



30 January 2023

(23-0672)

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Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

1.	Notifying Member: <u>EUROPEAN UNION</u> If applicable, name of local government involved:
2.	Agency responsible: European Commission, Health and Food Safety Directorate-General
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): Multiple commodities
4.	Regions or countries likely to be affected, to the extent relevant or practicable: <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:
5.	Title of the notified document: Commission Implementing Regulation (EU) 2023/174... amending Implementing Regulation (EU) 2019/1793 on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries implementing Regulations (EU) 2017/625 and (EC) No 178/2002 of the European Parliament and of the Council (Text with EEA relevance). Language(s): English, French and Spanish. Number of pages: 30 https://members.wto.org/crnattachments/2023/SPS/EEC/23_0772_00_e.pdf https://members.wto.org/crnattachments/2023/SPS/EEC/23_0772_00_f.pdf https://members.wto.org/crnattachments/2023/SPS/EEC/23_0772_00_s.pdf
6.	Description of content: Regulation (EU) 2019/1793 lays down rules concerning the temporary increase of official controls upon entry into the Union on certain food and feed of non-animal origin from certain third countries (in Annex I); special import conditions for certain food and feed from certain third countries due to the contamination risk by mycotoxins, including aflatoxins, pesticide residues, pentachlorophenol and dioxins and microbiological contamination (in Annex II - increased official border controls and official certificate accompanied by the results of sampling and analysis in the third country). This Implementing Regulation amends Annexes I and II to Implementing Regulation (EU) 2019/1793 by introducing the following changes: 1. Modification of measures/new measures: – Inclusion in Annex I of palm oil from Côte d'Ivoire due to risk of contamination by Sudan dyes; granadilla, passion fruit (<i>Passiflora ligularis</i> , <i>passiflora edulis</i>) from Colombia, basil (<i>Ocimum basilicum</i>) and mint (<i>Mentha</i>) from Israel, peppers of the genus <i>Capsicum</i> (other than sweet) from Kenya and Rwanda, black eyed beans (<i>Vigna unguiculata</i>) from Madagascar due to risk of contamination by pesticide residues; Sesamum seeds from Türkiye due to risk of contamination by <i>Salmonella</i> ; – Delisting from Annex I (and thus, from the Regulation) of groundnuts and products produced from groundnuts from Argentina and Brazil (aflatoxins), Galia melons (<i>C. melo</i> var. <i>reticulatus</i>) from Honduras, chinese celery (<i>Apium graveolens</i>) and yardlong beans (<i>Vigna unguiculata</i> ssp. <i>sesquipedalis</i> , <i>Vigna unguiculata</i> ssp. <i>unguiculata</i>) from Cambodia, locust beans (carob), mucilages and thickeners, whether or not modified, derived from locust beans seeds from Morocco, groundnuts and

products produced from groundnuts from Madagascar, tomato ketchup and other tomato sauces from Mexico, watermelon (Egusi, *Citrullus* spp.) seeds and derived products from Sierra Leone, turnips (*Brassica rapa* ssp. *rapa*) from Syria and coriander leaves, basil, mint and parsley from Viet Nam;

- Removal from Annex I and inclusion in Annex II of groundnuts and products produced from groundnuts from Bolivia, curry leaves (*Bergera/Murrava koenigii*) from India, turnips (*Brassica rapa* ssp. *rapa*) from Lebanon, Sesamum seeds from Nigeria and okra from Viet Nam;
 - Increase in the frequency of identity and physical checks laid down in Annex I for groundnuts and products produced from groundnuts from Brazil (pesticide residues – 30%) gotukola (*Centella asiatica*) and mukunuwenna (*Alternanthera sessilis*) from Sri Lanka (30%), rice from Pakistan (aflatoxins and Ochratoxin A – 10%), lemons (*Citrus limon*, *Citrus limonum*) and grapefruits from Türkiye (30%) and cumin seeds and dried oregano from Türkiye (20%);
 - Inclusion in Annex II of vanilla extract from the United States, due to contamination risk by ethylene oxide;
 - Removal from Annex II and inclusion in Annex I of Brazil nuts in shell and mixtures of Brazil nuts or dried fruits containing Brazil nuts in shell from Brazil, betel leaves (*Piper betle* L.) from India, food supplements containing botanicals from South Korea, locust beans (carob), mucilages and thickeners, whether or not modified, derived from locust beans seeds from Malaysia, watermelon (Egusi, *Citrullus* spp.) seeds and derived products from Nigeria;
 - Increase in the frequency of identity and physical checks laid down in Annex II for calcium carbonate from India (30%) and dried figs and products derived from dried figs from Türkiye (30%);
 - Decrease in the frequency of identity and physical checks laid down in Annex II for yardlong beans (*Vigna unguiculata* ssp. *sesquipedalis*, *Vigna unguiculata* ssp. *unguiculata*) from the Dominican Republic (30%) and Peppers of the genus *Capsicum* from India (aflatoxins - 10%).
2. Technical adjustments to existing measures:
- To allow for a more precise identification of commodities subject to increased official controls, the TARIC sub-division for CN code ex 1211 90 86 is corrected in the entry on gotukola (*Centella asiatica*) from Sri Lanka in Annex I;
 - To allow for a better evaluation of the data from official controls performed by the member States, it is appropriate to divide the entry on spices from India by commodities and CN codes;
 - To allow for a more precise identification of goods subject to temporary increase of official controls or to special conditions at their entry into the Union, it is appropriate to include a footnote related to food supplements containing botanicals from South Korea in Annex I and from India in Annex II;
 - The limits of Sudan dyes and Rhodamine B is added in footnotes of Annex I and Annex II.

In addition, this Implementing Regulation amends official certificate laid down in Annex IV to Implementing Regulation (EU) 2019/1793 to allow certify compliance with the Union requirements regarding Sudan dyes and Rhodamine B and Article 14 of that Regulation regarding the transitional period.

- 7. Objective and rationale:** ☒ food safety, ☐ animal health, ☐ plant protection, ☐ protect humans from animal/plant pest or disease, ☐ protect territory from other damage from pests.

8.	<p>Is there a relevant international standard? If so, identify the standard:</p> <p><input type="checkbox"/> Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):</p> <p><input type="checkbox"/> World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):</p> <p><input type="checkbox"/> International Plant Protection Convention (e.g. ISPM number):</p> <p><input checked="" type="checkbox"/> None</p> <p>Does this proposed regulation conform to the relevant international standard?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, describe, whenever possible, how and why it deviates from the international standard:</p>
9.	<p>Other relevant documents and language(s) in which these are available: 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 (Text with EEA relevance) (OJ L 277, 29 October 2019, p. 89) (available in English)</p>
10.	<p>Proposed date of adoption (dd/mm/yy): 26 January 2023</p> <p>Proposed date of publication (dd/mm/yy): 27 January 2023</p>
11.	<p>Proposed date of entry into force: <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): 15 February 2023</p> <p><input type="checkbox"/> Trade facilitating measure</p>
12.	<p>Final date for comments: <input type="checkbox"/> Sixty days from the date of circulation of the notification and/or (dd/mm/yy): Not applicable</p> <p>Agency or authority designated to handle comments: <input checked="" type="checkbox"/> National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</p> <p>European Commission DG Health and Food Safety, Unit A4-Multilateral International Relations Rue Froissart 101 B-1049 Brussels Tel: +(32 2) 29 54263 Fax: +(32 2) 29 98090 E-mail: sps@ec.europa.eu</p>
13.	<p>Text(s) available from: <input checked="" type="checkbox"/> National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</p> <p>European Commission DG Health and Food Safety, Unit A4-Multilateral International Relations Rue Froissart 101 B-1049 Brussels Tel: +(32 2) 29 54263 Fax: +(32 2) 29 98090 E-mail: sps@ec.europa.eu</p>