



# **Amendments to assimilated Regulation 2019/1793: Changes to Official Controls and Emergency Measures Applied to Imported High Risk Food and Feed not of Animal Origin**

**Launch date: Wednesday 26 February 2025**

**Respond by: Wednesday 9 April 2025**

## **This consultation will be of most interest to**

All England and Wales food and feed businesses, local and port health authorities, and other stakeholders with an interest in food and feed safety. A separate, parallel, consultation has been launched in Scotland by Food Standards Scotland (FSS).

## **Consultation subject**

Consultation on proposed amendments to the lists within assimilated Regulation 2019/1793 ("Regulation 2019/1793") which applies changes to official controls and emergency measures governing the entry into Great Britain of specified food and feed of non-animal origin from specified countries.

## **Purpose of the consultation**

To seek stakeholder comments on proposed amendments to the lists in the Annexes to Regulation 2019/1793.

## How to respond

Responses to this consultation should be marked 'Regulation 2019/1793 consultation' and be sent to [Imported.Food@food.gov.uk](mailto:Imported.Food@food.gov.uk) (in England) or [LASupportWales@food.gov.uk](mailto:LASupportWales@food.gov.uk) (in Wales).

## Details of consultation

### Introduction

The appropriate authority is required to review the lists set out in the Annexes to the Regulation on a regular basis to consider new information related to risks and non-compliance. The appropriate authorities in Great Britain (GB) are responsible for updating the imported food legislation as required. The appropriate authorities are the Secretary of State in England, Welsh Ministers in Wales, and Scottish Ministers in Scotland, with Ministers in Northern Ireland kept informed.

The Food Standards Agency (FSA) and Food Standards Scotland (FSS) have carried out a joint review of the lists contained in the Annexes to the Regulation 2019/1793. Updating the lists will require a statutory instrument to be made for each GB country (England, Wales and Scotland).

This review is delivered through the joint FSA and FSS risk analysis process so that Ministers can make risk management decisions based on the FSA/FSS recommendations.

It should be noted that decisions in relation to, and changes to, the lists of imported food and feed from third countries that are subject to enhanced controls within Regulation 2019/1793, will only apply in GB. The FSA/FSS continue to ensure that consumers across the UK benefit from the same level of robust public health protection, even where the rules might be slightly different. For the avoidance of doubt, in line with the Government's commitment to ensuring Northern Ireland's unfettered access to the GB market, none of the proposals below would in any way introduce new checks or controls on qualifying Northern Ireland goods moving from the island of Ireland to GB.

### Current controls

Most food and feed of non-animal origin can be imported into GB without additional, enhanced controls. However, imports of higher risk food and feed of non-animal origin from specified countries can only enter GB through appropriately designated border control posts (BCP) where official controls are undertaken including documentary,

identity and physical examinations including sampling.<sup>1</sup> A higher risk product is food or feed that is identified as either a known or emerging risk or because there is evidence of widespread serious non-compliance with the GB agri-food chain legislation. This may be due to the presence of pathogens, contaminants and toxins including aflatoxins.

Regulation 2019/1793 sets out, in its Annexes, lists of higher risk food and feed of non-animal origin that are subject to enhanced border controls.

Consignments of food and feed listed in Annex I to Regulation 2019/1793 are subject to a temporary increase of official controls at a BCP.

Annex II to Regulation 2019/1793 sets out the list of consignments of food and feed from certain third countries subject to special conditions for the entry into GB due to contamination risk by mycotoxins (including aflatoxins), pesticide residues, and microbiological contamination.

Food and feed listed in Annex IIa is subject to suspension of entry into GB.

## Review

The review followed the Risk Analysis Process established by the FSA and FSS. Imported food and feed of non-animal origin from specific countries were identified for assessment by the FSA and FSS based on gathered intelligence. These imported commodities were subject to an assessment of the risks to human health; this was performed by risk categorisation.

The outcomes of the risk categorisation were considered, along with other relevant information, by the FSA and FSS risk managers and policy officials when making proposals for recommendations for changes in official controls. All proposed recommendations are science and evidence based. All recommendations have been developed and considered through a four-nation expert working group, in accordance with the [Food and Feed Safety and Hygiene Common Framework](#), and proposed by officials in Scotland, Wales, England, and Northern Ireland.

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<sup>1</sup> As indicated above, this requirement does not apply to qualifying Northern Ireland goods, which will benefit from unfettered access to the GB market (regardless of whether they move to GB directly, or indirectly via Ireland).

## Main recommendations

The expert working group has made a set of recommendations concerning commodities that we are recommending changes to the level of official controls for some food and feed from certain countries. The recommendations can be found in the 'impacts' section of this document.

We are recommending certain commodities, where the evidence suggests that increased official controls are no longer necessary because the risk has been effectively managed by improved compliance, should be removed from the list while others should increase or decrease in their checking frequency depending on the level of risk posed. Adjustments are recommended to reflect food and feed safety risks, ensuring consumers in GB continue to have access to safe imported food.

We propose to make these recommendations to Ministers. Food safety is a devolved matter, and the decisions will be made by Ministers in each devolved country. Where Ministers agree recommendations, secondary legislation will be required in each nation to amend Regulation 2019/1793. It is intended that legislation to implement the outcome of this review will come into force in early 2026.

## Impacts

The proposed recommendations involve individual updates to the lists contained in Annexes I and II. The listing in the Annexes is specific: each item refers to a particular product (e.g. aubergines) for an identified hazard (e.g. pesticide residues) from a named country.

Decisions on commodities listed in the Annexes to Regulation 2019/1793 are risk based and therefore relate only to the specified country(s) of origin. GB importers may therefore import from other countries across the globe whose products are not identified as 'high risk' and where enhanced import controls do not apply. Commodities listed in Annex I to Regulation 2019/1793 are subjected to a temporary increase in controls to help build a picture of whether more stringent measures might be required, while Annex II lists the commodities which are subjected to emergency measures. These are more stringent controls that place the emphasis on the exporting country to provide assurances about the product. Annexes are subject to ongoing review every six months.

The 14 individual updates are detailed in the table below and are summarised as follows:

The following should have temporary increased controls removed. We have been monitoring compliance levels and based on our assessment of the data this shows a high level of certainty that removal of the product from control represents a negligible risk to public health.

- Sweet peppers from China (*Salmonella*)

The following should have controls reduced, decreasing frequency of identity and physical checks. We have seen improved compliance at the border, as well as the data obtained via other notifications that indicates that the level of risk has significantly reduced.

- Jackfruit from Malaysia (pesticide residues)
- Okra from Vietnam (pesticide residues)

The following should be added to the list in Annex I due to concerns that they present a risk to public health. They have been identified through the imports Early Warning System (EWS) as well as sampling data and intelligence from other sources. The products will be subject to a proportionate level of monitoring at GB border control posts to gather evidence about the risk to public health.

- Papaws (Papaya) from Brazil (pesticide residues)
- Pitahaya (dragon fruit) from Thailand (pesticide residues)
- Groundnuts from Paraguay (Aflatoxins)

The following should remain in Annex I and have increased frequency of identity and physical checks due to concerns about the risk they pose to public health.

- Aubergines from the Dominican Republic (pesticide residues)
- Nutmeg, Mace and Cardamoms from India (pesticide residues)

The following should move from Annex I into Annex II, requiring laboratory analysis and checks by competent authorities in exporting countries. These commodities have been subjected to monitoring and surveillance at GB border control posts over several years. The information obtained from these controls in addition to data from other countries, indicates that levels of non-compliance are not improving. More stringent controls that

place the emphasis on the exporting country to provide assurances about the product, are therefore considered appropriate.

- Peppers of the genus *Capsicum* (other than sweet) from Uganda (pesticide residues)
- Okra\_from India (pesticide residues)
- Drumsticks (*Moringa oleifera*) from India (pesticide residues)
- Seeds of Anise, Badian, Fennel, Coriander, Cumin or Caraway; Juniper berries from India (pesticide residues)
- Ginger, Saffron, Turmeric (*Curcuma*), Thyme, Bay leaves, Curry and other spices from India (pesticide residues)

The following should have commodity codes updated, extending the range of products that are subject to checks at the border. Commodity codes are used to identify imported goods for Customs purposes to help ensure the correct tariffs are applied and to hold such goods at the Port to allow food safety checks to be undertaken.

- *Sesamum* seeds from Nigeria, Syria, Türkiye, Ethiopia, India, Sudan and Uganda (*Salmonella*)

Local and Port Health Authorities are likely to have some familiarisation costs associated with the routine updates, which we expect to be negligible. The delivery of official controls undertaken at the border can be recovered through the levy of fees and charges. High risk commodities can only be imported through BCPs in GB. There are currently no border control posts in Wales designated for high-risk food and feed not of animal origin. Therefore, the familiarisation costs that apply in England will not apply in Wales, although authorities in Wales will need to be aware of any new additions to the Annexes that mean these products can no longer be imported via Wales.

Businesses in both England and Wales who wish to import products that are subject to increased checks, either because they have been moved from Annex I to Annex II or are completely new additions to either Annex, may incur an additional cost to doing so, as Local and Port Health Authorities typically charge importing businesses to undertake official controls.

The main benefit of the changes is the reduction in the risk to public health, as the controls are targeted and risk based.

The identification of the food and feed listed in the Annexes are made based on the codes from the GB Customs Nomenclature.

Proposed amendments are set out in the following Table:



OFFICIAL

**Proposed amendments to assimilated Regulation (EU) 2019/1793: Annex I**

OFFICIAL

Country of origin	Food and feed (intended use)	Commodity code	Hazard	Frequency of physical and identity checks (%)	Nature of the change
Brazil (BR)	Papaws (Papaya) <b>(Food)</b>	0807 20 00	Pesticide residues	10%	New addition to the Annex.
China (CN)	Sweet peppers ( <i>Capsicum annuum</i> ) <b>(Food – crushed or ground)</b>	ex0904 22 00 11	<i>Salmonella</i>		Delist
Dominican Republic (DO)	Aubergines ( <i>Solanum melongena</i> ) <b>(Food – fresh or chilled)</b>	0709 30 00 05	Pesticide residues	50%	Increase frequency of checks from 20% to 50%
India (IN)	Drumsticks ( <i>Moringa oleifera</i> ) <b>(Food – fresh, chilled or frozen)</b>	ex0709 99 90 10 ex0710 80 95 75	Pesticide residues		Remove from Annex I and insert into Annex II at 20% frequency of checks.
India (IN)	Ginger, saffron, turmeric ( <i>Curcuma</i> ), thyme, bay leaves, curry and other spices <b>(Food – dried spices)</b>	0910	Pesticide residues		Remove from Annex I and insert into Annex II at 20% frequency of checks.
India (IN)	Nutmeg, mace and cardamoms <b>(Food – dried spices)</b>	0908	Pesticide residues	50%	Increase frequency of checks from 10% to 50%

India (IN)	Okra <b>(Food – fresh, chilled or frozen)</b>	ex0709 99 90 20 ex0710 80 95 30	Pesticide residues		Remove from Annex I and insert into Annex II at 20% frequency of checks.
India (IN)	Seeds of anise, badian, fennel, coriander, cumin or caraway; juniper berries <b>(Food – dried spices)</b>	0909	Pesticide residues		Remove from Annex I and insert into Annex II at 20% frequency of checks.
Malaysia (MY)	Jackfruit ( <i>Artocarpus heterophyllus</i> ) <b>(Food – fresh)</b>	0810 90 20 20	Pesticide residues	20%	Frequency of checks reduced from 50% to 20%.
Nigeria (NG)	<i>Sesamum</i> seeds <b>(Food)</b>	1207 40 2008 1919 49 2008 1999 49	<i>Salmonella</i>	50%	Extending the range of commodities subject to controls.
Paraguay (PY)	Groundnuts (peanuts), in shell <b>(Food and feed)</b>	1202 41 00	Aflatoxins	10%	New addition to the Annex.
Paraguay (PY)	Groundnuts (peanuts), shelled <b>(Food and feed)</b>	1202 42 00	Aflatoxins	10%	New addition to the Annex.
Paraguay (PY)	Peanut butter <b>(Food and feed)</b>	2008 11 10	Aflatoxins	10%	New addition to the Annex.
Paraguay (PY)	Groundnuts (peanuts), otherwise prepared or preserved <b>(Food and feed)</b>	2008 11 91 2008 11 96 2008 11 98	Aflatoxins	10%	New addition to the Annex.

Paraguay (PY)	Groundnut flours and meals <b>(Food and feed)</b>	1208 90 00 20	Aflatoxins	10%	New addition to the Annex.
Paraguay (PY)	Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil <b>(Food and feed)</b>	2305 00 00	Aflatoxins	10%	New addition to the Annex.
Paraguay (PY)	Groundnuts paste <b>(Food and feed)</b>	2007 10 10 80 2007 10 99 50 2007 99 39 07 2007 99 39 08	Aflatoxins	10%	New addition to the Annex.
Syria (SY)	<i>Sesamum</i> seeds <b>(Food)</b>	1207 40 2008 19 19 49 2008 19 99 49	<i>Salmonella</i>	10%	Extending the range of commodities subject to controls and moving two codes from under tahini and halva to sesamum seeds entry.
Thailand (TH)	Pitahaya (dragon fruit) <b>(Food – fresh or chilled)</b>	0810 90 20 10	Pesticide residues	10%	New addition to the Annex.

Türkiye (TR)	<i>Sesamum</i> seeds <b>(Food)</b>	1207 40 2008 19 19 49 2008 19 99 49	<i>Salmonella</i>	10%	Extending the range of commodities subject to controls and moving two codes from under tahini and halva to sesamum seeds entry.
Uganda (UG)	Peppers of the genus <i>Capsicum</i> (other than sweet) <b>(Food – fresh, chilled or frozen)</b>	0709 60 99 20 0710 80 59 20	Pesticide residues	50%	Remove from Annex I and insert into Annex II at 20% frequency of checks
Vietnam (VN)	Okra <b>(Food – fresh, chilled or frozen)</b>	0709 99 90 20 0710 80 95 30	Pesticide residues	20%	Frequency of checks reduced from 50% to 20%.

**Proposed amendments to assimilated Regulation (EU) 2019/1793: Annex II**

Country of origin	Food and feed (intended use)	Commodity code	Hazard	Frequency of physical and identity checks (%)	Nature of the change
Ethiopia (ET)	<i>Sesamum</i> seeds <b>(Food)</b>	1207 40 2008 19 19 49 2008 19 99 49	<i>Salmonella</i>	50%	Extending the range of commodities subject to controls.
India (IN)	Okra <b>(Food – fresh, chilled or frozen)</b>	0709 99 90 20 0710 80 95 30	Pesticide residues	20%	Insert into Annex II at 20% and remove from Annex I.
India (IN)	Drumsticks ( <i>Moringa oleifera</i> ) <b>(Food – fresh, chilled or frozen)</b>	0709 99 90 10 0710 80 95 75	Pesticide residues	20%	Insert into Annex II at 20% and remove from Annex I.
India (IN)	Seeds of anise, badian, fennel, coriander, cumin or caraway; juniper berries <b>(Food – dried spices)</b>	0909	Pesticide residues	20%	Insert into Annex II at 20% and remove from Annex I.
India (IN)	Ginger, saffron, turmeric ( <i>Curcuma</i> ), thyme, bay leaves, curry and other spices <b>(Food – dried spices)</b>	0910	Pesticide residues	20%	Insert into Annex II at 20% and remove from Annex I.

India (IN)	<b>Sesamum seeds (Food)</b>	1207 40 2008 19 19 49 2008 19 99 49	<i>Salmonella</i>	30%	Extending the range of commodities subject to controls.
			Pesticide residues	30%	
Sudan (SD)	<b>Sesamum seeds (Food)</b>	1207 40 2008 19 19 49 2008 19 99 49	<i>Salmonella</i>	50%	Extending the range of commodities subject to controls.
Uganda (UG)	<b>Sesamum seeds (Food)</b>	1207 40 2008 19 19 49 2008 19 99 49	<i>Salmonella</i>	20%	Extending the range of commodities subject to controls.
Uganda (UG)	Peppers of the genus <i>Capsicum</i> (other than sweet) <b>(Food – fresh, chilled or frozen)</b>	0709 60 66 20 0710 80 59 20	Pesticide residues	20%	Insert into Annex II at 20% and remove from Annex I.



**Notes:**

- The identification of the food and feed products listed in Annexes I, II and IIa are made based on the commodity codes from the GB Customs Nomenclature indicated in the Annexes. Identity and physical checks, including sampling and laboratory analysis of food and feed listed in the Annexes are at a frequency set out in the Annexes.
- Consignments of food and feed listed in Annex I to Regulation 2019/1793 are subject to temporary increase of official controls at border control posts. Annex II to Regulation 2019/1793 sets out the list of consignments of food and feed from certain third countries subject to special conditions for the entry into Great Britain due to contamination risk by mycotoxins, including aflatoxins, pesticide residues, and due to microbiological contamination. Food and feed listed in Annex IIa is suspended from entry into Great Britain.

## Engagement and Consultation Process

This consultation will remain open until Wednesday 9<sup>th</sup> April 2025. Once the consultation has ended, a review will be undertaken of the results and a consultation report will be published, with our final recommendations to the respective Ministers.

### Questions asked in this consultation:

1. Do you have any comments on the country/commodity recommendations that are proposed to be updated on the lists?
2. Are you aware of any impacts of the proposed commodity updates that have not been identified in this consultation?

## Responses

Responses are required by close Wednesday 9<sup>th</sup> April 2025. Please state, in your response, whether you are responding as a private individual or on behalf of an organisation/company (including details of any stakeholders your organisation represents).

**Please send response, marked 'Regulation 2019/1793 consultation' to [Imported.Food@food.gov.uk](mailto:Imported.Food@food.gov.uk) (England) or [LASupportWales@food.gov.uk](mailto:LASupportWales@food.gov.uk) (Wales).**

For information on how the FSA handles your personal data, please refer to the Consultation privacy notice at <https://www.food.gov.uk/about-us/privacy-notice-consultations>.

## Further information

If you require a more accessible format of this document please send details to the named contact for responses to this consultation and your request will be considered.

This consultation has been prepared in accordance with [HM Government consultation principles](#).

Thank you on behalf of the Food Standards Agency for participating in this public consultation.

David Lowe, Head of Imports Strategy, FSA England

Delyth Murray-Lines, Head of Hygiene Policy, FSA Wales

## **Annex A: List of interested parties**

Local Authorities in England and Wales

Port Health Authorities in England and Wales

The Association of Port Health Authorities (APHA)

UK Major Port Group

UK Airport Operators

Fresh Produce representatives

UK Hospitality representatives

Food and Feed representatives

British Food importer representatives

Packaging organisations

UK Supermarkets

Convenience store representatives

British Retail Consortium

Which?