore appropriate to increase the frequency of identity and physical checks to be performed on those consignments entering the Union to 30 %.
- (30) In relation to the entry relating to *Sesamum* seeds from India, subjected to an increased level of official controls and to special conditions at their entry into the Union due to the risk of contamination by *Salmonella* and ethylene oxide, the intended use was

extended to ‘feed’ since October 2021. Since then, that commodity has not been imported into the Union for the intended use as ‘feed’. Therefore, an increased level of official controls and special conditions due to the risk of contamination by *Salmonella* in *Sesamum* seeds from India intended to be used as ‘feed’ are no longer justified and in the entry for India, in the column referring to ‘food and feed (intended use)’, in the table in point 1 of Annex II to Implementing Regulation (EU) 2019/1793, the wording should be adapted accordingly in the row referring to ‘food and feed’.

- (31) In relation to consignments of oranges from Türkiye, a high rate of non-compliance with the relevant requirements provided for in Union legislation with respect to contamination by pesticide residues was detected during official controls performed by the Member States in accordance with Articles 7 and 8 of Implementing Regulation (EU) 2019/1793. It is therefore appropriate to increase the frequency of identity and physical checks to be performed on those consignments entering the Union to 30 %.
- (32) Unprocessed apricot kernels from Türkiye intended to be placed on the market for the final consumer have been subjected to an increased level of official controls and to special conditions at their entry into the Union due to the risk of contamination by cyanide since July 2019. The official controls carried out on that commodity by the Member States show a persistent high rate of non-compliance since the establishment of the increased level of official controls. Those controls provide evidence that the entry of that commodity into the Union constitutes a serious risk for human health. It is therefore necessary, in addition to the increased level of official controls, to provide for special conditions in relation to the importation of unprocessed apricot kernels from Türkiye intended to be placed on the market for the final consumer. In particular, all consignments of unprocessed apricot kernels from Türkiye intended to be placed on the market for the final consumer should be accompanied by an official certificate stating that all the results of sampling and analyses show compliance with Regulation (EC) No 1881/2006. The results of sampling and analyses should be attached to that certificate. Therefore, the entry of unprocessed apricot kernels from Türkiye intended to be placed on the market for the final consumer in Annex I to Implementing Regulation (EU) 2019/1793 should be deleted and transferred to point 1 of Annex II to that Implementing Regulation, with a frequency of identity and physical checks set at 50 % of consignments entering the Union.
- (33) Pistachios and derived products from Türkiye are listed in point 1 of Annex II to Implementing Regulation (EU) 2019/1793 due to a possible contamination by aflatoxins with a frequency of identity and physical checks set at 50 % of consignments entering the Union. Pistachios and derived products from the United States were delisted from Implementing Regulation (EU) 2019/1793 by Commission Implementing Regulation (EU) 2021/1900⁶ as the results of official controls performed by the Member States indicated an overall satisfactory degree of compliance with the relevant requirements provided for in Union legislation as regards contamination by aflatoxins and no longer required an increased level of official controls. Nonetheless, data from RASFF notifications and information regarding official controls performed by the Member States in the second semester of 2022 indicate the emergence of new risks to human health requiring special import

⁶ Commission Implementing Regulation (EU) 2021/1900 of 27 October 2021 amending 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 Regulation (EU) 2017/625 and (EC) No 178/2002 of the European Parliament and of the Council (OJ L 387, 3.11.2021, p.78).

conditions, due to a possible contamination by aflatoxins of pistachios and derived products originating in the United States and dispatched to the Union from Türkiye.

- (34) In order to ensure protection against potential health risks arising from a possible contamination by the hazards referred to in Annex II to Implementing Regulation (EU) 2019/1793, a point 3 listing food and feed of non-animal origin dispatched to the Union from a third country other than the country of origin should be added in that Annex.
- (35) In light of the new information related to consignments of pistachios and derived products originating in the United States and dispatched to the Union from Türkiye, it is necessary to establish special conditions governing their entry into the Union. Therefore, pistachios and derived products originating in the United States and dispatched to the Union from Türkiye should be included in point 3 of Annex II to Implementing Regulation (EU) 2019/1793, with a frequency of identity and physical checks set at 50 % of consignments entering the Union, and should be accompanied by an official certificate issued by the competent authorities of Türkiye stating that all the results of sampling show compliance with Regulation (EC) No 1881/2006.
- (36) In order to ensure legal certainty for the entry into the Union of consignments that have already been dispatched from the country of origin or from another third country if that country is different from the country of origin, when this Regulation enters into force, it is appropriate to provide for a transitional period for consignments of unprocessed apricot kernels from Türkiye intended to be placed on the market for the final consumer and for consignments of pistachios and derived products originating in the United States and dispatched to the Union from Türkiye, which are not accompanied by the results of sampling and analyses and an official certificate. At the same time, public health protection is ensured for consignments of unprocessed apricot kernels from Türkiye intended to be placed on the market for the final consumer and for consignments of pistachios and derived products originating in the United States and dispatched to the Union from Türkiye, since those commodities are subject to identity and physical checks at a frequency of 50 % of consignments entering the Union.
- (37) Implementing Regulation (EU) 2019/1793 should therefore be amended accordingly. In order to ensure consistency and clarity, it is appropriate to replace Annexes I and II to Implementing Regulation (EU) 2019/1793 in their entirety by the text set out in the Annex to this Regulation.
- (38) 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

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

1. in Article 1(1), point (b) is replaced by the following:
 - ‘(b) special conditions governing the entry into the Union of the following categories of consignments of food and feed due to the risk of contamination by mycotoxins, including aflatoxins, pesticide residues, pentachlorophenol and dioxins, microbiological contamination, Sudan dyes, Rhodamine B and plant

toxins, in accordance with Article 53(1), point (b), of Regulation (EC) No 178/2002:

- (i) consignments of food and feed of non-animal origin from third countries or parts of those third countries containing any of the food and feed listed in the table in point 1 of Annex II and falling within the CN codes and TARIC classifications laid down in that Annex;
- (ii) consignments of food and feed consisting of two or more ingredients, containing any of the food and feed listed in the table in point 1 of Annex II 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 and falling within the CN codes laid down in the table in point 2 of that Annex;
- (iii) consignments of food and feed of non-animal origin dispatched to the Union from a third country other than the country of origin and containing any of the food and feed listed in the table in point 3 of Annex II;’;

2. Article 14 is replaced by the following:

‘Article 14

Transitional periods

1. Consignments of unprocessed apricot kernels from Türkiye intended to be placed on the market for the final consumer, which have been dispatched to the Union from Türkiye, or from another third country if that country is different from the country of origin, before the date of entry into force of Commission Implementing Regulation (EU) ...⁺, may enter the Union until ... [two months after the date of entry into force of this Regulation] without being accompanied by the results of sampling and analyses and the official certificate provided for in Articles 10 and 11.

⁺ Commission Implementing Regulation (EU) ... of ... amending 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 (OJ L ..., ..., p. ...).

2. Consignments of pistachios and derived products originating in the United States, which have been dispatched to the Union from Türkiye before the date of entry into force of Implementing Regulation (EU) ...⁺⁺, may enter the Union until ... [two months after the date of entry into force of this Regulation] without being accompanied by the results of sampling and analyses and the official certificate provided for in Articles 10 and 11.’;

⁺ OJ: Please insert in the text the number of this Regulation and insert the number, date and OJ reference of this Regulation in the footnote.

⁺⁺ OJ: Please insert in the text the number of this Regulation.

3. Annexes I and II are replaced by the text set out in the Annex to this Regulation.

Article 2

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,

For the Commission
The President
Ursula VON DER LEYEN

EN

ANNEX

‘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

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub- division	Hazard	Frequency of identity and physical checks (%)
1	Azerbaijan (AZ)	- Hazelnuts (<i>Corylus</i> sp.), in shell	0802 21 00		Aflatoxins	20
		- 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				

		- Flours, meals and powder of hazelnuts	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; ex 1106 30 90	15 15 15 15 15 15 15 15 15 15 15 15 40		
		- Hazelnut oil (Food)	ex 1515 90 99	20		
9	The Gambia (GM)	- Groundnuts (peanuts), in shell - Groundnuts (peanuts), shelled - Peanut butter - Groundnuts (peanuts), otherwise prepared or preserved, including mixtures - Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil - Groundnut flours and meals - Groundnuts paste (Food and feed)	1202 41 00 1202 42 00 2008 11 10 2008 11 91; 2008 11 96; 2008 11 98; ex 2008 19 12; ex 2008 19 19; ex 2008 19 92; ex 2008 19 95; ex 2008 19 99 2305 00 00 ex 1208 90 00 ex 2007 10 10 ex 2007 10 99 ex 2007 99 39	40 50 40 40 50 20 80 50 07; 08	Aflatoxins	50
10	Israel (IL) ¹⁶	Basil (<i>Ocimum basilicum</i>) (Food)	ex 1211 90 86	20	Pesticide residues ⁽³⁾	10
		Mint (<i>Mentha</i>) (Food)	ex 1211 90 86	30	Pesticide residues ⁽³⁾	10
		Betel leaves (<i>Piper betle</i> L.) (Food)	ex 1404 90 00 ⁽¹⁰⁾	10	<i>Salmonella</i> ⁽⁴⁾	30
		Okra	ex 0709 99 90;	20	Pesticide	20

11	India (IN)	(Food – fresh, chilled or frozen)	ex 0710 80 95	30	residues ⁽³⁾ ⁽⁷⁾ (13)	
		Drumsticks (<i>Moringa oleifera</i>) (Food fresh, chilled or frozen)	ex 0709 99 90 ex 0710 80 95	10 75	Pesticide residues ⁽³⁾	20
		Rice (Food)	1006		Aflatoxins and Ochratoxin A	5
					Pesticide residues ⁽³⁾	10
		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	Pesticide residues ⁽³⁾	20
		Guava (<i>Psidium guajava</i>) (Food)	ex 0804 50 00	30	Pesticide residues ⁽³⁾	30
		Nutmeg (<i>Myristica fragrans</i>) (Food - dried spices)	0908 11 00; 0908 12 00		Aflatoxins	30
		Peppers of the genus <i>Capsicum</i> (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	Aflatoxins	10
		- Locust beans (carob) - Locust beans seeds, not decorticated, crushed or ground - Mucilages and thickeners, whether or not modified, derived from locust beans or locust bean seeds (Food and feed)	1212 92 00 1212 99 41 1302 32 10		Pesticide residues ⁽¹³⁾	20
		Guar gum (Food and feed)	ex 1302 32 90		Pesticide residues ⁽¹³⁾	20
					Pentachloroph enol and dioxins	50
12	Kenya (KE)	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) (Food – fresh or chilled)	0708 20		Pesticide residues ⁽³⁾	10
		Peppers of the genus <i>Capsicum</i> (other than sweet) (Food - fresh, chilled or frozen)	ex 0709 60 99; ex 0710 80 59	20 20	Pesticide residues ⁽³⁾	20
13	South Korea (KR)	Food supplements containing botanicals ⁽¹⁷⁾	ex 1302 ex 2106		Pesticide residues ⁽¹³⁾	30

		(Food)				
		Instant noodles containing spices/seasonings or sauces (Food)	ex 1902 30 10	30	Pesticide residues ⁽¹³⁾	20
14	Sri Lanka (LK)	Gotukola (<i>Centella asiatica</i>) (Food)	ex 1211 90 86	60	Pesticide residues ⁽³⁾	50
		Mukunuwenna (<i>Alternanthera sessilis</i>) (Food)	ex 0709 99 90	35	Pesticide residues ⁽³⁾	50
15	Madagascar (MG)	Black eyed beans (<i>Vigna unguiculata</i>) (Food)	0713 35 00		Pesticide residues ⁽³⁾	10
16	Mexico (MX)	Green papaya (<i>Carica papaya</i>) (Food – fresh and chilled)	0807 20 00		Pesticide residues ⁽³⁾	20
17	Malaysia (MY)	Jackfruit (<i>Artocarpus heterophyllus</i>) (Food – fresh)	ex 0810 90 20	20	Pesticide residues ⁽³⁾	50
18	Pakistan (PK)	Spice mixes (Food)	0910 91 10; 0910 91 90		Aflatoxins	50
		Rice (Food)	1006		Aflatoxins and Ochratoxin A	10
					Pesticide residues ⁽³⁾	5
		Peppers of the genus <i>Capsicum</i> (other than sweet) (Food – fresh, chilled or frozen)	ex 0709 60 99; ex 0710 80 59	20 20	Pesticide residues ⁽³⁾	20
19	Rwanda (RW)	Peppers of the genus <i>Capsicum</i> (other than sweet) (Food – fresh, chilled or frozen)	ex 0709 60 99; ex 0710 80 59	20 20	Pesticide residues ⁽³⁾	20
20	Sudan (SD)	<ul style="list-style-type: none"> - Groundnuts (peanuts), in shell - Groundnuts (peanuts), shelled - Peanut butter - Groundnuts (peanuts), otherwise prepared or preserved, including mixtures 	1202 41 00 1202 42 00 2008 11 10 2008 11 91; 2008 11 96; 2008 11 98; ex 2008 19 12; ex 2008 19 19; ex 2008 19 92; ex 2008 19 95; ex 2008 19 99	40 50 40 40 50	Aflatoxins	50
		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	ex 1208 90 00	20		

		- Groundnuts paste	ex 2007 10 10	80		
			ex 2007 10 99	50		
		(Food and feed)	ex 2007 99 39	07; 08		
21	Syria (SY)	Tahini and halva from <i>Sesamum</i> seeds (Food)	ex 1704 90 99 ex 1806 20 95 ex 1806 9050 ex 1806 9060	12; 92 13; 93 10 11; 91	<i>Salmonella</i> ⁽²⁾	20
22	Thailand (TH)	Peppers of the genus <i>Capsicum</i> (other than sweet) (Food - fresh, chilled or frozen)	ex 0709 60 99; ex 0710 80 59	20 20	Pesticide residues ^{(3) (8)}	30
23	Türkiye (TR)	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>) (Food - fresh, chilled or dried)	0805 50 10		Pesticide residues ⁽³⁾	30
		Grapefruits (Food)	0805 40 00		Pesticide residues ⁽³⁾	30
		Pomegranates (Food - fresh or chilled)	ex 0810 90 75	30	Pesticide residues ^{(3) (9)}	30
		- Sweet peppers (<i>Capsicum annuum</i>) - Peppers of the genus <i>Capsicum</i> (other than sweet) (Food - fresh, chilled or frozen)	0709 60 10 0710 80 51 ex 0709 60 99 ex 0710 80 59	20 20	Pesticide residues ^{(3) (10)}	20
		- Cumin seeds - Cumin seeds crushed or ground (Food)	0909 31 00 0909 32 00		Pyrrolizidine alkaloids	20
		Dried oregano (Food)	ex 1211 90 86	40	Pyrrolizidine alkaloids	20
		<i>Sesamum</i> seeds (Food)	1207 40 90 ex 2008 19 19 ex 2008 19 99	40 40	<i>Salmonella</i> ⁽²⁾	20
		- Locust beans (carob) - Locust beans seeds, not decorticated, crushed or ground - Mucilages and thickeners, whether or not modified, derived from locust beans or locust beans seeds (Food and feed)	1212 92 00 1212 99 41 1302 32 10		Pesticide residues ⁽¹³⁾	20
24	Uganda (UG)	Peppers of the genus <i>Capsicum</i> (other than sweet) (Food - fresh, chilled or frozen)	ex 0709 60 99; ex 0710 80 59	20 20	Pesticide residues ⁽³⁾	50
					Pesticide residues ⁽¹³⁾	10
		- Groundnuts (peanuts), in shell - Groundnuts (peanuts), shelled - Peanut butter - Groundnuts (peanuts), otherwise prepared or preserved	1202 41 00 1202 42 00 2008 11 10 2008 11 91; 2008 11 96; 2008 11 98			

25	United States (US)	<ul style="list-style-type: none"> - Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil - Groundnut flours and meals - Groundnuts paste (Food and feed)	2305 00 00 ex 1208 90 00 ex 2007 10 10 ex 2007 10 99 ex 2007 99 39	 20 80 50 07; 08	Aflatoxins	20
26	Vietnam (VN)	Peppers of the genus <i>Capsicum</i> (other than sweet) (Food - fresh, chilled or frozen)	ex 0709 60 99; ex 0710 80 59	20 20	Pesticide residues ⁽³⁾ ⁽¹²⁾	50
		Instant noodles containing spices/seasonings or sauces (Food)	ex 1902 30 10	30	Pesticide residues ⁽¹³⁾	20

- (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.
- (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) 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.
- (5) Residues of Tolfenpyrad.
- (6) Residues of Dicofol (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.
- (7) Residues of Diafenthiuron.
- (8) Residues of Formetanate (sum of formetanate and its salts expressed as formetanate (hydrochloride)), Prothiofos and Triforine.
- (9) Residues of Prochloraz.
- (10) Residues of Diafenthiuron, Formetanate (sum of formetanate and its salts expressed as formetanate (hydrochloride)) and Thiophanate-methyl.
- (11) Reference methods: EN 1988-1:1998, EN 1988-2:1998 or ISO 5522:1981.
- (12) Residues of Dithiocarbamates (dithiocarbamates expressed as CS₂, including maneb, mancozeb, metiram, propineb, thiram and ziram), Phenthoate and Quinalphos.
- (13) Residues of Ethylene Oxide (sum of ethylene oxide and 2-chloro-ethanol, expressed as ethylene oxide). In case of food additives, the applicable maximum residue level (MRL) is 0,1 mg/kg (limit of quantification (LOQ)). Prohibition of use of Ethylene Oxide provided for in Commission Regulation (EU) No 231/2012 of 9 March 2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council (OJ L 83, 22.3.2012, p. 1).
- (14) 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). Residues of Sudan dyes, using a method of analysis with an LOQ, shall be lower than 0,5 mg/kg).
- (15) Both finished products and raw materials containing any botanicals intended for the production of food supplements declared under CN codes mentioned in column “CN code”.
- (16) Hereinafter understood as the State of Israel, excluding the territories under the administration of the State of Israel after 5 June 1967, namely the Golan Heights, the Gaza Strip, East Jerusalem and the rest of the West Bank.
- (17) Residues of Acephate.

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, microbiological contamination, Sudan dyes, Rhodamine B and plant toxins

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

Row	Country of origin	Food and feed (intended use)	CN code ⁽¹⁾	TARIC sub-division	Hazard	Frequency of identity and physical checks (%)
1	Bangladesh (BD)	Foodstuffs containing or consisting of betel leaves (<i>Piper betle</i>) (Food)	ex 1404 90 00 ⁽⁸⁾	10	<i>Salmonella</i> ⁽⁵⁾	50
2	Bolivia (BO)	<ul style="list-style-type: none"> - Groundnuts (peanuts), in shell - Groundnuts (peanuts), shelled - Peanut butter - Groundnuts (peanuts), otherwise prepared or preserved, including mixtures - Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil - Groundnut flours and meals - Groundnuts paste (Food and feed)	1202 41 00 1202 42 00 2008 11 10 2008 11 91; 2008 11 96; 2008 11 98; ex 2008 19 12; ex 2008 19 19; ex 2008 19 92; ex 2008 19 95; ex 2008 19 99 2305 00 00 ex 1208 90 00 ex 2007 10 10 ex 2007 10 99 ex 2007 99 39	40 50 40 40 50 07; 08	Aflatoxins	50
3	Brazil (BR)	Black pepper (<i>Piper nigrum</i>) (Food – neither crushed nor ground)	ex 0904 11 00	10	<i>Salmonella</i> ⁽²⁾	50
4	China (CN)	Xanthan gum (Food and feed)	ex 3913 90 00	40	Pesticide residues ⁽⁹⁾	20
5	Dominican	Aubergines (<i>Solanum melongena</i>) (Food – fresh or chilled)	0709 30 00		Pesticide residues ⁽³⁾	50
		Yardlong beans (<i>Vigna unguiculata</i> ssp. <i>sesquipedalis</i> ,	ex 0708 20 00 ex 0710 22 00	10 10	Pesticide residues ^{(3) (11)}	30

	Republic (DO)	<i>Vigna unguiculata</i> ssp. <i>unguiculata</i> (Food - fresh, chilled or frozen)				
6	Egypt (EG)	<ul style="list-style-type: none"> - Groundnuts (peanuts), in shell - Groundnuts (peanuts), shelled - Peanut butter - Groundnuts (peanuts), otherwise prepared or preserved, including mixtures - Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil - Groundnut flours and meals - Groundnuts paste (Food and feed)	1202 41 00 1202 42 00 2008 11 10 2008 11 91; 2008 11 96; 2008 11 98; ex 2008 19 12; ex 2008 19 19; ex 2008 19 92; ex 2008 19 95; ex 2008 19 99 2305 00 00 ex 1208 90 00 ex 2007 10 10 ex 2007 10 99 ex 2007 99 39	 40 50 40 40 50 20 80 50 07; 08	Aflatoxins	30
7	Ethiopia (ET)	<ul style="list-style-type: none"> - 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> - Ginger, saffron, turmeric (curcuma), thyme, bay leaves, curry and other spices (Food — dried spices)	0904 0910		Aflatoxins	50
		<i>Sesamum</i> seeds (Food)	1207 40 90 ex 2008 19 19 ex 2008 19 99	 40 40	<i>Salmonella</i> ⁽⁵⁾	50
		<ul style="list-style-type: none"> - Groundnuts (peanuts), in shell - Groundnuts (peanuts), shelled - Peanut butter - Groundnuts (peanuts), otherwise prepared or preserved, including mixtures 	1202 41 00 1202 42 00 2008 11 10 2008 11 91; 2008 11 96; 2008 11 98; ex 2008 19 12;	 40		

8	Ghana (GH)		ex 2008 19 19; ex 2008 19 92; ex 2008 19 95; ex 2008 19 99 2305 00 00	50 40 40 50	Aflatoxins	50
		- Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil - Groundnut flours and meals - Groundnuts paste (Food and feed)	ex 1208 90 00 ex 2007 10 10 ex 2007 10 99 ex 2007 99 39	20 80 50 07; 08		
		Palm oil (Food)	1511 10 90 1511 90 11 ex 1511 90 19 1511 90 99	90	Sudan dyes ⁽¹⁰⁾	50
9	Indonesia (ID)	Nutmeg (<i>Myristica fragrans</i>) (Food — dried spices)	0908 11 00; 0908 12 00		Aflatoxins	30
10	India (IN)	Curry leaves (<i>Bergera/Murraya koenigii</i>) (Food – fresh, chilled, frozen or dried)	ex 1211 90 86	10	Pesticide residues ^{(3) (12)}	50
		- Groundnuts (peanuts), in shell - Groundnuts (peanuts), shelled - Peanut butter - Groundnuts (peanuts), otherwise prepared or preserved, including mixtures - Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil - Groundnut flours and meals - Groundnuts paste (Food and feed)	1202 41 00 1202 42 00 2008 11 10 2008 11 91; 2008 11 96; 2008 11 98; ex 2008 19 12; ex 2008 19 19; ex 2008 19 92; ex 2008 19 95; ex 2008 19 99 2305 00 00 ex 1208 90 00 ex 2007 10 10 ex 2007 10 99 ex 2007 99 39	40 50 40 40 50 20 80 50 07; 08	Aflatoxins	50

Peppers of the genus <i>Capsicum</i> (other than sweet) (Food - fresh, chilled or frozen)	ex 0709 60 99; ex 0710 80 59	20 20	Pesticide residues ^{(3) (4)}	20
<i>Sesamum</i> seeds (Food)	1207 40 90 ex 2008 19 19 ex 2008 19 99	40 40	<i>Salmonella</i> ⁽⁵⁾	20
<i>Sesamum</i> seeds (Food and feed)	1207 40 90 ex 2008 19 19 ex 2008 19 99	40 40	Pesticide residues ⁽⁹⁾	50
Mixtures of food additives containing locust bean gum or guar gum (Food)	ex 2106 90 92 ex 2106 90 98 ex 3824 99 93 ex 3824 99 96		Pesticide residues ⁽⁹⁾	20
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		Pesticide residues ⁽⁹⁾	20
Vanilla (Food — dried spices)	0905		Pesticide residues ⁽⁹⁾	20
Cinnamon and cinnamon-tree flowers (Food — dried spices)	0906		Pesticide residues ⁽⁹⁾	20
Cloves (whole fruit, cloves and stems) (Food — dried spices)	0907		Pesticide residues ⁽⁹⁾	20
Nutmeg, mace and cardamoms (Food — dried spices)	0908		Pesticide residues ⁽⁹⁾	20
Seeds of anise, badian, fennel, coriander, cumin or caraway, juniper berries (Food — dried spices)	0909		Pesticide residues ⁽⁹⁾	20
Ginger, saffron, turmeric (curcuma), thyme, bay leaves, curry and other spices (Food — dried spices)	0910		Pesticide residues ⁽⁹⁾	20
Sauces and preparations thereof; mixed condiments and mixed seasonings; mustard flours and meals and prepared mustard (Food)	2103		Pesticide residues ⁽⁹⁾	20
Calcium carbonate (Food and feed)	ex 2106 90 92 ex 2106 90 98 ex 2530 90 70 2836 50 00	55 60 10	Pesticide residues ⁽⁹⁾	30
Food supplements containing botanicals ⁽¹³⁾ (Food)	ex 1302 ex 2106		Pesticide residues ⁽⁹⁾	20
- Pistachios, in shell	0802 51 00			
- Pistachios, shelled	0802 52 00			

		ex 2008 99 99	60		
-	Flours, meals and powder of dried figs	ex 1106 30 90	60		
	(Food)				
-	Pistachios, in shell	0802 51 00			
-	Pistachios, shelled	0802 52 00			
-	Mixtures of nuts or dried fruits containing pistachios	ex 0813 50 39;	60		
		ex 0813 50 91;	60		
		ex 0813 50 99	60		
-	Pistachio paste	ex 2007 10 10;	60		
		ex 2007 10 99;	30		
		ex 2007 99 39;	03; 04		
		ex 2007 99 50;	32		
		ex 2007 99 97	22		
-	Pistachios, otherwise prepared or preserved, including mixtures	ex 2008 19 13;	20	Aflatoxins	50
		ex 2008 19 93;	20		
		ex 2008 97 12;	19		
		ex 2008 97 14;	19		
		ex 2008 97 16;	19		
		ex 2008 97 18;	19		
		ex 2008 97 32;	19		
		ex 2008 97 34;	19		
		ex 2008 97 36;	19		
		ex 2008 97 38;	19		
		ex 2008 97 51;	19		
		ex 2008 97 59;	19		
		ex 2008 97 72;	19		
		ex 2008 97 74;	19		
		ex 2008 97 76;	19		
		ex 2008 97 78;	19		
		ex 2008 97 92;	19		
		ex 2008 97 93;	19		
		ex 2008 97 94;	19		
		ex 2008 97 96;	19		
		ex 2008 97 97;	19		
		ex 2008 97 98	19		
-	Flours, meals and powder of pistachios	ex 1106 30 90	50		
	(Food)				

		Vine leaves (Food)	ex 2008 99 99	11; 19	Pesticide residues ⁽³⁾ (6)	50
		Mandarins (including tangerines and satsumas); clementines, wilkings and similar citrus hybrids (Food – fresh or dried)	0805 21; 0805 22 00; 0805 29 00		Pesticide residues ⁽³⁾	20
		Oranges (Food – fresh or dried)	0805 10		Pesticide residues ⁽³⁾	30
		Mixtures of food additives containing locust bean gum (Food)	ex 2106 90 92 ex 2106 90 98 ex 3824 99 93 ex 3824 99 96		Pesticide residues ⁽⁹⁾	20
		Unprocessed whole, ground, milled, cracked, chopped apricot kernels intended to be placed on the market for the final consumer ⁽¹⁵⁾ (16) (Food)	ex 1212 99 95	20	Cyanide	50
18	Uganda (UG)	Sesamum seeds (Food)	1207 40 90 ex 2008 19 19 ex 2008 19 99	40 40	Salmonella ⁽⁵⁾	20
20	United States (US)	Vanilla extract (Food)	1302 19 05		Pesticide residues ⁽⁹⁾	20
21	Vietnam (VN)	Okra (Food – fresh, chilled or frozen)	ex 0709 99 90; ex 0710 80 95	20 30	Pesticide residues ⁽³⁾ (7)	50
		Pitahaya (dragon fruit) (Food – fresh or chilled)	ex 0810 90 20	10	Pesticide residues ⁽³⁾ (7)	20

- (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(b) of Annex III.
- (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 Carbofuran.
- (5) 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.
- (6) Residues of Dithiocarbamates (dithiocarbamates expressed as CS₂, including maneb, mancozeb, metiram, propineb, thiram and ziram) and Metrafenone.
- (7) Residues of Dithiocarbamates (dithiocarbamates expressed as CS₂, including maneb, mancozeb, metiram, propineb, thiram and ziram), Phenthoate and Quinalphos.
- (8) Foodstuffs containing or consisting of betel leaves (*Piper betle*) including, but not limited to, those declared under CN code 1404 90 00.
- (9) Residues of Ethylene Oxide (sum of ethylene oxide and 2-chloro-ethanol, expressed as ethylene oxide). In case of food additives, the applicable MRL is 0.1 mg/kg (LOQ). Prohibition of use of Ethylene Oxide provided for in Regulation (EU) No 231/2012 of 9 March 2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council (OJ L 83, 22.3.2012, p. 1).
- (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). Residues of Sudan dyes, using a method of analysis with an LOQ, shall be lower than 0,5 mg/kg.
- (11) Residues of Amitraz (amitraz including the metabolites containing the 2,4-dimethylaniline moiety expressed as amitraz), Diafenthion, Dicofof (sum of p, p' and o,p' isomers) and Dithiocarbamates (dithiocarbamates expressed as CS₂, including maneb, mancozeb, metiram, propineb, thiram and ziram).
- (12) Residues of Acephate.
- (13) Both finished products and raw materials containing any botanicals intended for the production of food supplements declared under CN codes mentioned in column "CN code".
- (14) For purpose of this Annex, residues of Rhodamine B, using a method of analysis with an LOQ, shall be lower than 0,1 mg/kg.
- (15) "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).
- (16) "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).

2. Food referred to in Article 1(1), point (b)(ii)

Row	Food consisting of two or more ingredients, containing any of the individual products listed in the table in point 1 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⁾
1	ex 1704 90	Sugar confectionery (including white chocolate), not containing cocoa, other than chewing gum, whether or not sugar-coated
2	ex 1806	Chocolate and other food preparations containing cocoa
3	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 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).

3. Food and feed of non-animal origin referred to in Article 1(1), point (b)(iii)

[illegible]

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

- (2) In accordance with Articles 10 and 11, consignments shall be accompanied by the results of sampling and analyses performed on those consignments and by the official certificate issued by the country from where consignments are dispatched to the Union.'