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For feed and food law enforcement, and port health authorities in England.

## Official Sensitive: Publication of amendment to HRFNAO controls

**Summary:** Amendments to Regulation 2019/1793 will come into force 7 March 2024, which seeks to control high-risk food and food not of animal origin (HRFNAO) imported into Great Britain. The Regulation has been amended to reflect the changes to hazards affecting imported food to ensure the safety of consumers.

Dear colleague,

This is further to letter [CNSEN23011](#), concerning the [consultation](#) to Regulation 2019/1793, legislation has now been published that amend the annexes in the Regulation.

[The Official Controls \(Imports of High-Risk Food and Feed of Non-Animal Origin\) \(Amendment of Commission Implementing Regulation \(EU\) 2019/1793\) \(England\) Regulations 2022 \(Statutory Instrument 2024 No. 120\)](#) comes into force on 7<sup>th</sup> March 2024.

The 39 amendments to Regulation 2019/1793 are as follows:

### New listings in Annex I

- Granadilla (*Passiflora ligularis*) and passion fruit (*Passiflora edulis*) from Colombia at 10% frequency identity and physical checks for pesticide residues.
- Bananas from Ecuador at 5% frequency identity and physical checks for pesticide residues.

- Oranges from Egypt at 10% frequency identity and physical checks for pesticide residues.
- Cinnamon and cinnamon-tree flowers from India at 10% frequency identity and physical checks for pesticide residues.
- Cloves (whole fruit, cloves and stems) from India at 10% frequency identity and physical checks for pesticide residues.
- Drumsticks (*Moringa oleifera*) from India at 20% frequency identity and physical checks for pesticide residues.
- Ginger, saffron, turmeric (*Curcuma*), thyme, bay leaves, curry and other spices, from India at 10% frequency identity and physical checks for pesticide residues.
- Nutmeg, mace and cardamoms from India at 10% frequency identity and physical checks for pesticide residues.
- Rice from India at 5% frequency identity and physical checks for aflatoxins, ochratoxin A and pesticide residues.
- Seeds of anise, badian, fennel, coriander, cumin or caraway, and for juniper berries, from India at 10% frequency identity and physical checks for pesticide residues.
- Melon seeds from Iran at 10% frequency identity and physical checks for aflatoxins.
- Peppers of the genus *Capsicum* (other than sweet) from Kenya at 10% frequency identity and physical checks for pesticide residues.
- Cow peas (*Vigna unguiculata* subsp.) from Madagascar at 10% frequency identity and physical checks for pesticide residues.
- Rice from Pakistan at 5% frequency identity and physical checks for aflatoxins, ochratoxin A and pesticide residues.
- *Sesamum* seeds from Syria at 10% frequency identity and physical checks for Salmonella.
- Tahini and halva from *Sesamum* seeds from Syria at 10% frequency identity and physical checks for Salmonella.

### **New listings in Annex II**

- Enoki mushrooms from China at 20% frequency identity and physical checks for Listeria.
- Vine leaves from Egypt at 20% frequency identity and physical checks for pesticide residues.

- Peppers of the genus *Capsicum* (sweet or other than sweet) (food – dried, roasted, crushed or ground) from India at 20% frequency identity and physical checks for pesticide residues.
- Enoki mushrooms from South Korea at 20% frequency identity and physical checks for *Listeria*.

### **Delisting**

- Groundnuts from Brazil for aflatoxins have been removed.
- Hazelnuts from Türkiye for aflatoxins have been removed.

### **Increasing**

- Spice mixes from Pakistan moved from Annex I to Annex II at 10% frequency of identity and physical checks for aflatoxins.
- In Annex I increase from 20% to 50% the frequency of identity and physical checks on peppers of the genus *Capsicum* (other than sweet) from Thailand for pesticide residues.
- In Annex II increase from 10% to 20% the frequency of identity and physical checks on peppers of the genus *Capsicum* (other than sweet) (food – fresh, chilled or frozen) from India for pesticide residues.

### **Decreasing**

- Sweet peppers (*Capsicum annum*) from China decreased frequency of identity and physical checks for *Salmonella* from 20% to 10% in Annex I.
- Palm oil from Ghana decreased frequency of identity and physical checks for Sudan dyes from 50% to 20% in Annex I.
- Pitahaya (dragon fruit) from Vietnam moved from Annex II to Annex I at 50% frequency identity and physical checks for pesticide residues.
- Nutmeg from Indonesia decreased frequency of identity and physical checks for aflatoxins from 20% to 10% in Annex II.

### **The scope of controls for groundnuts have been extended:**

- Groundnuts paste from Bolivia (for aflatoxins) at a frequency of 50% in Annex I.
- Groundnuts paste from Brazil (for pesticide residues) at a frequency of 20% in Annex I.
- Groundnuts paste from China (for aflatoxins) at a frequency of 10% in Annex I.
- Groundnuts paste from Senegal (for aflatoxins) at a frequency of 50% in Annex I.

- Groundnuts paste from the United States (for aflatoxins) at a frequency of 10% in Annex I.
- Groundnuts paste from Egypt (for aflatoxins) at a frequency of 20% in Annex II.
- Groundnuts paste from Ghana (for aflatoxins) at a frequency of 50% in Annex II.
- Groundnuts paste from The Gambia (for aflatoxins) at a frequency of 50% in Annex II.
- Groundnuts paste from India (for aflatoxins) at a frequency of 50% in Annex II.
- Groundnuts paste from Sudan (for aflatoxins) at a frequency of 50% in Annex II.

The Annex to this letter contains a Q&A concerning the enforcement of this control. Please contact the Imports Strategy Team on [Imported.Food@food.gov.uk](mailto:Imported.Food@food.gov.uk) if you have any questions, noting 'Regulation 2019/1793 amendment review 2' in the subject field of your email.

Yours sincerely,

*David Lowe*

David Lowe

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## **Annex – Frequently Asked Questions**

**Q1** Does this amending control apply to imports into Northern Ireland?

**A1** The amendments to controls of imported food and feed from third countries does not apply to goods entering Northern Ireland (NI).

**Q2** Are GB cleared goods subjected to checks when moving to NI?

**A2** Under Windsor Framework arrangements, pre-packed retail goods containing HRFNAO and moving from GB to NI via the NI Retail Movement Scheme will not be subject to checks. However, goods moving via the red lane will require checks. Businesses involved with the movement of products should check with NI Border Control Posts before moving such commodities to NI or follow FSA's guidance.

**Q3** Are GB import controls controlling the same products as the EU?

**A3** Our amendment reflects the risks posed to UK consumers. Similar amendments have already been implemented in NI. Therefore the protections we are introducing in GB are broadly in place for NI consumers. You can find the current NI list on our [website](#).

**Q4** Are UK consumers less protected because of the difference in products controlled at GB and NI ports?

**A4** FSA continues to assess emerging risk and conduct risk assessments on a UK wide basis. Should a specific risk arise FSA continues to have powers to remove the product before reaching consumers in either GB or NI.

**Q5** Are foodstuffs transiting GB included within the scope?

**A5** Article 1(2) of Regulation 2019/1793 states that the controls are only applicable to food and feed intended for placing on the market in Great Britain. Therefore, if a consignment is transiting across GB territory, from one country to another, it is outside of the scope of the Regulation.

**Q6** Why are these changes happening?

**A6** This is the second review of assimilated Regulation 2019/1793 that we have undertaken since EU exit. The amendments reflect the identified risks at the GB border. These changes are necessary to protect UK consumer health. We have consulted the affected countries as well as stakeholders and other interested parties.

**Q7** Is there a transition period or flexibility for goods arriving in GB after 7 March 2024?

**A7** There is no transitional period within the amending SI. However, Port Health Authorities may show discretion for goods controlled by Annex II that left the country

of export prior to 7 March 2024. If you have further questions on this point, please contact us on the email above.