

## FAQ for amendments to assimilated Regulation 2019/1793

### 1. Why are the controls being amended?

A four-nation expert working group determines whether existing controls in assimilated Regulation 2019/1793 are effective, should be reduced or applied to new commodities that present a risk to health. The purpose of the review is to ensure that the legislation remains focused on those imported food and feed commodities which pose the greatest risk to consumers.

### 2. Do you have research or evidence that indicates a need to amend the controls?

Yes, we review each commodity listed in the Annexes of the Regulation and consider compliance data, inland sampling information, GB Border Notifications and other signals we intercept from around the world. Certain commodities that no longer pose a risk to public health will be removed from the lists while others will increase or decrease in their checking frequency depending on the level of risk posed. Data analysis reports for imported food into the UK from the EU and non-EU countries are published in the [FSA imports intelligence hub](#).

### 3. What food does this regulation cover?

Assimilated Regulation 2019/1793 deals with temporary increases of official controls and emergency measures governing the entry into Great Britain of certain foods from certain third countries. The Regulation deals with imported high-risk food and feed not of animal origin, ensuring that such commodities when imported into Great Britain are controlled at the border.

### 4. How often will the Annexes be reviewed?

In accordance with Article 12 of assimilated Regulation 2019/1793, a review of the lists set out in Annexes I and II is undertaken on a regular basis not exceeding a period of six months, to consider new information related to risks and non-compliance.

Future amendments to the Annexes will be based on evidence as detailed under question 2.

## **5. What is the impact on traders for commodities moving from Annex I to Annex II?**

Moving a product from Annex I to Annex II means that products would additionally require to be accompanied by the results of pre-export sampling and analysis as well as an official certificate.

Competent authorities in the country of origin should use model health certificates to create versions that exporters can apply for. The model certificate '[GBHC176 Certain food or feed](#)' is detailed on [GOV.UK](#).

## **6. Does this amending control apply to imports into Northern Ireland?**

The amendments to controls of imported food and feed from third countries does not apply to goods entering Northern Ireland (NI). For a summary of current controls applicable to goods imported into NI, see [here](#).

## **7. Are GB cleared goods subjected to checks when moving to NI?**

Decisions in relation to, and changes to, the lists of imported food and feed from third countries that are subject to enhanced controls within assimilated Regulation 2019/1793 will only apply in GB. Movement of certain products from GB into NI will be subject to official controls, further information can be found [here](#). Goods being moved from NI into GB would also be subject to official controls.

## **8. Are foodstuffs transiting GB included within the scope?**

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.

## **9. Is there a transition period or flexibility for goods arriving in GB after 18 December 2024?**

There is no transitional period within the amending SI. However, Port Health and Local Authorities may show discretion for goods controlled by Annex II that left the country of export prior to 18 December 2024. If you have further questions on this point, please contact us on the email above.

## **10. Is there a specific laboratory that FSA would require businesses to send the samples to?**

It is the responsibility of the competent authority in the country of origin/consignment for those products listed in Annex II to designate a laboratory to deliver pre-export sampling and analysis.

'The delivery for sampling and analysis for the official control of the maximum levels (MLs) is set out in [Regulation \(EC\) No 396/2005](#) and pre-export testing for pesticide residues should be taken following this law.'

#### **11. Which border control points will be performing the checks?**

[Ports](#) designated for High Risk Food and Feed Not of Animal Origin will be able to accept and clear tea from China. This will not change from the availability of checks in Annex I.

#### **12. What is the UK's reason for enhancing controls on Tea from China ?**

We are concerned about the evidence of pesticide residues levels in imported tea from China since 2011 that present a risk to public health. The enhanced controls applied on Annex II commodities place responsibility with Chinese authorities, appointed by the Government, to ensure that consignments of tea meet GB food safety requirements before it is exported.

#### **Useful Links:**

- [Import high risk food and feed of non-animal origin from the EU to Great Britain - GOV.UK](#)
- [High-risk food and feed not of animal origin \(HRFNAO\): model health certificates - GOV.UK](#)
- [GBHC176 Certain food or feed](#)
- [How to complete a health certificate to export to Great Britain - GOV.UK](#)
- [High-risk food not of animal origin model health certificates: version history - GOV.UK](#)