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Committee on Sanitary and Phytosanitary Measures

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**INCREASED OFFICIAL CONTROLS AND EMERGENCY MEASURES GOVERNING THE
ENTRY INTO THE EUROPEAN UNION OF CERTAIN FOOD AND FEED OF
NON-ANIMAL ORIGIN FROM CERTAIN THIRD COUNTRIES**

COMMUNICATION FROM THE EUROPEAN UNION

The following document, received on 29 October 2021, is being circulated at the request of the Delegation of the European Union.

Commission Implementing Regulation (EU) 2019/1793¹, which has been adopted based on Regulation (EU) 2017/625 on official controls (cf. [G/SPS/GEN/1692](#)) provides for a harmonized approach with regard to increased official controls on certain food and feed of non-animal origin entering the European Union, with a view to ensuring the application of the EU agri-food chain legislation on such commodities.

1 THE FRAMEWORK OF THE REGULATION

1.1. The objective of Regulation (EU) 2019/1793 is to protect EU consumers from a known or emerging risk, including a risk to their health.

1.2. This Regulation lays down rules concerning the temporary increase of official controls and emergency measures governing the entry into the European Union of certain food and feed of non-animal origin from certain third countries, in accordance with Articles 47(2)(b) and 54(4)(a) and (b) of Regulation (EU) 2017/625² and Article 53(1)(b) of Regulation (EU) No 178/2002³.

1.3. Annex I to the Regulation lists food and feed of non-animal origin from certain third countries subject to checks at border control posts and to a temporary increase of official controls at their entry into the European Union.

¹ 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 third countries implementing Regulations (EU) 2017/625 and (EC) No 178/2002 of the European Parliament and of the Council (OJ L 277, 29 October 2019, p. 89).

² 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) (OJ L 95, 7 April 2017, p. 1).

³ 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 February 2002, p. 1).

1.4. Annex II to the Regulation lists food and feed subject to special conditions governing their entry into the European Union due to the risk of contamination by mycotoxins, including aflatoxins, pesticide residues, pentachlorophenol and dioxins and microbiological contamination.

1.5. Annex IIa to the Regulation lists food and feed of non-animal origin for which the import into the European Union is suspended.

2 REGULAR REVIEW AND AMENDMENT OF REGULATION

2.1. Article 12 of the Regulation requires the Commission to review the lists set out in the Annexes on a regular basis not exceeding a period of six months, in light of new information related to risks and non-compliance.

2.2. In case of an emerging risk, or where there is evidence of a widespread serious non-compliance with the EU agri-food chain legislation, a safeguard measure ranging from special import conditions (listing of the commodity in Annex II) to suspension of entry into the European Union (listing in Annex IIa) may be imposed at any moment, independent of the regular reviews, in reaction to imminent problems.

2.3. Possible amendments resulting from data analysis are inclusion/deletion of a commodity in an Annex, increased frequency of identity and physical checks required upon entry into the European Union or transfer of a commodity from one Annex to another.

3 CONTROLS AT ENTRY INTO THE EUROPEAN UNION

3.1. All commodities included in Annexes I and II are subject to official controls at Border Control Posts before their entry into the European Union.

3.2. All consignments of commodities listed in Annex I and II are subject to documentary checks and to identity and physical checks at a frequency defined in that Regulation.

3.3. Each consignment of one of the commodities listed in Annex II to the Regulation shall be accompanied by the results of sampling and analyses performed on that consignment by the competent authorities of the relevant third country and by an official certificate.

3.4. The official certificate shall be issued by the competent authority of the third country of origin or by the competent authority of the third country where the consignment is consigned from if that country is different from the country of origin.

3.5. The model of the official certificate is set out in Annex IV to Regulation (EU) 2019/1793.

More information about Commission Implementing Regulation (EU) 2019/1793 is available on the European Commission website: [Contact details of BCPs and CPs - Food and feed of non-animal origin \(europa.eu\)](#).
