Commission Implementing Regulation (EU) No 1295/2014 of 4 December 2014 amending Annex I to Regulation (EC) No 669/2009 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 (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) No 1295/2014

of 4 December 2014

amending Annex I to Regulation (EC) No 669/2009 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

(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 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules[(1)], and in particular Article 15(5) thereof,

Whereas:

(1) Commission Regulation (EC) No 669/2009[(2)] lays down rules concerning the increased level of official controls to be carried out on imports of feed and food of non-animal origin listed in Annex I thereto (‘the list’), at the points of entry into the territories referred to in Annex I to Regulation (EC) No 882/2004.

(2) Article 2 of Regulation (EC) No 669/2009 provides that the list is to be reviewed on a regular basis, and at least quarterly, taking into account at least the sources of information referred to in that Article.

(3) The occurrence and relevance of recent food incidents notified through the Rapid Alert System for Food and Feed, the findings of audits to third countries carried out by the Food and Veterinary Office, as well as the quarterly reports on consignments of feed and food of non-animal origin submitted by Member States to the Commission in accordance with Article 15 of Regulation (EC) No 669/2009 indicate that the list should be amended.

(4) In particular, the list should be amended by deleting the entries for commodities for which 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 the list concerning oranges from Egypt and coriander leaves, basil and mint from Thailand should therefore be deleted.

Changes to legislation: Commission Implementing Regulation (EU) No 1295/2014 is up to date with all changes known to be in force on or before 28 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(5) In addition, the list should be amended by increasing the frequency of official controls for the commodities for which the same sources of information show a higher degree of non-compliance with the relevant Union legislation, thereby warranting an increased level of official controls. The entries in the list concerning dried spices from India, betel leaves from India and Thailand and vine leaves from Turkey should therefore be amended accordingly.

(6) In order to ensure consistency and clarity, it is appropriate to replace Annex I to Regulation (EC) No 669/2009 by the text set out in the Annex to this Regulation.

(7) Regulation (EC) No 669/2009 should therefore be amended accordingly.

(8) 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

Annex I to Regulation (EC) No 669/2009 is replaced by the text set out in the Annex to this Regulation.

Article 2

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

It shall apply from 1 January 2015.

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

Done at Brussels, 4 December 2014.

For the Commission

The President

Jean-Claude JUNCKER

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ANNEX

‘ANNEX I

Feed and food of non-animal origin subject to an increased level of official controls at the designated point of entry

Feed and food(intended use)	**CN code**[a]	**TARIC sub-division**	**Country of origin**	**Hazard**	**Frequency of physical and identity checks (%)**
Dried grapes (vine fruit) *(Food)*	0806 20		Afghanistan (AF)	Ochratoxin A	50
— 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				
(Feed and food)					
— Yardlong beans (*Vigna unguiculata* spp. *sesquipedalis*)	ex 0708 20 00; ex 0710 22 00	10 10	Cambodia (KH)	Pesticide residues analysed with multi-residue methods based on GC-MS and LC-MS or with single-residue methods[b]	50
— Aubergines	0709 30 00; ex 0710 80 95	72			
(Food — fresh, chilled or frozen vegetables)					

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Chinese celery (*Apium graveolens*) *(Food — fresh or chilled herb)*	ex 0709 40 00	20	Cambodia (KH)	Pesticide residues analysed with multi-residue methods based on GC-MS and LC-MS or with single-residue methods[c]	50
Brassica oleracea (other edible Brassica, "Chinese Broccoli")[d] *(Food — fresh or chilled)*	ex 0704 90 90	40	China (CN)	Pesticide residues analysed with multi-residue methods based on GC-MS and LC-MS or with single-residue methods[e]	50
Tea, whether or not flavoured *(Food)*	0902		China (CN)	Pesticide residues analysed with multi-residue methods based on GC-MS and LC-MS or with single-residue methods[f]	10
— Aubergines *(Food — fresh, chilled or frozen vegetables)*	0709 30 00; ex 0710 80 95	72	Dominican Republic (DO)	Pesticide residues analysed with multi-residue methods based on GC-MS and LC-MS or with single-residue methods[g]	10
— Bitter melon *(Momordica charantia)*	— ex 0709 99 90; ex 0710 80 95	70 70			
— Yardlong beans (*Vigna unguiculata* spp. *sesquipedalis*)	ex 0708 20 00; ex 0710 22 00	10 10	Dominican Republic (DO)	Pesticide residues analysed with multi-residue methods based on GC-MS and LC-	20

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— Peppers (sweet and other than sweet) (*Capsicum* spp.)	0709 60 10; ex 0709 60 99	20		MS or with single-residue methods[g]	
(Food — fresh, chilled or frozen vegetables)	— 0710 80 51; ex 0710 80 59	20			
Strawberries (fresh) *(Food)*	0810 10 00		Egypt (EG)	Pesticide residues analysed with multi-residue methods based on GC-MS and LC-MS or with single-residue methods[h]	10
Peppers (sweet and other than sweet) (*Capsicum* spp.)	0709 60 10; ex 0709 60 99;	20	Egypt (EG)	Pesticide residues analysed with multi-residue methods based on GC-MS and LC-MS or with single-residue methods[i]	10
(Food — fresh, chilled or frozen)	0710 80 51; ex 0710 80 59	20			
Betel leaves (*Piper betle* L.) *(Food)*	ex 1404 90 00	10	India (IN)	Salmonella[j]	50
Sesamum seeds *(Food — fresh or chilled)*	1207 40 90		India (IN)	Salmonella[j]	20
— *Capsicum annuum*, whole	0904 21 10		India (IN)	Aflatoxins	20
— *Capsicum annuum*, crushed or ground	ex 0904 22 00	10			