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⁽¹⁾ Text with EEA relevance.

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

II

(Non-legislative acts)

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2020/621

of 18 February 2020

amending Annexes I and V to Regulation (EU) 2019/125 of the European Parliament and of the Council concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2019/125 of the European Parliament and of the Council of 16 January 2019 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment ⁽¹⁾, and in particular the first paragraph of Article 24 thereof,

Whereas:

- (1) The competent authorities of the Member States are listed in Annex I to Regulation (EU) 2019/125. Belgium, Ireland, France, Croatia, Italy, Hungary, the Netherlands, Austria, Poland, Romania, Slovakia and the United Kingdom have informed the Commission that the entries concerning their competent authorities should be amended. The address for notifications to the Commission also needs to be amended.
- (2) Pursuant to Articles 16 and 19 of Regulation (EU) 2019/125 an authorisation is required for exporting certain goods that could be used for the purpose of capital punishment and for brokering services or technical assistance related to such goods, which are listed in Annex IV to that Regulation.
- (3) A Union General Export Authorisation, set out in Annex V to Regulation (EU) 2019/125, applies to exports to countries that have abolished capital punishment for all crimes and confirmed that abolition through an international commitment ⁽²⁾, if they meet the conditions and requirements for using that authorisation. Part 2 of Annex V lists the relevant countries.
- (4) As regards countries that are not members of the Council of Europe, the list in Part 2 of Annex V to Regulation (EU) 2019/125 comprises those countries that have not only abolished capital punishment for all crimes but also ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights ⁽³⁾ without making a reservation.
- (5) Following their ratifications of that Protocol without making a reservation, Gambia and Madagascar meet the conditions for inclusion in the list laid down in Annex V to Regulation (EU) 2019/125.
- (6) As regards the entry 'Former Yugoslav Republic of Macedonia', on 15 February 2019 the European Union was formally notified about the entry into force of the Prespa Agreement ⁽⁴⁾, which establishes 'Republic of North Macedonia' as the full name and 'North Macedonia' as the short name of the country (Article 1.3.a.). It is appropriate to reflect this change of name and move the relevant entry to the appropriate place in the list.

⁽¹⁾ OJ L 30, 31.1.2019, p. 1.

⁽²⁾ See Article 20(1) and recital 33 of Regulation (EU) 2019/125.

⁽³⁾ Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. Text adopted by Resolution 44/1281 of 15 December 1989 of the General Assembly of the United Nations.

⁽⁴⁾ Final Agreement for the settlement of the differences as described in the United Nations Security Council Resolutions 817 (1993) and 845 (1993), the termination of the Interim Accord of 1995, and the establishment of a strategic partnership between the Parties.

(7) Annexes I and V to Regulation (EU) 2019/125 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and V to Regulation (EU) 2019/125 are amended in accordance with 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, 18 February 2020.

For the Commission
The President
Ursula VON DER LEYEN

—

ANNEX

Annexes I and V to Regulation (EU) 2019/125 are amended as follows:

(1) in Annex I, point A is amended as follows:

(a) the entry concerning Belgium is replaced by the following:

Federale Overheidsdienst Economie, K.M.O., Middenstand en Energie
Algemene Directie Economische Analyses en Internationale Economie
Dienst Vergunningen
Vooruitgangstraat 50
B-1210 Brussel
BELGIË

Service public fédéral économie, PME, classes moyennes et énergie
Direction générale des analyses économiques et de l'économie nationale
Service licences
Rue du Progrès 50
B-1210 Bruxelles
BELGIQUE

Tel. +32 22776512

Email: vincent.wuyts@economie.fgov.be;

(b) the entry concerning Ireland is replaced by the following:

'Ceadúnú agus Rialú Trádála
An Rionn Gnó, Fiontar agus Nuálaíochta
Ionad Phort an Iarla
Sráid Haiste Íochtarach
Baile Átha Cliath 2
D02 PW01
ÉIRE
Tel. +353 16312121

Email: exportcontrol@dbei.gov.ie
Trade Licensing and Control
Department of Business, Enterprise and Innovation
Earlsfort Centre
Lower Hatch Street
Dublin 2
D02 PW01
Ireland
Tel. +353 16312121
Email: exportcontrol@dbei.gov.ie;

(c) the entry concerning France is replaced by the following:

'Service des biens à double usage (SBDU)
67, rue Barbès – BP 8000
194201 IVRY-SUR-SEINE Cedex
FRANCE
Tél.: +33 179843419
Email: doublusage@finances.gouv.fr';

(d) the entry concerning Croatia is replaced by the following:

'Ministarstvo vanjskih i europskih poslova
Uprava za gospodarske poslove i razvojnu suradnju
Služba za izvozu kontrolu
Trg Nikole Šubića Zrinskog 7-8
10000 Zagreb
HRVATSKA
Tel. +385 14598135(137)
Fax +385 16474553
Adresa e-pošte: kontrola.izvoza@mvep.hr';

- (e) the entry concerning Italy is replaced by the following:

'Divisione Materiali a duplice uso
Autorità nazionale – Unità per le autorizzazioni dei materiali di armamento (UAMA)
Ministero degli affari esteri e della cooperazione internazionale
Viale Boston, 25 – 00144 Roma
ITALY
Tel. +39 0659932439
Fax +39 0659647506
Email: uama.dualuse@cert.esteri.it';

- (f) the entry concerning Hungary is replaced by the following:

'Budapest Főváros Kormányhivatala
Kereskedelmi, Haditechnikai, Exportellenőrzési és Nemesfémhitelesítési Főosztálya
Németvölgyi út 37–39.
H-1124 Budapest
MAGYARORSZÁG
Tel. +36 14585599
Fax +36 14585885
Email: armstrade@bfkh.gov.hu';

- (g) the entry concerning the Netherlands is replaced by the following:

'Ministerie van Buitenlandse Zaken
Directoraat-Generaal Buitenlandse Economische Betrekkingen
Directie Internationale Marktordening en Handelspolitiek
Rijnstraat 8
Postbus 20061
2500 EB Den Haag
NEDERLAND
Tel. +31 703485954';

- (h) the entry concerning Austria is replaced by the following:

'Bundesministerium für Digitalisierung und Wirtschaftsstandort
Abteilung 'Außenwirtschaftskontrollen' III/2
Stubenring 1
A-1010 Wien
ÖSTERREICH
Tel. +43 171100802067
Fax +43 171100808386
Email: aussenwirtschaftskontrollen@bmdw.gv.at';

- (i) the entry concerning Poland is replaced by the following:

'minister właściwy do spraw gospodarki
Ministerstwo Rozwoju
Departament Obrotu Towarami Wrażliwymi i Bezpieczeństwa Technicznego
Plac Trzech Krzyży 3/5
00-507 Warszawa
POLSKA
Tel. +48 224119665
Faks +48 224119140
Email: SekretariatDOT@mr.gov.pl';

- (j) the entry concerning Romania is replaced by the following:

'Ministerul Economiei, Energiei și Mediului de Afaceri
Direcția Politici Comerciale
Calea Victoriei nr. 152
București, sector 1
Cod poștal 010096
ROMÂNIA
Tel. +40 214010596, +40 214010523
Email: dgre@dce.gov.ro, miruna.popescu@dce.gov.ro';

- (k) the entry concerning Slovakia is replaced by the following:

‘Ministerstvo hospodárstva Slovenskej republiky
Odbor výkonu obchodných opatrení
Mlynské nivy 44/a
827 15 Bratislava
Slovensko
Tel. +421 248542172
Fax +421 243423915
email: patricia.monosiova@mhsr.sk’;

- (l) the entry concerning the United Kingdom is replaced by the following:

‘Import of goods listed in Annex II:

Department for International Trade (DIT)

Import Licensing Branch (ILB)

Email: enquiries.ilb@trade.gov.uk

Export of goods and supply of assistance related to goods listed in Annexes II, III or IV:

Department for International Trade
Export Control Joint Unit
3 Whitehall Place
London
SW1A 2AW
UNITED KINGDOM
Tel. +44 2072154594
Email: eco.help@trade.gov.uk’;

- (2) in Annex I, point B is replaced by the following:

‘B. Address for notifications to the European Commission

European Commission
Service for Foreign Policy Instruments
EEAS 02/290
B-1049 Bruxelles/Brussel
BELGIUM
Email: FPI-ANTI-TORTURE@ec.europa.eu’;

- (3) in Annex V, the list in Part 2 Destinations is amended as follows:

- (a) the entry ‘Former Yugoslav Republic of Macedonia’ is deleted;
 - (b) after the entry ‘Gabon’, the entry ‘The Gambia’ is inserted;
 - (c) after the entry ‘Liechtenstein’, the entry ‘Madagascar’ is inserted;
 - (d) after the entry ‘Nicaragua’, the entry ‘North Macedonia’ is inserted.
-

COMMISSION IMPLEMENTING REGULATION (EU) 2020/622
of 29 April 2020
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code ⁽¹⁾, and in particular Article 57(4) and Article 58(2) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Council Regulation (EEC) No 2658/87 ⁽²⁾, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 34(9) of Regulation (EU) No 952/2013. That period should be set at three months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 34(9) of Regulation (EU) No 952/2013 for a period of three months from the date of entry into force of this Regulation.

Article 3

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

⁽¹⁾ OJ L 269, 10.10.2013, p. 1.

⁽²⁾ 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).

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

Done at Brussels, 29 April 2020.

*For the Commission,
On behalf of the President,
Stephen QUEST
Director-General
Directorate-General for Taxation and Customs Union*

ANNEX

Description of the goods	Classification (CN-code)	Reasons
(1)	(2)	(3)
<p>A rectangular front panel of a car radio, known as a 'control panel', containing several pushbuttons for activating various radio functions. It is made of plastics. There are inscriptions on the buttons/switches engraved by laser projection.</p> <p>The article is presented without any electric or electronic components.</p> <p>(See images) (*)</p>	8529 90 92	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, note 2(b) to Section XVI and by the wording of CN codes 8529, 8529 90 and 8529 90 92.</p> <p>The article plays a direct role in the use of the car radio. It is an essential component for its operation, enabling the activation of the contact points and thereby the access to various radio functions. Its structure and method of operation preclude any use other than as a component of a car radio. (See judgment of the Court of 15 February 2007, RUMA GmbH v Oberfinanzdirektion Nürnberg, C-183/06, ECLI:EU:C:2007:110). It is consequently considered to be a part of the radio. The article is therefore to be classified under heading 8529 as other parts of apparatus of heading 8527.</p> <p>Classification under CN code 8529 90 49 is excluded as the article is not a 'cabinet or case' within the meaning of heading 8529 but only the front panel of a car radio (see also the Explanatory Notes to the Combined Nomenclature to subheadings 8529 90 41 and 8529 90 49, third paragraph).</p> <p>Consequently, the article is to be classified under CN code 8529 90 92 as other parts of apparatus of heading 8527.</p>

(*) The images are purely for information.

Images



COMMISSION IMPLEMENTING REGULATION (EU) 2020/623**of 30 April 2020****approving amendments to the specification for a spirit drink whose name is registered as a geographical indication
(Ratafia de Champagne)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2019/787 of the European Parliament and of the Council of 17 April 2019 on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages, and repealing Regulation (EC) No 110/2008 ⁽¹⁾, and in particular Article 30(2) thereof,

Whereas:

- (1) Pursuant to Article 21 in conjunction with Article 17(5) of Regulation (EC) No 110/2008 of the European Parliament and of the Council ⁽²⁾, the Commission has examined France's application of 5 July 2018 for the approval of amendments to the technical file for the geographical indication 'Ratafia de Champagne', protected under Regulation (EC) No 110/2008. This application includes changing the name 'Ratafia de Champagne' to 'Ratafia champenois'.
- (2) Regulation (EU) 2019/787, which replaces Regulation (EC) No 110/2008, entered into force on 25 May 2019. Under Article 49(1) thereof, Chapter III of Regulation (EC) No 110/2008 on geographical indications is repealed with effect from 8 June 2019. Under Article 22(2) of Regulation (EU) 2019/787, technical files submitted as part of any application before 8 June 2019 under Regulation (EC) No 110/2008 shall be deemed to be product specifications.
- (3) After concluding that the application complied with Regulation (EC) No 110/2008, the Commission published the amendment application in the *Official Journal of the European Union* ⁽³⁾ as required by Article 17(6) of that Regulation, in accordance with the first subparagraph of Article 50(4) of Regulation (EU) 2019/787.
- (4) As no notice of opposition under Article 27(1) of Regulation (EU) 2019/787 has been received by the Commission, the amendments to the specification should be approved pursuant to Article 30(2) of that Regulation, which applies *mutatis mutandis* to product specification amendments,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification for the name 'Ratafia de Champagne', published in the *Official Journal of the European Union*, are hereby approved.

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*.

⁽¹⁾ OJ L 130, 17.5.2019, p. 1.

⁽²⁾ Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15 January 2008 on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89 (OJ L 39, 13.2.2008, p. 16).

⁽³⁾ OJ C 431, 23.12.2019, p. 31.

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

Done at Brussels, 30 April 2020.

*For the Commission,
On behalf of the President,
Janusz WOJCIECHOWSKI
Member of the Commission*

COMMISSION IMPLEMENTING REGULATION (EU) 2020/624**of 30 April 2020****entering a name in the register of protected designations of origin and protected geographical indications (Cappero delle Isole Eolie (PDO))**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, Italy's application to register the name 'Cappero delle Isole Eolie' was published in the *Official Journal of the European Union* ⁽²⁾.
- (2) The Commission received a notice of opposition including a reasoned statement of opposition under Article 51(1) and (2) of Regulation (EU) No 1151/2012 on behalf of the municipalities Malfa, Leni, and Santa Maria Salina, and held it to be inadmissible. In accordance with the first subparagraph of Article 49(3) in conjunction with Article 51 of Regulation (EU) No 1151/2012, natural or legal persons having a legitimate interest, established or resident in the Member State from which the application was lodged, are authorised to lodge a notice of opposition only through the national opposition procedure.
- (3) The name 'Cappero delle Isole Eolie' should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Cappero delle Isole Eolie' PDO is hereby entered in the register.

The name specified in the first paragraph denotes a product in Class 1.6. Fruit, vegetables and cereals, fresh or processed, as listed in Annex XI to Commission Implementing Regulation (EU) No 668/2014 ⁽³⁾.*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, 30 April 2020.

*For the Commission,
On behalf of the President,
Janusz WOJCIECHOWSKI
Member of the Commission*

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 402, 28.11.2019, p. 26.

⁽³⁾ Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

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)'.
- (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) — Yardlong beans (<i>Vigna unguiculata</i> ssp. <i>sesquipedalis</i> , <i>Vigna unguiculata</i> ssp. <i>unguiculata</i>) (Food – fresh, chilled or frozen)	— ex 0709 60 99;	20			
	ex 0710 80 59	20			
	— ex 0708 20 00;	10			
	ex 0710 22 00	10			
— Sweet peppers (<i>Capsicum annuum</i>) — Peppers of the <i>Capsicum</i> species (other than sweet) (Food – fresh, chilled or frozen)	— 0709 60 10; 0710 80 51		Egypt (EG)	Pesticide residues ⁽²⁾ ⁽⁹⁾	20
	— ex 0709 60 99;	20			
	ex 0710 80 59	20			
Sesamum seeds (Food)	1207 40 90		Ethiopia (ET)	<i>Salmonella</i> ⁽²⁾	50
— Hazelnuts, in shell — Hazelnuts, shelled — Flour, meal and powder of hazelnuts — Hazelnuts, otherwise prepared or preserved (Food)	— 0802 21 00		Georgia (GE)	Aflatoxins	50
	— 0802 22 00				
	— ex 1106 30 90	40			
	— ex 2008 19 19;	30			
	ex 2008 19 95; ex 2008 19 99	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, Dicofol (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 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.

⁽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.;

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.

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