

Reference: OFFC 2020/S/001

**THE OFFICIAL FEED AND FOOD CONTROLS
(SCOTLAND) REGULATIONS 2009 (S.S.I. 2009/446) (the “Regulations”)**

DECLARATION UNDER REGULATION 35

Whereas Food Standards Scotland has reasonable grounds to suspect that certain products originating in or consigned from Bangladesh may be contaminated with a wide range of pathogenic *salmonella* strains in foodstuffs containing or consisting of betel leaves (*Piper betle*, commonly known as ‘Paan leaf’ or ‘Betel quid’);

Whereas Food Standards Scotland has reasonable grounds to suspect the presence of pesticide residues in dried beans originating in Nigeria;

Whereas, in each case, this is likely to constitute a serious risk to public health;

Whereas on 22 October 2019 the European Commission adopted Commission 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 and repealing Commission Regulations (EC) No 669/2009, (EU) No 884/2014, (EU) 2015/175, (EU) 2017/186 and (EU) 2018/1660 (OJ No. L277, 29.10.2019, p.89) (“Regulation 2019/1793”);

Whereas on 6 May 2020 the European Commission adopted Commission Implementing Regulation (EU) 2020/625 amending Commission 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, and repealing Commission Implementing Regulation (EU) 2015/943 and Commission Implementing Decision 2014/88/EU (OJ No. L144, 7.5.2020, p.13) (“Regulation 2020/625”);

And whereas Article 11a of, and Annex IIa to, Regulation 2019/1793 (as inserted respectively by Article 1 of, and the Annex to, Regulation 2020/625) provide that the import into the EU of all foodstuffs containing or consisting of betel leaves (*Piper betle*) under (but not limited to) CN codes 1404 90 00 originating in or consigned from Bangladesh, and of all foodstuffs consisting of dried beans under CN codes 0713 35 00, 0713 39 00 and 0713 90 00 originating in Nigeria is suspended and is to be prohibited by Member States;

Food Standards Scotland declares in accordance with regulation 35 of the Regulations that with effect from 27 May 2020 the import into Scotland of the products specified in Article 1(1)(ba) of, and Annex IIa to, Commission Implementing Regulation (EU) 2019/1793 (OJ No. L277, 29.10.2019, p.89) (“Regulation 2019/1793”) as read with Article 11a(2) of Regulation 2019/1793 is prohibited.

In this Declaration, references to Regulation 2019/1793 are to Regulation 2019/1793 as amended by Commission Implementing Regulation (EU) 2020/625 (OJ No. L144, 7.5.2020, p.13).

Declarations OFFC/2018/S/001 and OFFC/2019/S/002 are revoked on 27 May 2020.

Signed by



on (date)

18/05/2020

Print name: Geoff Ogle

Details of post held: Chief Executive

For and on behalf of Food Standards Scotland

NOTES

(1) Any expression used both in this Declaration and in Regulation 2019/1793 has the meaning it bears in Regulation 2019/1793.

(2) Import into Scotland of products specified in this Declaration is an offence under the Regulations, punishable by a fine or imprisonment or both.