

10 December, 2012

To: Each importer of food of non-animal origin (FNAO)

Commission Regulation (EC) No 669/2009 on increased level of official controls on imports of certain feed and food of non-animal origin

Background

Regulation (EC) No 882/2004 on official food and feed controls, provides for the drawing up of specific rules to govern the importation into the EU, of certain food and feed products that present additional risks to the food chain. These new rules, and the specific food and feed products involved, are set out in EU Commission Regulation 669/2009. The controls came into effect on **January 25, 2010**.

From **1 January 2013**, the products of relevance to importers of FNAO from a pesticide perspective are those summarised in Appendix 1. This list is amended on a quarterly basis - products can be added or deleted. It is the responsibility of the importer to be fully informed on the current status of products of interest.

Procedure

As an importer you are advised that if you propose to import any of the listed products from the countries of origin stated, you should follow the procedures set out below:

- (i). import the products via Dublin port or airport;
- (ii). complete a Common Entry Document (CED) for each consignment being imported and submit it at least 2 days prior to the arrival of the consignment; (form attached to above Regulation); and
- (iii). refrain from splitting consignments until all the official controls have been carried out at the port of entry and the CED form is endorsed by DAFM.

Complete consignments will be detained by Custom officials at the designated port of entry until DAFM officials have carried out the required checks. A documentary check will be carried out on all consignments, and an identity and physical check (including sampling and analysis) will be carried out on some consignments at the frequency specified in the annex for the imported FNAO. In the case of consignments selected for physical checks, these consignments cannot be released into free circulation until the

analysis results become available, indicating no breach of pesticide residue legislation. Consignments requiring just a documentary check can be released into free circulation once DAFM confirm to the Revenue's Customs Service that the documentary checks are in order.

In addition the DAFM would appreciate some feedback on the frequency and quantity of imports (from Table 1) that can be expected in 2013.

Fee

The Commission Regulation also obliges the competent authorities to put in place a fee charging scheme to cover the cost of these additional controls - see attached fees structure.

Failure to comply with the requirements set out above will be regarded as a breach of SI 426 of 2011.

Further information

Further enquiries to pcs_icon@agriculture.gov.ie or 01-6157552

Additional information can be found on the Department's website at www.agriculture.gov.ie

Appendix 1.

Summary list* of feed and food of non-animal origin subject to an increased level of official controls at designated points of entry from 1 October 2012

Product	CN Code	Country of origin
Chinese broccoli (Food - fresh or chilled)	ex 0704 90 90 20	
Pomelos (Food – fresh)	ex 0805 40 00 31 ; ex 0805 40 00 39	China
Tea whether or not flavoured (Food)	0902 10 00 00 ; 0902 20 00 00 0902 30 00 00 ; 0902 40 00 00	
Yardlong beans Bitter melon Peppers (sweet and other than sweet) Aubergines (Food – fresh, chilled or frozen vegetables)	ex 0708 20 00 10 ; ex 0710 22 00 10 ex 0709 99 90 70 ; ex 0710 80 95 70 0709 60 10 00 ; ex 0709 60 99 20 ; 0710 80 51 00 ; ex 0710 80 59 20 0709 30 00 00 ; ex 0710 80 95 72	Dominican Republic
Oranges (fresh or dried)	0805 10 20 11 ; 0805 10 20 19 0805 10 20 92 ; 0805 10 20 94 0805 10 80 10 ; 0805 10 80 90	
Pomegranates Strawberries (Food – fresh fruits & vegetables)	ex 0810 90 75 30 0810 10 00 00	Egypt
Peppers (sweet and other than sweet) (Food – fresh, chilled or frozen)	0709 60 10 00 ; ex 0709 60 99 20 0709 60 99 90 ; 0710 80 51 00 ; ex 0710 80 59 20 ; 0710 80 59 90	
Curry leaves (Food – fresh herbs)	ex 1211 90 85 10	India
Okra (Food – fresh)	ex 0709 99 90 20	
Peas with pods (unshelled) Beans with pods (unshelled) (Food – fresh & chilled)	ex 0708 10 00 40 ex 0708 20 00 40	Kenya
Mint (Food – fresh herb)	ex 1211 90 86 30	Morocco
Peppers (other than sweet) (Food – fresh)	ex 0709 60 99 20	
Coriander leaves Basil (holy, sweet) (Food – fresh herbs)	ex 0709 99 90 72 ex 1211 90 85 20	Thailand
Yardlong beans Aubergines Brassica vegetables (Food – fresh, chilled or frozen vegetables)	ex 0708 20 00 10 ; ex 0710 22 00 10 0709 30 00 00 ; ex 0710 80 95 72 0704; ex 0710 80 95 76	
Sweet peppers Tomatoes (Food – fresh, chilled or frozen vegetables)	0709 60 10; 0710 80 51 0702 00 00 07 ; 0710 80 70 00	Turkey

Coriander leaves	ex 0709 99 90 72	
Basil (holy, sweet)	ex 1211 90 86 20	
Mint	ex 1211 90 86 30	
Parsley	ex 0709 99 90 40	
(Food – fresh herbs)		Vietnam
Okra	ex 0709 99 90 20	
Peppers (other than sweet)	ex 0709 60 99 20	
(Food – fresh)		

*abstracted from implementing regulation (EU) No 1235/2012 amending Annex 1 to Regulation (EC) No 669/2009), listing only those commodities subject to increased levels of controls re **pesticide residues**.