

No. SHEFEXIL/EU/Guar/19-20

Date: 18th February, 2020

Procedure for export of Guar Gum (food and feed) originating in or consigned from India to EU by SHEFEXIL

- **Preamble** – By a Circular bearing reference No.SHEFEXIL/Guar Gum/2019-20 dated 31st January, 2020 SHEFEXIL has informed all the members engaged in export of Guar Gum (food and feed) that the European Union (EU) has introduced a new Regulation entitled the Commission Implementing Regulation (EU) 2019/1793 of 22nd October, 2019 for export of Guar Gum (food and feed) (hereinafter referred to as the “new Regulation”). A copy of the said new Regulation has also been forwarded along with the said Circular. To facilitate the members in the export of Guar Gum (food and feed), SHEFEXIL has prepared this Report for providing a synopsis of the new Regulation and the procedure the exporters are required to follow in accordance with the new Regulation. For export of Guar Gum (food and feed), the European Union made the Regulation called Commission Implementing Regulation (EU) 2015/175 of 5th February, 2015 which laid down special conditions applicable to the import of Guar Gum originating in or consigned from India due to contamination risks by pentachlorophenol and dioxins. The said Regulation (EU) 2015/175 has been repealed with effect from 14th December, 2019 and replaced with Commission Implementing Regulation (EU) 2019/1793 of 22nd October, 2019 on the special conditions governing the entry into the Union of certain food and feed from certain third countries. Annex II to the new Regulation (EU) 2019 /1793 deals with the list of food and feed of non-animal origin referred to in Article 1(1)(b)(i) of the new Regulation which includes Guar Gum (food and feed) having CN Code – ex13023290.

• **New Regulation (EU) 2019/1793 is set out below :**

Quote

**“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)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) ⁽¹⁾, and in particular Article 34(6)(a), Article 47(2)(b), Article 54(4)(a) and (b) and Article 90(c) thereof,

Having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ⁽²⁾, and in particular Article 53(1)(b) thereof,

Whereas:

- (1) Regulation (EU) 2017/625 integrates into a single legislative framework the rules applicable to official controls on animals and goods entering the Union in order to verify compliance with Union agri-food chain legislation. For that purpose, it repeals and replaces Regulation (EC) No 882/2004 of the European Parliament and of the Council ⁽³⁾ and other Union acts governing official controls in specific areas.
- (2) Pursuant to Regulation (EU) 2017/625, certain categories of animals and goods from certain third countries are always to be presented at border control posts for official controls to be performed prior to their entry into the Union. In addition, Article 47(1)(d) and (e) of Regulation (EU) 2017/625 stipulate that goods subject to measures requiring a temporary increase of official controls or emergency measures respectively, should be subject to official controls at border control posts at their entry into the Union.
- (3) In that regard, pursuant to Regulation (EU) 2017/625, certain goods from certain third countries should be subject to a temporary increase of official controls at border control posts in those cases where the Commission has decided, by means of implementing acts, that these controls are necessary due to a known or emerging risk or because there is evidence of widespread serious non-compliance with the Union agri-food chain legislation. To that effect, the Commission should establish the list of such goods, indicating their codes from the Combined Nomenclature (CN) as laid down in Annex I to Commission Regulation (EEC) No 2658/87 ⁽⁴⁾ (hereinafter, ‘the list’) and update the list as necessary to reflect any developments in that regard.

(1) OJ L 95, 7.4.2017, p. 1.

(2) OJ L 31, 1.2.2002, p. 1.

(3) 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 (OJ L 165, 30.4.2004, p. 1).

(4) Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

- (4) The list referred to in recital (3) should at this stage consist of an updated list of food and feed of non-animal origin set out in Commission Regulation (EC) No 669/2009 ⁽⁵⁾, which lays down rules concerning the increased level of official controls to be carried out at designated points of entry into the Union on imports of certain food and feed of non-animal origin from certain third countries. It is therefore appropriate to set out in Annex I to this Regulation the list of food and feed of non-animal origin from certain third countries to be subject to a temporary increase of official controls at the entry into the Union, in accordance with Article 47(2)(b) of Regulation (EU) 2017/625.
- (5) Moreover, the Commission should establish rules on the frequency of identity checks and physical checks for the food and feed of non-animal origin from certain third countries subject to a temporary increase of controls, in accordance with Article 54(4)(a) of Regulation (EU) 2017/625, taking into account in particular the level of risk associated with the hazard under consideration and the frequency of border rejections.
- (6) Regulation (EU) 2017/625 and delegated and implementing acts adopted pursuant to Articles 47 to 64 of that Regulation, provide for one single system of official controls which applies to the areas covered by Commission Implementing Regulations (EU) No 884/2014 ⁽⁶⁾, (EU) 2015/175 ⁽⁷⁾, (EU) 2017/186 ⁽⁸⁾, (EU) 2018/1660 ⁽⁹⁾ and by Regulation (EC) No 669/2009. For this reason, and since the rules covered in these regulations are substantively linked, as they all concern the imposition of additional measures governing the entry into the Union of certain food and feed from certain third countries due to an identified risk and which apply depending on the gravity of the risk, it is appropriate to facilitate the correct and comprehensive application of the relevant rules by establishing in a single act the provisions concerning the temporary increase of official controls on certain food and feed of non-animal origin and the emergency measures currently set out in these Regulations.
- (7) The food and feed of non-animal origin subject to the emergency measures set out in Commission Implementing Regulations (EU) No 884/2014, (EU) 2015/175, (EU) 2017/186 and (EU) 2018/1660 still pose a serious risk to public health which cannot be contained satisfactorily by means of measures taken by the Member States. It is therefore appropriate to set out in Annex II to this Regulation a list of food and feed of non-animal origin subject to emergency measures which consists of the updated lists of food and feed of non-animal origin laid down in Commission Implementing Regulations (EU) No 884/2014, (EU) 2015/175, (EU) 2017/186 and (EU) 2018/1660. In addition, the scope of the entries in the aforementioned lists should be amended to include forms of the products other than the ones currently laid down therein, where those other forms present the same risk. It is therefore appropriate to amend all the entries concerning groundnuts to include oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil, as well as the entry concerning peppers from India to include roasted peppers (sweet or other than sweet).
- (8) With a view to ensure a proper control of the risks to public health, compound food containing any of the food of non-animal origin listed in Annex II to this Regulation due to the risk of contamination by aflatoxins, in a quantity above 20 % of either a single product or as the sum of products listed, and falling within the CN Codes laid down in Annex II should also be included in the list referred to in recital 7.
- (9) Moreover, the Commission should establish rules on the frequency of identity checks and physical checks for the food and feed subject to emergency measures pursuant to this Regulation, in accordance with Article 54(4)(b) of Regulation (EU) 2017/625. It is therefore appropriate to establish such rules in this Regulation, taking into account in particular the level of risk associated with the hazard under consideration and the frequency of border rejections.
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- (5) Commission Regulation (EC) No 669/2009 of 24 July 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 and amending Decision 2006/504/EC (OJ L 194, 25.7.2009, p. 11).
- (6) Commission Implementing Regulation (EU) No 884/2014 of 13 August 2014 imposing special conditions governing the import of certain feed and food from certain third countries due to contamination risk by aflatoxins and repealing Regulation (EC) No 1152/2009 (OJ L 242, 14.8.2014, p. 4).
- (7) Commission Implementing Regulation (EU) 2015/175 of 5 February 2015 laying down special conditions applicable to the import of guar gum originating in or consigned from India due to contamination risks by pentachlorophenol and dioxins (OJ L 30, 6.2.2015, p. 10).
- (8) Commission Implementing Regulation (EU) 2017/186 of 2 February 2017 laying down specific conditions applicable to the introduction into the Union of consignments from certain third countries due to microbiological contamination and amending Regulation (EC) No 669/2009 (OJ L 29, 3.2.2017, p. 24).
- (9) Commission Implementing Regulation (EU) 2018/1660 of 7 November 2018 imposing special conditions governing the import of certain food of non-animal origin from certain third countries due to the risks of contamination with pesticides residues, amending Regulation (EC) No 669/2009 and repealing Implementing Regulation (EU) No 885/2014 (OJ L 278, 8.11.2018, p. 7).

- (10) Measures requiring a temporary increase of official controls and emergency measures set out in this Regulation should apply to food and feed intended for placing on the Union market since those goods represent a risk from a public health perspective.
- (11) As regards consignments sent as trade samples, laboratory samples or as display items for exhibitions, which are not intended to be placed on the market, consignments of a non-commercial nature intended for private use or consumption within the custom territory of the Union and consignment intended for scientific purposes, having regard to the low risk that such consignments pose to public health, it would be disproportionate to impose a requirement that these consignments be subject to official controls at border control posts and be accompanied by an official certificate or by the results of the sampling and laboratory analyses in accordance with this Regulation. However, in order to avoid misuse, this Regulation should apply to these consignments in the case where their gross weight exceeds a certain weight limit.
- (12) Measures requiring a temporary increase of official controls and emergency measures set out in this Regulation should not apply to food and feed on board means of transport operating internationally which are not unloaded and are intended for consumption by the crew and passengers since the placing on the Union market is very limited.
- (13) The maximum levels of mycotoxins, including of aflatoxins in food are established by Commission Regulation (EC) No 1881/2006 ⁽¹⁰⁾ and in feed by Directive 2002/32/EC of the European Parliament and of the Council ⁽¹¹⁾. The maximum levels for pesticide residues are established by Regulation (EC) No 396/2005 of the European Parliament and of the Council ⁽¹²⁾. The European Union Reference Laboratory for Dioxins and polychlorinated biphenyls (PCBs) in food and feed has carried out a study on the correlation between pentachlorophenol (PCP) and dioxins in contaminated guar gum from India. From this study it can be concluded that guar gum containing a level of PCP below the Maximum Residue Limit (MRL) of 0,01 mg/kg does not contain unacceptable levels of dioxins. Therefore compliance with the MRL on PCP, ensures in this specific case also a high level of human health protection as regards dioxins.
- (14) In relation to the rules referred to in recital (13), the provisions on sampling and analyses for the control of mycotoxins, including aflatoxins, in food are established by Commission Regulation (EC) No 401/2006 ⁽¹³⁾ and in feed by Commission Regulation (EC) No 152/2009 ⁽¹⁴⁾. The provisions on sampling for the official control of pesticide residues are established by Commission Directive 2002/63/EC ⁽¹⁵⁾. With a view to ensure uniform methods of sampling and laboratory analyses in third countries and Member States, the sampling and the analyses for food and feed required by this Regulation should be carried out in accordance with the aforementioned Union rules on sampling and analyses both in Member States and third countries.
- (15) Moreover, in order to ensure uniform sampling procedures and analytical reference methods for the control of *Salmonella* in food subject to this Regulation in third countries and Member States, this Regulation should lay down such sampling procedures and analytical reference methods.
- (16) Model official certificates for the entry into the Union of certain food and feed are laid down in Commission Implementing Regulations (EU) No 884/2014, (EU) 2015/175, (EU) 2017/186 and (EU) 2018/1660. In order to facilitate the performance of official controls at the entry into the Union it is appropriate to establish a single model official certificate for the entry into the Union of food and feed subject to special conditions for the entry into the Union pursuant to this Regulation.

(10) Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p. 5).

(11) Directive 2002/32/EC of the European Parliament and of the Council of 7 May 2002 on undesirable substances in animal feed (OJ L 140, 30.5.2002, p. 10).

(12) Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC (OJ L 70, 16.3.2005, p. 1.).

(13) Commission Regulation (EC) No 401/2006 of 23 February 2006 laying down the methods of sampling and analysis for the official control of the levels of mycotoxins in foodstuffs, OJ L 70, 9.3.2006, p. 12.

(14) Commission Regulation (EC) No 152/2009 of 27 January 2009 laying down the methods of sampling and analysis for the official control of feed (OJ L 54, 26.2.2009, p. 1).

(15) Commission Directive 2002/63/EC of 11 July 2002 establishing Community methods of sampling for the official control of pesticide residues in and on products of plant and animal origin and repealing Directive 79/700/EEC (OJ L 187, 16.7.2002, p. 30).

- (17) Such official certificates should be issued either on paper or in electronic form. Therefore, it is appropriate to establish common requirements as regards issuance of official certificates in both cases, in addition to the requirements laid down in Chapter VII of Title II of Regulation (EU) 2017/625. In this regard, Article 90(f) of Regulation (EU) 2017/625 makes provisions for the establishment by the Commission of rules for the issuance of electronic certificates and for the use of electronic signatures including in relation to official certificates issued in accordance with this Regulation. In addition, provisions should be made in this Regulation to ensure that the requirements for official certificates not submitted in IMSOC laid down in Commission Implementing Regulation (EU) 2019/628⁽¹⁶⁾ also apply to official certificates issued in accordance with this Regulation.
- (18) Model certificates are included in the electronic system TRACES, set up by Commission Decision 2003/623/EC⁽¹⁷⁾, to facilitate and accelerate administrative procedures at Union borders and to enable electronic communication between the competent authorities which helps preventing possible fraudulent or deceptive practices in respect of the official certificates. Since 2003, computer technology has evolved considerably and the TRACES system has been modified to improve the quality, processing and secure exchange of data. In accordance with Article 133(4) of Regulation (EU) 2017/625, the TRACES system is to be integrated into the Information Management System for Official Controls referred to in Article 131 of Regulation (EU) 2017/625 (IMSOC). The model official certificate laid down in this Regulation should therefore be adapted to IMSOC.
- (19) Point (c) of Article 90 of Regulation (EU) 2017/625 empowers the Commission to lay down, by means of implementing acts, rules concerning the procedures to be followed for the issuance of replacement certificates. To avoid misuse and abuse, it is important to define the cases where a replacement official certificate may be issued and the requirements that need to be met by such certificate. Such cases have been laid down in Implementing Regulation (EU) 2019/628 in relation to official certificates issued in accordance with that Regulation. With a view to ensure a coherent approach, it is appropriate to provide that, in the case of issuing replacement certificates, official certificates issued in accordance with this Regulation should be replaced in accordance with the procedures for the replacement certificates laid down in Implementing Regulation (EU) 2019/628.
- (20) Provisions should be established to regularly review whether modifications of the lists out in Annexes I and II to this Regulation, including of the frequency of identity and physical checks, are necessary. This should take into account new information related to risks and non-compliance, such as the data resulting from notifications received through the Rapid Alert System for Food and Feed (RASFF), data and information concerning consignments and the results of the documentary, identity and physical checks communicated by the Member States to the Commission, reports and information received from third countries, information resulting from the controls carried out by the Commission in third countries and information exchanged between the Commission and Member States and between the Commission and the European Food Safety Authority.
- (21) The rules to be established by the Commission in accordance with Articles 34(6)(a), 47(2)(b), and 54(4)(a) of Regulation (EU) 2017/625 are substantively linked since they all concern requirements on official controls at the entry into the Union on certain goods from certain third countries subject to a temporary increase of official controls at their entry into the Union and should therefore apply from the same date. To facilitate the correct and comprehensive application of those rules, it is appropriate to establish them in a single act.
- (22) The rules to be established by the Commission in accordance with Articles 54(4)(b) and 90 (c) of Regulation (EU) 2017/625 and with Article 53(1)(b) of Regulation (EC) No 178/2002 are substantively linked since they all concern requirements for the entry into the Union of goods subject to emergency measures pursuant to Article 53(1)(b) of Regulation (EC) No 178/2002 and should therefore apply from the same date. To facilitate the correct and comprehensive application of those rules, it is appropriate to establish them in a single act.
- (23) For the purposes of simplification and rationalization, the rules laid down in Commission Regulations (EC) No 669/2009, (EU) No 884/2014, (EU) 2017/186, (EU) 2015/175 and (EU) 2018/1660 are consolidated into this Regulation. These Regulations should therefore be repealed and replaced with this Regulation.
- (24) 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:

⁽¹⁶⁾ Commission Implementing Regulation (EU) 2019/628 of 8 April 2019 concerning model official certificates for certain animals and goods and amending Regulation (EC) No 2074/2005 and Implementing Regulation (EU) 2016/759 as regards these model certificates, OJ L 131, 17.5.2019, p. 101.

⁽¹⁷⁾ Commission Decision 2003/623/EC of 19 August 2003 concerning the development of an integrated computerised veterinary system known as Traces (OJ L 216, 28.8.2003, p. 58).

SECTION 1

COMMON PROVISIONS*Article 1***Subject matter and scope**

1. This Regulation lays down:

- (a) the list of food and feed of non-animal origin from certain third countries subject to a temporary increase of official controls at their entry into the Union, established in Annex I, falling within the CN Codes and TARIC classifications laid down in that Annex, in accordance with Article 47(2)(b) of Regulation (EU) 2017/625;
- (b) special conditions governing the entry into the Union of the following categories of consignments of food and feed due to the risk of contamination by mycotoxins, including aflatoxins, pesticide residues, pentachlorophenol and dioxins and microbiological contamination, in accordance with Article 53(1)(b) of Regulation (EC) No 178/2002:
 - (i) consignments of food and feed of non-animal origin from third countries or parts of those third countries listed in Table 1 to Annex II and falling within the CN Codes and TARIC classifications laid down in that Annex;
 - (ii) consignments of compound food containing any of the food listed in Table 1 to Annex II due to the risk of contamination by aflatoxins in a quantity above 20 % of either a single product or as the sum of those products and falling within the CN Codes laid down in Table 2 to that Annex;
- (c) rules on the frequency of identity checks and physical checks for the consignments of food and feed referred to in points (a) and (b) of this paragraph;
- (d) rules on the methods to be used for sampling and for laboratory analyses for the consignments of food and feed referred to in points (a) and (b) of this paragraph, in accordance with Article 34(6)(a) of Regulation (EU) 2017/625;
- (e) rules concerning the model official certificate required to accompany consignments of food and feed referred to in point (b) of this paragraph and the requirements for such official certificate, in accordance with Article 53(1)(b) of Regulation (EC) No 178/2002;
- (f) rules for the issuance of replacement official certificates required to accompany consignments of food and feed referred to in point (b) of this paragraph, in accordance with Article 90(c) of Regulation (EU) 2017/625.

2. This Regulation applies to consignments of food and feed referred to in points (a) and (b) of paragraph 1 intended for placing on the Union market.

3. This Regulation does not apply to the following categories of consignments of food and feed unless their gross weight exceeds 30 kg:

- (a) consignments of food and feed sent as trade samples, laboratory samples or as display items for exhibitions, which are not intended to be placed on the market;
- (b) consignments of food and feed which form part of passengers personal luggage and are intended for personal consumption or use;
- (c) non-commercial consignments of food and feed sent to natural persons which are not intended to be placed on the market;

(d) consignments of food and feed intended for scientific purposes.

4. This Regulation does not apply to food and feed referred to in points (a) and (b) of paragraph 1 on board means of transport operating internationally which are not unloaded and are intended for consumption by the crew and passengers.

5. In case of doubt on the intended use of the food and feed referred in points (b) and (c) of paragraph (3), the burden of proof lies with the owner of the personal luggage and with the recipient of the consignment, respectively.

Article 2

Definitions

1. For the purposes of this Regulation, the following definitions shall apply:

- (a) 'consignment' means 'consignment' as defined in Article 3(37) of Regulation (EU) 2017/625;
- (b) 'placing on the market' means 'placing on the market' as defined in point (8) of Article 3 of Regulation (EC) No 178/2002.

2. However, for the purposes of Articles 7, 8, 9, 10 and 11 and of Annex IV, a 'consignment' means:

- (a) a 'lot' as referred to in Annex I to Regulation (EC) No 401/2006 and in Annex I to Regulation (EC) No 152/2009, in relation to food and feed listed in Annex II due to contamination risk by mycotoxins, including aflatoxins;
- (b) a 'lot' as referred to in the Annex to Directive 2002/67/EC, in relation to food and feed listed in Annex II due to contamination risk by pesticides and pentachlorophenol.

Article 3

Sampling and analyses

The sampling and the analyses to be carried out by competent authorities at border control posts or at control points referred to in Article 53(1)(a) of Regulation (EU) 2017/625, as part of physical checks on consignments of food and feed referred to in Article 1(1)(a) and (b), or in third countries for the purposes of the results of analyses which are required to accompany the consignments of food and feed referred to in Article 1(1)(b) as provided for in this Regulation shall be performed in accordance with the following requirements:

- (a) for food listed in Annexes I and II due to possible contamination risk by mycotoxins, including aflatoxins, the sampling and the analyses shall be performed in accordance with Regulation (EC) No 401/2006;
- (b) for feed listed in Annexes I and II due to possible contamination risk by mycotoxins, including aflatoxins, the sampling and the analyses shall be performed in accordance with Regulation (EC) No 152/2009;
- (c) for food and feed listed in Annexes I and II due to possible non-compliance with the maximum allowed levels of pesticides residues the sampling shall be performed in accordance with Directive 2002/67/EC;

- (d) for guar gum listed in Annex II due to possible contamination with pentachlorophenol and dioxins the sampling for the analysis of pentachlorophenol shall be performed in accordance with Directive 2002/63/EC and the sampling and analyses for the control of dioxins in feed shall be performed in accordance with Regulation (EC) No 152/2009;
- (e) for food listed in Annexes I and II due to the risk of presence of *Salmonella*, the sampling and the analyses for the control of *Salmonella* shall be performed in accordance with the sampling procedures and the analytical reference methods laid down in Annex III;
- (f) the methods of sampling and analyses referred to in the footnotes to Annexes I and II shall be applied in relation to hazards other than those referred to in points (a), (b), (c), (d) and (e).

Article 4

Release for free circulation

The custom authorities shall only allow the release for free circulation of consignments of food and feed listed in Annexes I and II upon presentation of a duly finalised Common Health Entry Document (CHED) as provided for in Article 5 7(2)(b) of Regulation (EU) 2017/625, which confirms that the consignment is in compliance with the applicable rules referred to in Article 1(2) of that Regulation.

SECTION 2

TEMPORARY INCREASE OF OFFICIAL CONTROLS AT BORDER CONTROL POSTS AND CONTROL POINTS ON CERTAIN FOOD AND FEED FROM CERTAIN THIRD COUNTRIES

Article 5

List of food and feed of non-animal origin

1. Consignments of food and feed listed in Annex I shall be subject to a temporary increase of official controls at border control posts at their entry into the Union and at control points.
2. The identification of the food and feed referred to in paragraph 1 for official controls shall be made on the basis of the codes from the Combined Nomenclature and the TARIC sub-division indicated in Annex I.

Article 6

Frequency of identity checks and physical checks

1. The competent authorities at border control posts and at control points referred to in Article 5 3(1)(a) of Regulation (EU) 2017/625 shall carry out identity and physical checks, including sampling and laboratory analyses, on consignments of food and feed listed in Annex I at the frequency set out in that Annex.
2. The frequency of identity and physical checks set out in an entry in Annex I shall be applied as an overall frequency for all products falling under that entry.

SECTION 3

SPECIAL CONDITIONS GOVERNING THE ENTRY INTO THE UNION OF CERTAIN FOOD AND FEED FROM CERTAIN THIRD COUNTRIES*Article 7***Entry into the Union**

1. Consignments of food and feed listed in Annex II shall only enter into the Union in accordance with the conditions laid down in this section.
2. The identification of the food and feed referred to in paragraph 1 for official controls shall be made on the basis of the codes from the Combined Nomenclature and the TARIC sub-division indicated in Annex II.
3. Consignments referred to in paragraph 1 shall be subject to official controls at border control posts at their entry into the Union and at control points.

*Article 8***Frequency of identity checks and physical checks**

1. The competent authorities at border control post and at control points referred to in Article 5 3(1)(a) of Regulation (EU) 2017/625 shall carry out identity and physical checks, including sampling and laboratory analyses, on consignments of food and feed listed in Annex II, at the frequency set out in that Annex.
2. The frequency of identity and physical checks set out in an entry in Annex II shall be applied as an overall frequency for all products falling under that entry.
3. Compound food listed in Table 2 to Annex II which contains products falling only under one entry in Table 1 to Annex II shall be subject to the overall frequency of identity and physical checks set out in Table 1 to Annex II for that entry.
4. Compound food listed in Table 2 to Annex II which contains products falling under several entries for the same hazard in Table 1 to Annex II shall be subject to the highest overall frequency of identity and physical checks set out in Table 1 to Annex II for these entries.

*Article 9***Identification code**

1. Each consignment of food and feed listed in Annex II shall be identified with an identification code.
2. Each individual bag or packaging form of the consignment shall be identified with that identification code.
3. By way of derogation from paragraph 2, in case of consignments of food and feed listed in Annex II due to the risk of contamination by mycotoxins and where the packaging is combining several small packages, it is not necessary for the identification code of the

consignment to be mentioned individually on all the separate small packages as long as it is mentioned at least on the package combining these small packages.

Article 10

Results of sampling and analyses performed by the competent authorities of the third country

1. Each consignment of food and feed listed in Annex II shall be accompanied by the results of sampling and analyses performed on that consignment by the competent authorities of the third country of origin or of the country where the consignment is consigned from if that country is different from the country of origin.
2. On the basis of the results referred to in paragraph 1, the competent authorities shall ascertain:
 - (a) compliance with Regulation (EC) No 1831/2003 and Directive 2002/32/EC on maximum levels of relevant mycotoxins, for consignments of food and feed listed in Annex II due to contamination risk by mycotoxins;
 - (b) compliance with Regulation (EC) No 396/2005 on maximum residue levels of pesticides, for consignments of food and feed listed in Annex II due to contamination risk by pesticide residues;
 - (c) that the product does not contain more than 0,01 mg/kg pentachlorophenol (PCP), for consignments of food and feed listed in Annex II due to contamination risk by pentachlorophenol and dioxins;
 - (d) the absence of *Salmonella* in 25 g, for consignments of food listed in Annex II due to risk of microbiological contamination by *Salmonella*.
3. Each consignment of food and feed listed in Annex II due to contamination risk by pentachlorophenol and dioxins shall be accompanied by an analytical report which shall comply with the requirements set out in Annex II.

The analytical report shall include the results of the analyses referred to in paragraph 1.
4. The results of sampling and analyses referred to in paragraph 1 shall bear the identification code of the consignment to which they relate referred to in Article 9(1).
5. The analyses referred to in paragraph 1 shall be performed by laboratories accredited in accordance with the standard ISO/IEC 17025 on 'General requirements for the competence of testing and calibration laboratories'.

Article 11

Official certificate

1. Each consignment of food and feed listed in Annex II shall be accompanied by an official certificate in accordance with the model set out in Annex IV ('official certificate').
2. The official certificate shall comply with the following requirements:

- a) it shall be issued by the competent authority of the third country of origin or of the third country where the consignment is consigned from if that country is different from the country of origin;
- b) it shall bear the identification code of the consignment to which it relates referred to in Article 9(1);
- c) it shall be issued before the consignment to which it relates leaves the control of the competent authority of the third country issuing the certificate;
- d) it shall be valid for not more than four months from the date of issue, but in any case no longer than six months from the date of the results of the laboratory analyses referred to in paragraph 1 of Article 10.

3. An official certificate which is not submitted in the Information Management System for Official Controls referred to in Article 131

4. Competent authorities may issue a replacement official certificate only in accordance with the rules laid down in Article 5 of Imp

5. The official certificate referred to in paragraph 1 shall be completed on the basis of the notes set out in Annex IV.

SECTION 4

FINAL PROVISIONS

Article 12

Updates to Annexes

The Commission shall review the lists set out in Annexes I and II on a regular basis not exceeding a period of six months, in order to take into account new information related to risks and non-compliance.

Article 13

Repeal

- 1. Regulations (EC) No 669/2009, (EU) No 884/2014, (EU) 2017/186, (EU) 2015/175 and (EU) 2018/1660 are repealed with effect from 14 December 2019.
- 2. References to Regulations (EC) No 669/2009, (EU) No 884/2014, (EU) 2017/186, (EU) 2015/175 and (EU) 2018/1660 shall be construed as references to this Regulation.
- 3. References to 'the designated point of entry within the meaning of point (b) of Article 3 of Regulation (EC) No 669/2009' or to 'the designated point of entry' in acts other than those referred to in paragraph 1 shall be construed as references to a 'border control post' within the meaning of Article 3(38) of Regulation (EU) 2017/625.
- 4. References to 'the common entry document (CED) referred to in point (a) of Article 3 of Regulation (EC) No 669/2009', to 'the common entry document (CED) referred to in Annex II to Regulation (EC) No 669/2009' or to 'the common entry document (CED)' in acts other than those referred to in paragraph 1 shall be construed as references to the 'Common Health Entry Document (CHED)' referred to in Article 56 of Regulation (EU) 2017/625.
- 5. References to the definition laid down in Article 3(c) of Regulation (EC) No 669/2009 in acts other than those referred to in paragraph 1 shall be construed as references to the definition of 'consignment' laid down in Article 3(37) of Regulation (EU) 2017/625.

*Article 14***Transitional period**

1. The reporting obligations set out in Article 15 of Regulation (EC) No 669/2009, Article 13 of Regulation (EU) No 884/2014, Article 12 of Regulation (EU) 2018/1660, Article 12 of Regulation (EU) 2015/175 and Article 12 of Regulation (EU) 2017/186 shall continue to apply until 31 January 2020.

Such reporting obligations shall cover the period until 31 December 2019.

2. The reporting obligations referred to in paragraph 1 shall be deemed to be satisfied where Member States have registered in TRACES the common entry documents issued by their respective competent authorities in accordance with Regulation (EC) No 669/2009, Regulation (EU) No 884/2014, Regulation (EU) 2015/175, Regulation (EU) 2017/186 and Regulation (EU) 2018/1660 during the reporting period set out in the provisions referred to in paragraph 1.

3. Consignments of food and feed listed in Annex II accompanied by the relevant certificates issued before 14 February 2020 in accordance with the provisions of Regulation (EU) No 884/2014, Regulation (EU) 2018/1660, Regulation (EU) 2015/175 and Regulation (EU) 2017/186 respectively in force on 13 December 2019 shall be authorised for the entry into the Union until 13 June 2020.

*Article 15***Entry into force and date of application**

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

It shall apply from 14 December 2019.

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

Done at Brussels, 22 October 2019.

For the Commission

The President

Jean-Claude JUNCKER

Unquote

- **Synopsis of the New Regulation which applies to export of Guar Gum (food and feed) to EU are as follows :-**

- (a) The European Union Reference Laboratory for Dioxins and polychlorinated biphenyls (PCBs) in food and feed has carried out a study on the correlation between pentachlorophenol (PCP) and dioxins in contaminated Guar Gum from India.

It appears from this study that Guar Gum containing a level of PCP below the Maximum Residue Limit (MRL) of 0.01 mg/kg does not contain unacceptable levels of dioxins. Therefore, compliance with the MRL on PCP, ensures in this specific case also a high level of human health protection as regards dioxins.

- (b) With a view to ensure uniform methods of sampling and laboratory analysis in third countries and Member States, the sampling and the analysis for food and feed required under the said Regulation should be carried out in accordance with the aforementioned Union Rules on sampling and analysis both in Member States and third countries.

- (c) Article 2 of Section 1 of the new Regulation provides as follows :

“Article 2

Definitions

1. For the purposes of this Regulation, the following definitions shall apply:

* * *

* * *

* * *

2. However, for the purposes of Articles 7, 8, 9, 10 and 11 and of Annex IV, a ‘consignment’ means:

* * *

* * *

* * *

- (b) a ‘lot’ as referred to in the Annex to Directive 2002/63/EC, in relation to food and feed listed in Annex II due to contamination risk by pesticides and pentachlorophenol.”

- (d) Article 3 of Section 1 of the new Regulation provides as follows :

“Article 3

Sampling and analyses

The sampling and the analyses to be carried out by competent authorities at border control posts or at control points referred to in Article 53(1)(a) of Regulation (EU) 2017/625, as part of physical checks on consignments of food and feed referred to in Article 1(1)(a) and (b), or in third countries for the purposes of the results of analyses which are required to accompany the consignments of food and feed referred to in Article 1(1)(b) as provided for in this Regulation shall be performed in accordance with the following requirements:

* * *

* * *

* * *

- (d) for guar gum listed in Annex II due to possible contamination with pentachlorophenol and dioxins the sampling for the analysis of pentachlorophenol shall be performed in accordance with Directive 2002/63/EC and the sampling and analyses for the control of dioxins in feed shall be performed in accordance with Regulation (EC) No 152/2009;”

- (e) Article 7 of Section 3 of the new Regulation provides as follows :

“SECTION 3

**SPECIAL CONDITIONS GOVERNING THE ENTRY INTO THE UNION OF
CERTAIN FOOD AND FEED FROM CERTAIN THIRD COUNTRIES**

Article 7

Entry into the Union

1. Consignments of food and feed listed in Annex II shall only enter into the Union in accordance with the conditions laid down in this section.
2. The identification of the food and feed referred to in paragraph 1 for official controls shall be made on the basis of the codes from the Combined Nomenclature and the TARIC sub-division indicated in Annex II.
3. Consignments referred to in paragraph 1 shall be subject to official controls at border control posts at their entry into the Union and at control points.”

(f) Article 8 of Section 3 of the new Regulation provides as follows :

“Article 8

Frequency of identity checks and physical checks

1. The competent authorities at border control post and at control points referred to in Article 5 3(1)(a) of Regulation (EU) 2017/625 shall carry out identity and physical checks, including sampling and laboratory analyses, on consignments of food and feed listed in Annex II, at the frequency set out in that Annex.
2. The frequency of identity and physical checks set out in an entry in Annex II shall be applied as an overall frequency for all products falling under that entry.”

(g) Article 9 of Section 3 of the new Regulation provides as follows :

“Article 9

Identification code

1. Each consignment of food and feed listed in Annex II shall be identified with an identification code.
2. Each individual bag or packaging form of the consignment shall be identified with that identification code.

(h) Article 10 of Section 3 of the new Regulation provides as follows :

“Article 10

Results of sampling and analyses performed by the competent authorities of the third country

1. Each consignment of food and feed listed in Annex II shall be accompanied by the results of sampling and analyses performed on that consignment by the competent authorities of the third country of origin or of the country where the consignment is consigned from if that country is different from the country of origin.
2. On the basis of the results referred to in paragraph 1, the competent authorities shall ascertain:

* * *

* * *

* * *

(c) that the product does not contain more than 0,01 mg/kg pentachlorophenol (PCP), for consignments of food and feed listed in Annex II due to contamination risk by pentachlorophenol and dioxins;

* * *

* * *

* * *

3. Each consignment of food and feed listed in Annex II due to contamination risk by pentachlorophenol and dioxins shall be accompanied by an analytical report which shall comply with the requirements set out in Annex II.
The analytical report shall include the results of the analyses referred to in paragraph 1.
 4. The results of sampling and analyses referred to in paragraph 1 shall bear the identification code of the consignment to which they relate referred to in Article 9(1).
 5. The analyses referred to in paragraph 1 shall be performed by laboratories accredited in accordance with the standard ISO/IEC 17025 on 'General requirements for the competence of testing and calibration laboratories'."
- (i) Article 11 of Section 3 of the new Regulation provides as follows :

"Article 11

Official certificate

1. Each consignment of food and feed listed in Annex II shall be accompanied by an official certificate in accordance with the model set out in Annex IV ('official certificate').
2. The official certificate shall comply with the following requirements:
 - (a) it shall be issued by the competent authority of the third country of origin or of the third country where the consignment is consigned from if that country is different from the country of origin;

- (b) it shall bear the identification code of the consignment to which it relates referred to in Article 9(1);
 - (c) it shall be issued before the consignment to which it relates leaves the control of the competent authority of the third country issuing the certificate;
 - (d) it shall be valid for not more than four months from the date of issue, but in any case no longer than six months from the date of the results of the laboratory analyses referred to in paragraph 1 of Article 10.
3. An official certificate which is not submitted in the Information Management System for Official Controls referred to in Article 131 of Regulation (EU) 2017/625 (IMSOC) by the competent authority of the third country issuing the certificate shall also meet the requirements for model official certificates not submitted in IMSOC laid down in Article 3 of Implementing Regulation (EU) 2019/628.
 4. Competent authorities may issue a replacement official certificate only in accordance with the rules laid down in Article 5 of Implementing Regulation (EU) 2019/628.
 5. The official certificate referred to in paragraph 1 shall be completed on the basis of the notes set out in Annex IV.”
- (j) Article 13 of Section 4 of the new Regulation deals with “**Repeal**”. The said Article provides that:

1. Regulation is repealed with effect from 14th December, 2019.
 2. References to Regulation (EU) 2015/175 shall be construed as references to this Regulation.
- (k) Article 14 of Section 4 of the new Regulation deals with “**Transitional period**”. The said Article provides that:
1. The reporting obligations set out in Article 12 of Regulation (EU) 2015/175 shall continue to apply until 31 January 2020.
Such reporting obligations shall cover the period until 31 December 2019.
 2. The reporting obligations referred to in paragraph 1 shall be deemed to be satisfied where Member States have registered in TRACES the common entry documents issued by their respective competent authorities in accordance with Regulation (EU) 2015/175 during the reporting period set out in the provisions referred to in paragraph 1 of Article 14 of Section 4.
- (l) Article 15 of the new Regulation provides as follows :
- “Article 15
- Entry into force and date of application**
- This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.
- It shall apply from 14 December 2019.

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

- (m) With respect to Guar Gum (food and feed) Annex II of the new Regulation provides as follows : -

Food and feed (intended use)	CN Code	TARIC Sub-Division	Counter of Origin	Hazard	Frequency of Physical and identity checks.
Guar Gum (Food and feed)	-ex 13023290	10	India (IN)	Pentachlorophenol and dioxins	5

- (n) Annex IV to the new Regulation provides the “MODEL OFFICIAL CERTIFICATE REFERRED TO IN ARTICLE 11 OF THE COMMISSION IMPLEMENTING REGULATION (EU) 2019/1793 FOR THE ENTRY INTO THE UNION OF CERTAIN FOOD AND FEED”. The said Annex IV also provides the “NOTES ON THE COMPLETION OF THE MODEL OFFICIAL CERTIFICATE REFERRED TO IN ARTICLE 11 OF THE IMPLEMENTING REGULATION (EU) 2019/1793 FOR THE ENTRY INTO THE UNION OF CERTAIN FOOD AND FEED”.

The format of Official Certificate and the notes governing the completion of such Certificates in accordance with Annex IV to the new Regulation are provided below :

**MODEL OFFICIAL CERTIFICATE REFERRED TO IN ARTICLE 11 OF COMMISSION
IMPLEMENTING REGULATION (EU) 2019/1793 FOR THE ENTRY INTO THE UNION OF
CERTAIN FOOD OR FEED**

Part I : Details of dispatched consignmen t	COUNTRY			Official certificate to the EU		
	1.1. Consignor/ Exporter Name Address Tel. No			1.2. Certificate reference No		1.2.a IMSOC reference No
				1.3. Central Competent Authority		
				1.4. Local Competent Authority		
	1.5. Consignee / Importer Name Address Postal code Tel. No			1.6. Operator responsible for the consignment Name Address Postal code		
	1.7. Country of origin	ISO	1.8. Region of Origin	1.9 Country of destination	ISO	1.10
	1.11 Place of dispatch Name Address			1.12 Place of destination Name Address		
	1.13 Place of loading			1.14. Date and time of departure		
	1.15. Means of transport Aeroplane <input type="checkbox"/> Road Vehicle <input type="checkbox"/> Identification :		Vessel <input type="checkbox"/> Railway <input type="checkbox"/>	Other <input type="checkbox"/>	1.16 Entry BCP	
	1.18 Transport conditions Ambient <input type="checkbox"/>		Chilled <input type="checkbox"/>	Frozen <input type="checkbox"/>	1.17. Accompanying documents <input type="checkbox"/> Laboratory Report No Date of issuance : <input type="checkbox"/> Other Type No	
1.19. Container No/Seal No.						
1.20 Goods certified as Human consumption <input type="checkbox"/> feeding stuff <input type="checkbox"/>						

1.21.		1.22. For internal market <input type="checkbox"/>	
1.23. Total number of packages	1.24. Quantity Total number	Total net weight (Kg)	Total gross weight (Kg)
1.25. Description of goods No Code and CN title			
Species (Scientific name) Final consumer Number of packages <input type="checkbox"/>		Net weight Batch No	Type of Packaging

Country		Certificate for the entry into the Union of food or feed	
II.	Health information	II.a Certificate reference No	II. b IMSOC reference No
Part II : Certificati on	<p>II. 1. I, the undersigned, declare that I am aware of the relevant provisions of Regulation (EC) No 178/2002 of the and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p.1), Regulation (EC) No. 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (OJ L 139, 30.4.2004, p.1), Regulation (EC) No. 183/2005 of the European Parliament and of the Council of 12 January 2005 laying down requirements for feed hygiene (OJ L 35, 8.2.2005, p.1) and Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March, 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No.396/2005, (EC) No. 1069/2009, (EC) No. 1107/2009, (EU) No. 1151/2012, (EU)No. 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No. 1/2005 and (EC) No. 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC and repealing Regulations (EC) No. 854/2004 and (EC) No. 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 95, 7.4.2017, p.1), and I certify that :</p> <p>(¹)</p> <p>Either</p> <p>[II.1.1] <input type="checkbox"/> the food of the consignment described above with the identification code ... (indicate the identification code for the consignment referred to in Article 9(1) of Implementing Regulation (EU) 2019/1793) was produced in accordance with the</p>		

requirements of Regulations (EC) No. 178/2002 and (EC) No.852/2004 and in particular :

- primary production of such food and associated operations listed in Annex I to Regulation (EC) No. 852/2004 comply with the general hygiene provisions laid down in part A of Annex I to Regulation (EC) No. 852/2004;
- ⁽¹⁾ ⁽²⁾ and, in the case of any stage of production, processing and distribution after primary production and related operations :
- it has been handled and, where appropriate, prepared, packaged and stored in a hygienic manner in accordance with the requirements of Annex II to Regulation (EC) No.852/2004 and,
- it comes from (an) establishment(s) implementing a programme based on the hazard analysis and critical control points (HACCP) principles in accordance with Regulation (EC) No.852/2004;]

⁽¹⁾ Or

[II.1.2 ☐ the feed of the consignment described above with the identification code ... (indicate the identification code for the consignment referred to in Article 9(1) of Implementing Regulation (EU) 2019/1793) was produced in accordance with the requirements of Regulations (EC) No. 178/2002 and (EC) No.183/2005 and in particular ;

- primary production of such feed and associated operations listed in Article 5(1) of Regulation (EC) No. 183/2005 comply with the provisions of Annex I to Regulation (EC) No.183/2005;
- ⁽¹⁾ ⁽²⁾ and, in the case of any stage of production, processing and distribution after primary production and related operations :
- it has been handled and, where appropriate, prepared, packaged and stored in a hygienic manner in accordance with the requirements of Annex II to Regulation (EC) No.183/2005 and,
- it comes from (an) establishment(s) implementing a programme based on the hazard analysis and critical control points (HACCP) principles in accordance with Regulation (EC) No.183/2005.] and

Country		Certificate for the entry into the Union of food or feed							
II.	Health information	II.a Certificate reference No	II. b IMSOC reference No						
Part II : Certification	<p>II. 2. I, the undersigned, according to the provisions of 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 repealing Commission Regulations (EC) No. 669/2009, (EU) No.884/2014, (EU) No. 2015/175, (EU) No. 2017/186 and (EU) 2018/1660, certify that:-</p>								
	<p>II.2.3 Certification for guar gum listed in Annex II to Implementing Regulation (EU) 2019/1793, including for compound food listed in that Annex, due to contamination risk by pentachlorophenol and dioxins</p> <ul style="list-style-type: none"> - from the consignment described above, samples were taken in accordance with Commission Directive 2002/63/EC on (date), subject to laboratory analysis on (date) in the (name of the laboratory) with methods covering at least the hazards identified in Annex II to Implementing Regulation (EU) 2019/1793 - The details of the methods of laboratory analyses and all results are attached and show that the goods do not contain more than 0.01 mg/kg pentachlorophenol (PCP).] 								
	<p>II.3. This certificate has been issued before the consignment to which it relates has left the control of the competent authority issuing it.</p>								
	<p>II. 4. This certificate is valid during four months from the date of issue, but in any case no longer than six months from the date of the results of the last laboratory analyses.</p>								
	<p>Notes</p> <p>1. See notes for completion in this Annex.</p> <p>Part II :</p> <p>(1) Delete or cross out as appropriate (e.g. if food or feed)</p> <p>(2) It applies only in the case of any state of production, processing and distribution after primary production and related operations.</p> <p>(3) Delete or cross out as appropriate in the case where you do not select this point for providing the certification.</p> <ul style="list-style-type: none"> - The colour of the signature shall be different to that of the printing. The same rule applies to stamps other than those that are embossed or are a watermark. 								
<p>Certifying officer :</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Name (in capital letters) :</td> <td style="width: 50%;">Qualification and title :</td> </tr> <tr> <td>Date :</td> <td>Signature :</td> </tr> <tr> <td>Stamp</td> <td></td> </tr> </table>				Name (in capital letters) :	Qualification and title :	Date :	Signature :	Stamp	
Name (in capital letters) :	Qualification and title :								
Date :	Signature :								
Stamp									

**NOTES ON THE COMPLETION OF THE MODEL OFFICIAL CERTIFICATE
REFERRED TO IN ARTICLE 11 OF IMPLEMENTING REGULATION (EU)
2019/1793 FOR THE ENTRY INTO THE UNION OF CERTAIN FOOD OR FEED**

General

To positively select any option, please tick or mark the relevant box with a cross (X).

Whenever mentioned, 'ISO' means the international standard two-letter code for a country, in accordance with the international standard ISO 3166 alpha-2.

Only one of the options may be selected in boxes I.15, I.18, I.20.

Unless otherwise indicated, the boxes are compulsory.

If the consignee, the entry border control post (BCP) or the transport details (that is to say, the means and date) change after the certificate has been issued, the operator responsible for the consignment must advise the competent authority of the Member State of entry. Such a change shall not result in a request for a replacement certificate.

In case the certificate is submitted in IMSOC, the following applies:

- the entries or boxes specified in Part I constitute the data dictionaries for the electronic version of the official certificate;
- the sequences of boxes in part I of the model official certificate and the size and shape of those boxes are indicative;
- where a stamp is required, its electronic equivalent is an electronic seal. Such seal shall comply with the rules for the issuance of electronic certificates referred to in Article 90(f) of Regulation (EU) 2017/625.

Part I: Details of the dispatched consignment

- Country: The name of the third country issuing the certificate.
- Box I.1. Consignor/Exporter: the name and address (street, city and region, province or state, as appropriate) of the natural or legal person dispatching the consignment that must be located in the third country.
- Box I.2. Certificate reference No: the unique mandatory code assigned by the competent authority of the third country in accordance with its own classification. This box is compulsory for all certificates not submitted in IMSOC.
- Box I.2.a IMSOC reference No: the unique reference code automatically assigned by IMSOC, if the certificate is registered in IMSOC. This box must not be completed if the certificate is not submitted in IMSOC.
- Box I.3. Central competent authority: name of the central authority in the third country issuing the certificate.
- Box I.4. Local competent authority: if applicable, the name of the local authority in the third country issuing the certificate.
- Box I.5. Consignee/Importer: name and address of the natural or legal person to whom the consignment is intended in the Member State.
- Box I.6. Operator responsible for the consignment: the name and address of the person in the European Union in charge of the consignment when presented to the BCP and who makes the necessary declarations to the competent authorities either as the importer or on behalf of the importer. This box is optional.
- Box I.7. Country of origin: the name and ISO code of the country where the goods are originating from, grown, harvested or produced.

- Box I.8. Not applicable.
- Box I.9. Country of destination: the name and ISO code of the European Union country of destination of the products.
- Box I.10. Not applicable.
- Box I.11. Place of dispatch: the name and address of the holdings or establishments from which the products come from.
- Any unit of a company in the food or feed sector. Only the establishment shipping the products is to be named. In the case of trade involving more than one third country (triangular movement), the place of dispatch is the last third-country establishment of the export chain from which the final consignment is transported to the European Union.
- Box I.12. Place of destination: this information is optional.
- For the placing on the market: the place where the products are sent for final unloading. Give the name, address and approval number of the holdings or establishments of the place of destination, if applicable.
- Box I.13. Place of loading: not applicable.
- Box I.14. Date and time of departure: the date when the means of transport departs (aeroplane, vessel, railway or road vehicle).
- Box I.15. Means of transport: means of transport leaving the country of dispatch.
- Mode of transport: aeroplane, vessel, railway, road vehicle or other. 'Other' means modes of transport not covered by Council Regulation (EC) No 1/2005.

Identification of the means of transport: for aeroplanes the flight number, for vessels the ship name(s), for railways the train identity and wagon number, for road transports the registration number plate with trailer number plate if applicable.

In the case of a ferry, state the identification of the road vehicle, the registration number plate with trailer number plate if applicable, and the name of the scheduled ferry.

Box I.16. Entry BCP: state the name of the BCP and its identification code assigned by IMSOC.

Box I.17. Accompanying documents:

Laboratory report: indicate the reference number and the date of issuance of the report/results of laboratory analyses referred to in Article 10 of Implementing Regulation (EU) 2019/1793 (this Regulation).

Other: the type and reference number of document must be stated when a consignment is accompanied by the other documents such a commercial document (for example, the airway bill number, the bill of lading number or the commercial number of the train or road vehicle).

Box I.18. Transport conditions: category of required temperature during the transport of products (ambient, chilled, frozen). Only one category may be selected.

Box I.19. Container No/Seal No: if applicable, the corresponding numbers.

The container number must be provided if the goods are transported in closed containers.

Only the official seal number must be stated. An official seal applies if a seal is affixed to the container, truck or rail wagon under the supervision of the competent authority issuing the certificate.

Box I.20. Goods certified as: state the intended use for products as specified in the relevant European Union official certificate.

Human consumption: concerns only products intended for human consumption.

Feedingstuff: concerns only products intended for animal feed.

Box I.21. Not applicable

Box I.22. For internal market: for all consignments destined to be placed on the market in the European Union.

Box I.23. Total number of packages: the number of packages. In the case of bulk consignments, this box is optional.

Box I.24. Quantity:

Total net weight: this is defined as the mass of the goods themselves without immediate containers or any packaging.

Total gross weight: overall weight in kilograms. This is defined as the aggregate mass of the products and of the immediate containers and all their packaging, but excluding transport containers and other transport equipment.

Box I.25. Description of goods: State the relevant Harmonised System code (HS code) and the title defined by the World Customs Organisation as referred to in Council Regulation (EEC) No 2658/87. This customs description shall be supplemented, if necessary, by additional information required to classify the products.

Indicate the species, types of products, the number of packages, type of packaging, batch number, net weight, and final consumer (i.e. products are packed for final consumer).

Species: the scientific name or as defined in accordance with European Union legislation.

Type of packaging: identify the type of packaging according to the definition given in Recommendation No 21 of UN/CEFACT (United Nations Centre for Trade Facilitation and Electronic Business).

Part II: Certification

This part must be completed by a certifying officer authorised by the competent authority of the third country to sign the official certificate, as provided for in Article 88(2) of Regulation (EU) 2017/625.

Box II. Health information: please complete this part in accordance with the specific European Union health requirements relating to the nature of the products and as defined in the equivalence agreements with certain third countries or in other European Union legislation, such as that for certification.

In case the Official Certificates is not submitted in IMSOC, the statements which are not relevant must be crossed out, initialled and stamped by the certifying officer, or completely removed from the certificate.

In case the certificate is submitted in IMSOC, the statements which are not relevant must be crossed out or completely removed from the certificate.

Box II.a. Certificate reference No: same reference code as in box I.2.

Box II.b. IMSOC reference No: same reference code as in box I.2.a. Mandatory only for official certificates issued in IMSOC.

Certifying Official of the competent authority of the third country authorised to sign
officer: official certificates by such authorities: Indicate the name in capital letters, qualification and title, where applicable, identification number and original stamp of the competent authority and date of signature.

- **The new Regulation requires the Indian Exporters to take the following actions :**

A. Export of Guar Gum (feed and food) originating in or consigned from India and intended for animal or human consumption

1. Export consignments of Guar Gum (food and feed) originating in or consigned from India and intended for animal or human consumption will be allowed to be shipped to EU after sampling by nominated Authorized Agency i.e. M/s. Geochem Laboratories Pvt. Ltd., Mumbai or National Bulk Handling Corporation Ltd., Mumbai, testing of presence of PCP by Recognized laboratory i.e M/s. Vimta Labs, Hyderabad or Export Inspection Agency, Chennai issuance of a Official Certificate, based on the format and the notes given in the Annex IV to Commission Implementing Regulation No. EU 2019/1793 dated 22nd October, 2019, certifying that the product does not contain more than 0.01mg/kg pentachlorophenol(PCP) signed by the authorized representative of Shellac & Forest Products Export Promotion Council Authorized by Ministry of Commerce & Industry of India for this purpose. The Official Certificate accompanied by an analytical report signed by an authorized representative of SHEFEXIL authorized by Ministry of Commerce & Industry of India and the validity of the official certificate shall be during 4 months from the date of issue but in any case no longer than six months from the date of the results of the last laboratory analysis.
2. Sampling procedure in accordance with the provisions of EU Commission's directive 2002/63/EC of 11th July, 2002 and the name of the Authorized Agency for Sampling

i.e., Geochem Laboratories Pvt. Ltd., Mumbai or National Bulk Handling Corporation Ltd., Mumbai with contact details are placed at **Annexure-1**.

3. The exporters / manufacturers will apply to the Authorized Agency nominated by the Competent Indian Authority for drawal of samples for analysis for the presence of PCP. The format for such application is at Part – I of **Annexure-2**. The Authorized Agency representative drawing the sample as per the EU Commission's directive 2002/63/EC of 11th July, 2002 shall sign Part – II, Section I of this annexure which is the format of the sample slip and label for samples and maintain record. The sampling shall be carried out only at the finished product stage of the manufacturer or at the finished product warehouse of the unit/exporter. Part – II, Section II has to be filled in by the Recognized Laboratory.
4. Flow Chart for extraction of PCP in Guar Gum Powder and the name of the Recognized Laboratory i.e, Vimta Labs Ltd or Export Inspection Agency. For issuing analytical report, indicating the results of sampling and analysis for the presence of PCP is placed at **Annexure-3**.
5. Based on the application of the exporter / manufacturer of Guar Gum (food and feed), the representative of the Authorized Agency will draw samples for testing. He will draw samples as per the prescribed sampling procedure which is in accordance with the provision of the EU Commission's directive 2002/63/EC of 11th July, 2002 establishing community method of sampling for the official control of the pesticide residues in and on products of plant and animal origin and repealing Directive

79/700/EEC. After drawal of the Samples, the Authorised Agency shall label or stamp or seal the sample bag/package/lot of Guar Gum (food and feed) in the lot appropriately. At a time, three samples will be drawn of which One sealed sample will be retained by the Authorized Agency, One sealed sample will be sent directly to the Recognized Laboratory i.e, Vimta Labs Ltd or Export Inspection Agency. For issuing analytical report, indicating the results of sampling and analysis for the presence of PCP and One sealed sample will be given to the exporter / manufacturer for their record. After the drawal of the Sample the exporter/manufacturer has to submit in the prescribed format as placed in **Annexure - 4** various informations by email to enable the SHEFEXIL authorized by Ministry of Commerce & Industry of India to issue Official Certificate on receipt of the Test report from the Recognized Laboratory i.e. Vimta Labs Ltd., Hyderabad or Export Inspection Agency, Chennai.

6. Each consignment of the products referred to in scope shall be identified by means of a Identification Code which shall be indicated on the Official Certificate, to be given as per Regulation (EU) 2019/1973 on the analytical report containing the results of sampling and analysis, and on any commercial documents accompanying the consignment. Each individual bag or other packaging form of the consignment shall be identified with that code.
7. The Recognized Laboratory will conduct the test for the analysis of Pentachlorophenol (PCP) in feed and food, demonstrating that the product imported does not contain more than 0,01 mg/kg pentachlorophenol (PCP). Analysis should be performed by the

laboratories who comply with standard ISO/IEC/17025 on “General requirements for the competence of testing and calibration laboratories”.

i. The analytical report shall indicate:

(a) the results of sampling and analysis regarding the presence of PCP, on that consignment by the competent authorities of third countries of origin or the country where the consignment is consigned from if that country is different from the country of origin;

ii. The sampling shall be performed in accordance with Directive 2002/63/EC as mentioned in the Regulation EU 2019/1923.

iii. The extraction before analysis shall be performed with an acidified solvent. The analysis shall be carried out according to the modified version of the Quechers method as set out on the website of the European Union Reference Laboratories for Residues of Pesticides (1) or according to an equally reliable method.

9. The Recognized Laboratory will issue an analytical report on the letter head of the Laboratory in triplicate within maximum 7 days from the receipt of the sample by the Laboratory and send it directly to SHEFEXIL, Kolkata for necessary endorsement and issuance of Official Certificate. The Recognized Laboratory official shall sign on the analytical report.
10. In case Pentachlorophenol (PCP) is detected in the Guar Gum (food and feed) samples, the Recognized Laboratory shall within 24hrs bring the matter to the notice of the exporter /manufacturer and SHEFEXIL, along with a copy of the test report giving

details of the exporters and the PCP levels. The Laboratory shall, maintain all the records of analysis for audit trial.

11. Any product found to contain more than 0.01 mg/kg PCP, taking into account the expanded measurement uncertainty, following controls performed in accordance with Official controls shall not enter the feed and food chain. The non-compliant products shall be safely disposed of, in accordance with the provisions of Article 19 of Regulation (EC) No. 882/2004 of the European Parliament and of the Council of 29th April, 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.
12. On receipt of the original analytical report in triplicate from the Recognized laboratory by the SHEFEXIL a certificate accompanied by an analytical report shall be issued by the Authorized representative of SHEFEXIL, Kolkata who is duly authorized by Ministry of Commerce & Industry of India and the Official Certificate shall be valid during 4 months from the date of its issue which will be sent to the exporter / manufacturer who in turn will send it to the importer in original. The validity period in any case shall not be any longer than six months from the date of the results of the last laboratory analysis.
13. Official certificate, as per format provided in the **Annexure – 5** prepared in accordance with Annexure IV of the new Regulation “MODEL OFFICIAL CERTIFICATE REFERRED TO IN ARTICLE 11 OF COMMISSION IMPLEMENTING REGULATION (EU) 2019/1793 FOR THE ENTRY INTO THE

UNION OF CERTAIN FOOD OR FEED”, certifying that the product exported does not contain more than 0.01mg / kg pentachlorophenol (PCP) will also be issued by the Authorized representative of SHEFEXIL , Kolkata who is duly authorized by Ministry of Commerce & Industry of India will sent to the exporter / manufacturer who in turn will send it to the importer in original. For preparation of such Official Certificate reference has to be made to the “NOTES ON THE COMPLETION OF THE MODEL OFFICIAL CERTIFICATE REFERRED TO IN ARTICLE 11 OF IMPLEMENTING REGULATION (EU) 2019/1793 FOR THE ENTRY INTO THE UNION OF CERTAIN FOOD AND FEED”. Further, appropriate option has to be selected in case of food and feed in Part II of the model Official Certificate by deleting or crossing out the appropriate options. Part II of the model Official Certificate shall be applied only in the case of any state of production, processing and distribution after primary production and related operations. Options has to be deleted or crossed out as appropriate in the case where a particular point is not selected for providing the certification.

Further, the colour of the signature shall be different to that of the printing. The same rule applies to stamps other than those that are embossed or are a watermark. This will be issued on receipt of the Application from the exporter/manufacturer as per format provided in **Annexure – 4**.

B. General:

1. The Authorized Agency and Recognized Laboratory will provide monthly statement exporter wise for Sampling and Testing to SHEFEXIL as per format at **Annexure -6**.
2. In case of disputes with regard to implementation of this procedure, the request may be addressed to Chairman, SHEFEXIL who would constitute a Sub Committee, if required, to submit their recommendations.

C. Penal provisions:

In the event of breach of these instructions, SHEFEXIL may initiate action as per the provisions of the Articles of Association of the Council, in addition to the followings:

- a) Cancellation of Registration-cum-Membership Certificate of the exporter.
- b) De recognition of the Authorized Agency and Recognized Laboratory.
- c) Notifying to DGFT for cancellation of Import-Export Code Number allocated to such exporters.
- d) Any other action as deemed fit.

Date: 18.02.2020
Place: Kolkata

Sd/-
(Ashvin **K. Nayak**)
Chairman - SHEFEXIL

SAMPLING PROCEDURE FOR ANALYSIS OF PENTACHLOROPHENOL (PCP) & NAME OF THE AGENCY AUTHORIZED FOR DRAWAL OF SAMPLE FOR EXPORT OF GUAR GUM (FOOD AND FEED) IN OR CONSIGNED FROM INDIA TO THE EUROPEAN UNION

Ref : EU COMMISSION DIRECTIVE 2002/63/EC of 11 July 2002

Scope

The objective of the sampling procedure is to enable representative sample to be obtained from a lot, for analysis to determine compliance with EU 2008/352/EC Maximum Residue Limits (MRLs) for Pentachlorophenol.

Sampling Device

Scoops, dipper, borer , knife , spear or other sterilized instrument suitable taking samples from the interior from the container.

Sampling officer

Sampling to be carried out by the person trained in sampling procedures and where required, authorized by the appropriate authorities to take samples.

Precautions to be taken

Contamination and deterioration of samples must be prevented at all stages , because they may affect the analytical results . Each lot to be checked for compliance must be sampled

separately. Handling of the sample shall be carried out with care in order to avoid changes in the characteristics of the sample.

Procedure for sampling

Lots containing less than 15 ton may be treated as a single unit and no need for further division into sub lots, subdivision of lots into sub lots for other products.

Lot Weight (ton)	Weight or number of sub lots
>15	15-30 tonnes
<15	-

If there are more than 100 packages in each lot, 10 packages are randomly selected for drawing incremental (material taken from a single place in the lot) samples. All incremental samples drawn from these 10 packages are mixed to form an aggregate sample. (The combined total of all the incremental samples taken from the lot).

The incremental sample shall be of similar weight. The weight of incremental sample shall be least 100 grams.

Maximum number of primary samples to be taken from a lot. Ref . Commission Directive 2002/63/EC.

Number of packages or units in the lot/sub lot	Number of packages or units to be taken
1 to 25	At least 1 package or unit
26 to 100	5 packages or unit.
> 100	10 packages or units

All the samples collected from packages should be put in container to form a conical heap – it is called Dhalai (in Hindi). Sample to be mixed properly.

The aggregate sample is further reduced to about 500 grams by quartering and coning.

(Ref . Commission Directive 2002/63/EC Table 4 Description of primary samples and minimum size of Laboratory samples 4.2 Bread, flour and dried fruit.)

Sampling Record (Sample slip)

The sampling officer must record the nature and origin of the lot; the owner, supplier or carrier of it; the date and place of sampling; and other any other information. Any departure from the recommended method of the sampling must be recorded. A sign copy of the sample slip must accompany each laboratory sample and a copy should be retained by the sampling officer with one control sample. A copy of the sampling record should be given to the owner of the lot or a representative of the owner along with one control sample.

Packing and Labeling of the samples

The laboratory sample must be placed in a clean, inert container which provides secure protection from contamination, damage and leakage. The container should be sealed, securely labeled and the sampling record must be attached. The sample must be delivered to the laboratory thru the courier service as soon as practicable. Spoilage in transit must be avoided. The samples shall be protected from light during storage.

The container shall be completely filled and the closures shall be sealed to prevent loosening or tampering.

Each container sample shall carry a label marked with full details of the place and date of sampling, name of manufacturer/Invoice/Lot No./name of the sampler and other important particulars relating to the consignment for example grade etc.,

Dispatch of Sample

Samples shall be dispatched to Vimta Labs Ltd., Hyderabad or Export Inspection Agency, Chennai after filling form at Annexure 2 Part II, Section I to provide traceability during transportation and analysis.

References :

- 1) Commission Decision 2008/352/EC of 29th April 2008. Imposing special conditions governing Guar Gum originating in or consigned from India due to contamination risks of those products by pentachlorophenol and dioxins.**
- 2) Commission directive 2002/63/EC of 11 July 2002. Establishing community Methods of sampling for the official control of pesticide residues in and on products of plant and animal origin and repealing Directive 79/700/EEC.**
- 3) Commission Regulation (EU) No. 258/2010 of 25th March 2010. Imposing special conditions on the imports of Guar Gum originating in or consigned from India due to contamination risks by pentachlorophenol and dioxins, and repealing Decision 2008/352/EC.**

4) **Commission Regulation (EU) No. 175/2015 of 5th February 2015. laying down special conditions on the imports of Guar Gum originating in or consigned from India due to contamination risks by Pentachlorophenol and Dioxins.**

5) **Commission Implementing Regulation (EU) 2019/1793 of 22nd October, 2019.**

Srl. No.	Name of the Nominated Authorized Agency for Sampling of food grade Guar Gum originating in or consigned from India
1	<p>Geo-Chem Laboratories Pvt. Ltd.</p> <p>36, Raja Industrial Estate</p> <p>Purushottam Kheraj Marg</p> <p>Mulund (West), Mumbai – 400 080</p> <p>Tel: 022-67974999; M : 09930068601</p> <p>Fax: 022-67974616</p> <p>Email : sureshbabu@geochemgroup.com</p>

Contact details of the Branches, sub-offices in the related area.

Ahmedabad: Main branch

Mr. Rajesh Jha

Geo-Chem Laboratories (P) Ltd.

601,602 Corporate house, opp. Torent House, Income Tax, Ashram Road, Ahmedabad 380009.

Phone: +91 79 27542989; Fax: +91 79 27540648; Mobile: +91 9825506413

Email: rajesh.j@geochemgroup.com; ahmedabad@geochemgroup.com

Gandhidham

Mr. Gagan Malhotra

Geo-Chem Laboratories (P) Ltd.,

Plot No. No-53, Iskcon Avenue, Sector-1/A Opp Old Court,

Gandhidham (kutch) - 370 201

Tel. : +91 2836 229836; Fax : +91- 2836 233743; Mobile: 09825506402

E-Mail – gagan@geochemgroup.com; kandla@geochemgroup.com;

JODHPUR Sub –branch office (under Ahmedabad main branch)

Mr. Vijay Vikram Singh

66, Birendra Nagar, Mandor, Jodhpur.

Cell No. 09799569550

Tele fax no. 0291 2570966

Delhi: Main branch

Mr. Abraham

Geo-Chem Laboratories (P) Ltd.

1311, Padma Tower – 1, Rajendra Place, New Delhi - 110008. India.

Phone: +91 11 25720442; Fax: +91 11 25722253; Mobile: +91 9810041870, 9811386133

Email: abraham@geochemgroup.com ; delhi@geochemgroup.com;



National Bulk Handling Corporation Ltd.

Adding Value to Commodities



Contact details of NBHC ProComm Head office, Branch office in the related area:

1) Navi Mumbai: Main Branch

Mr. Mahendra Kulye
National Bulk Handling Corporation Ltd.
Plot No. 10, Kopari Gaon,
Near Millenium Premium fuel Centre
Sector 26, Vashi, Navi Mumbai
Maharashtra, India.
Tel 91-22-39136100
Fax 022-27841154
Mobile 91-9320916731
Url: <http://www.nbhcindia.com>
Email mahendra.kulye@nbhcindia.com

2) Jodhpur (Rajasthan)

Mr. Shankar Mude/Mr. Ravi Pratap Singh
National Bulk Handling Corporation Ltd
W/4-5(First Floor)
Basni 2nd Phase
Near Inland Container Depot
Jodhpur-342005 (Raj.)
Hand phone : +91 9352497386
Email: Shankar.mude@nbhcindia.com; ravipratap.singh@nbhcindia.com

3) Sri Ganganagar (Rajasthan)

Mr. Manglesh Gupta
National Bulk handling Corporation Ltd.
C/o Dev Bhavan Ground Floor
Gangour Nagar, Street No.-5,
Sriganganagar (Raj.)
M. - 09887337810, 9352462434
Email: manglesh.gupta@nbhcindia.com

4) Sirsa (Haryana)

Mr. Amit Kumar Singh
National Bulk Handling Corporation Limited.
Shop No. 41, 1st Floor, Additional Mandi,
Sirsa-125055, Haryana
Ph:- 01666-240232/240235
Fax No. 01666-240235
Cell No :- 09315164127
E Mail : Amitkumar.Singh@nbhcindia.com

Corporate Office
401, 4th Floor, Boston House,
Suren Road, Andheri (East),
Mumbai - 400 093,
Maharashtra, India.
Tel: +91- 22- 40861000



National Bulk Handling Corporation Ltd.

Adding Value to Commodities



Branch Offices address:

Unjha (Gujarat)

Mr. Rajanikant Gajjar
National Bulk Handling Corporation Ltd.
MCX House, Nr. Umiya Hotel,
Nr. Railway Crossing, Rly. Station Road
Unjha, Dist – Mehsana,
NorthGujarat -384170
Land Line:+91 2767- 252112
Facsimile: +91 2767 – 252112
Hand Phone : + 91 9328343093

Kolkata (West Bengal)

Mr. Biranchi Narayan Mohapatra
National Bulk Handling Corporation Ltd.
3rd Floor, BNCCI Building
23 – R N Mukherjee Road
Kolkata – 700 001
Mob. No.- 9333621510
Mail ID : biranchi.mohapatra@nbhcindia.com

Tarakeswar (W.B.)

National Bulk Handling Corporation Ltd.
Room No. 6 & 7, 1st Floor,
Tarakeswar Babsayee Samity
Chaulpatty, Tarakeswar
Hooghly (W.B.), PIN - 712410

Corporate Office

401, 4th Floor, Boston House,
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Maharashtra, India
Tel: +91- 22- 40861000
Fax: +91- 22- 40861010
Email: info@nbhcindia.com
Website: www.nbhcindia.com



**APPLICATION FOR DRAWAL OF SAMPLES OF
GUAR GUM (FOOD AND FEED) FOR SAMPLING & LABORATORY TESTING
PART I : TO BE FILLED IN BY THE APPLICANT EXPORTER / MANUFACTURER**

1.	Name & Address of the Exporter	
2.	SHEFEXIL RCMC No. & validity	
3.	Name & Address of the Manufacturer	
4.	Plant Location	
5.	Consignment details: <div style="text-align: center;"> Sample Description/ Product Lot / Batch Nos. No. of Bags/ packages Type of Packing Quantity(MT) </div>	

DECLARATION

1. It is certified that, to the best of my knowledge and belief, the above information is true and correct in all respects.

Date:

Signature of Exporter

Place:

(Name of Exporter)

PART II : TO BE FILLED UP BY THE REPRESENTATIVE OF THE

AUTHORISED AGENCY FOR SAMPLING & AUTHORISED TESTING LABORATORY

ACCREDITED ACCORDING TO EN ISO / IEC 17025

SAMPLE SLIP FOR GUAR GUM (FOOD AND FEED)

A.	Sample Details as per customer letter	Sample Slip no. :
1.	Name & address of the customer	
2.	SHEFEXIL recognition no. and validity	
3.	Customer Ref. letter	
4.	Request for sampling	
a.	Consignment code	
b.	Product (sample description)	
c.	Lot details / Type of Packing	
B.	Sampling Details	
1.	Place & address of sampling (Location)	

2.	Marks on the bags if any		
3.	Date & Time of sampling		
4.	Lot / Consignment / details	Lot no.	
		Date of Packing	
		Total no of bags.	
5.	No. of Bags selected for sampling		
6.	Hologram / Sticker / seal nos affixed on sampled bags (If any)		
7.	Total quantity of sample drawn (in gms)		
8.	Laboratory sample (in gms)		
9.	To be tested for	PCP / (if any other tests please specify)	
10.	Sampling procedure adopted	As per sampling procedure based on 2002/63/EC 11 July, 2002	
11.	Seal No. on Laboratory sample		

12.	Seal No. on Counter sample	
13.	Seal No. on the Customer sample	

This is to certify that; I have drawn the subjected sample personally from the above mentioned address as per the prescribed sampling procedure in line with EC 2002/63 guidelines in the presence of customer representative.

Date:

Signature:

Confirmed by:

Place:

Name of authorized

Customer representative

Representative who has

Name:

Drawn the sample

Signature:

Label for food grade Guar Gum (food and feed) Sample

Laboratory name / logo	Sample slip no. Lab / counter / customer sample
Sample description	
Lot no	
Customer name, location	
Test requested	PCP /(specify if any other)
Date of sampling	
Name and signature of sampler	
Name and signature of customer	

SECTION II COMPLETED BY THE RECOGNISED LABORATORY

Date and Time Samples Received: _____

Name of Person Receiving Samples: _____

Samples Identification Numbers: _____

Comments about Samples:

[Return a completed copy of this form along with the samples.]

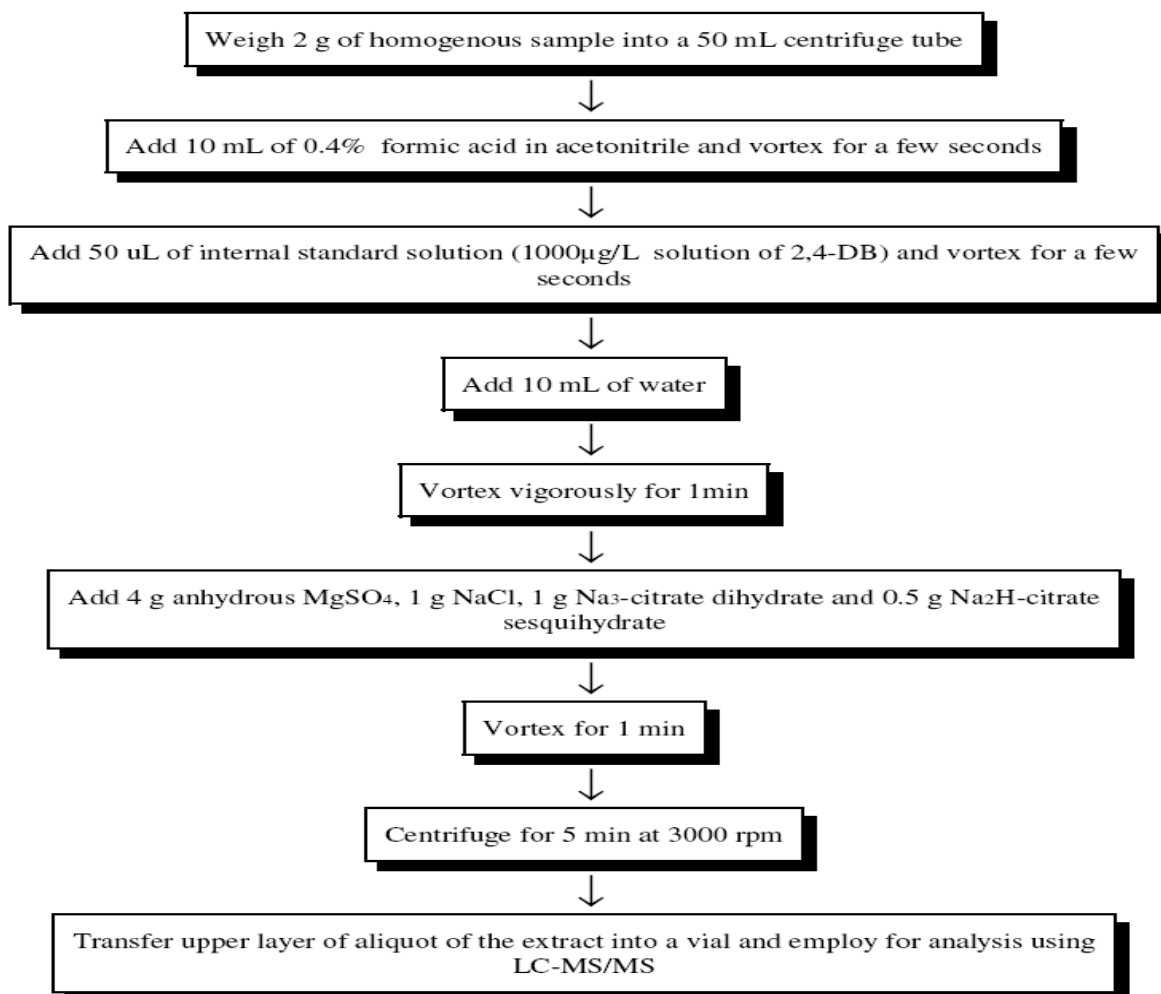
[This form should be retained by the Laboratory and Sampling Agency for future reference, if needed.]

FLOW CHART FOR EXTRACTION OF PCP IN GUAR GUM POWDER AND NAME OF THE LABORATORY AUTHORIZED FOR TESTING / ANALYSIS FOR PRESENCE OF PCP FOR EXPORT OF GUAR GUM (FOOD AND FEED) ORIGINATING IN OR CONSIGNED FROM INDIA TO THE EUROPEAN UNION

QuEChERS- Method for the Analysis of Pentachlorophenol in Guar Gum

Flow Chart for the Extraction of Pentachlorophenol in Guar Gum Powders

Extraction



References:

- 1) Modified version of QuEChERS-Method for the Analysis of Pentachlorophenol in Guar Gum (CRL@cvuas.bwl.de)
- 2) Method validation for estimation of Pentachlorophenol residues in Guar Gum.

Srl. No.	Name of the Recognized Laboratory accredited according to EN ISO / IEC 17025 for the analysis of PCP
1	<p>Vimta Labs Limited, Life Sciences Facility</p> <p>Plot No. 5, Alexandria Knowledge Park,</p> <p>Genome Valley, Hyderabad-500 078 (Telengana), India.</p> <p>Direct Tel No. +91-040-6740-4544,</p> <p style="text-align: center;">+91-040-6740-4040, Extn. 1204#</p> <p>e-mail : vvkanth@vimta.com</p> <p>Contact Person : Mr. Vishnukanth V, Manager – CRM</p> <p style="text-align: center;">or</p>
2	<p>Export Inspection Agency – Chennai</p> <p>6th Floor, CMDA Tower II No. : 1 Gandhi Irwin Road</p> <p>Egmore, Chennai – 600008</p> <p>Tel : 044 2855 2841/42; Fax : 044 28552840</p> <p>email : eia-chennai@eicindia.gov.in</p>

Annexure- 4

**APPLICATION FORM TO SHEFEXIL FOR ISSUE OF OFFICIAL CERTIFICATE
FOR GUAR GUM (FOOD AND FEED) EXPORTS TO EU**

Details of dispatched consignment	COUNTRY					
	1.1 Consignor/ Exporter Name Address Tel. No				1.2 RCMC No. of Exporter	1.2.a Importer- Exporter NO.(IEC) of the Exporter
					1.3 Identification Code	
	1.4 Consignee / Importer Name Address Postal code Tel. No				1.5 Operator responsible for the consignment Name Address Postal code	
	1.6 Country of origin		ISO		1.7 Country of destination	ISO
	1.8 Place of dispatch Name Address				1.9 Place of destination Name Address	
					1.10. Date and time of departure	
	1.11. Means of transport Aeroplane <input type="checkbox"/> Road Vehicle <input type="checkbox"/> Identification :		Vessel <input type="checkbox"/> Railway <input type="checkbox"/>	Other <input type="checkbox"/>	1.12 Entry BCP	
	1.13. Transport conditions Ambient <input type="checkbox"/>		Chilled <input type="checkbox"/>	Frozen <input type="checkbox"/>	1.14. Accompanying documents <input type="checkbox"/> Laboratory Report No Date of issuance : <input type="checkbox"/> Other Type No	
	1.15. Container No/Seal No.					
1.16 Goods type - Human consumption <input type="checkbox"/> /food Animal Consumption/ feeding stuff <input type="checkbox"/>					1.17. For internal market <input type="checkbox"/>	

1.18 Total number of packages	1.19 Quantity Total number	Total net weight (Kg)	Total gross weight (Kg)
1.20. Description of goods No Code and CN title			
Species (Scientific name) Final consumer <input type="checkbox"/> Number of packages	Net weight	Batch No	Type of Packaging
1.21. Hazard Analysis and Critical Control Points (HACCP) : Certification No: _____ dated _____ (copy of certificate is enclosed herewith)			

It is requested that Official Certificate for export of Guar Gum (food and feed) to EU may please be issued on receipt of the last report from Vimta Lab Ltd., Hyderabad to enable us to effect shipment of the above consignment.

Date :
Place :

Authorized Signatory
Name :
Designation :

Annexure- 5

**MODEL OFFICIAL CERTIFICATE REFERRED TO IN ARTICLE 11 OF COMMISSION
IMPLEMENTING REGULATION (EU) 2019/1793, FOR THE ENTRY INTO THE UNION
OF CERTAIN FOOD OR FEED**

Part I : Details of dispatched consignment	COUNTRY			Official certificate to the EU		
	1.1 Consignor/ Exporter Name Address Tel. No			1.2. Certificate reference No		1.2.a IMSOC reference No
				1.3. Central Competent Authority		
				1.4. Local Competent Authority		
				1.5. Consignee / Importer Name Address Postal code Tel. No		
	1.7. Country of origin	ISO	1.8. Region of Origin	1.9. Country of destination	ISO	1.10
	1.11. Place of dispatch Name Address			1.12. Place of destination Name Address		
	1.13. Place of loading			1.14. Date and time of departure		
	1.15. Means of transport Aeroplane <input type="checkbox"/> Road Vehicle <input type="checkbox"/> Identification :			Vessel <input type="checkbox"/> Railway <input type="checkbox"/>	Other <input type="checkbox"/> 1.16 Entry BCP	1.17. Accompanying documents <input type="checkbox"/> Laboratory Report No Date of issuance : <input type="checkbox"/> Other Type No
	1.18. Transport conditions Ambient <input type="checkbox"/>			Chilled <input type="checkbox"/>	Frozen <input type="checkbox"/>	
1.19. Container No/Seal No.						
1.20. Goods certified as Human consumption <input type="checkbox"/> feeding stuff <input type="checkbox"/>						

1.21.		1.22. For internal market <input type="checkbox"/>	
1.23 Total number of packages	1.24 Quantity Total number	Total net weight (Kg)	Total gross weight (Kg)
1.25. Description of goods No Code and CN title			
Species (Scientific name)			
Final consumer <input type="checkbox"/>	Number of packages	Net weight	Batch No
		Type of Packaging	

Country		Certificate for the entry into the Union of food or feed	
II.	Health information	II.a Certificate reference No	II. b IMSOC reference No
<p>II. 1. I, the undersigned, declare that I am aware of the relevant provisions of Regulation (EC) No 178/2002 of the and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p.1), Regulation (EC) No. 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (OJ L 139, 30.4.2004, p.1), Regulation (EC) No. 183/2005 of the European Parliament and of the Council of 12 January 2005 laying down requirements for feed hygiene (OJ L 35, 8.2.2005, p.1) and Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March, 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No.396/2005, (EC) No. 1069/2009, (EC) No. 1107/2009, (EU) No. 1151/2012, (EU)No. 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No. 1/2005 and (EC) No. 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC and repealing Regulations (EC) No. 854/2004 and (EC) No. 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 95, 7.4.2017, p.1), and I certify that :</p> <p>Either</p> <p>[II.1.1] <input type="checkbox"/> the food of the consignment described above with the identification code ... (indicate the identification code for the consignment referred to in Article 9(1) of</p>			

Part II :
Certificati
on

Implementing Regulation (EU) 2019/1793) was produced in accordance with the requirements of Regulations (EC) No. 178/2002 and (EC) No.852/2004 and in particular :

- primary production of such food and associated operations listed in Annex I to Regulation (EC) No. 852/2004 comply with the general hygiene provisions laid down in part A of Annex I to Regulation (EC) No. 852/2004;
- and, in the case of any stage of production, processing and distribution after primary production and related operations :
- it has been handled and, where appropriate, prepared, packaged and stored in a hygienic manner in accordance with the requirements of Annex II to Regulation (EC) No.852/2004 and,
- it comes from (an) establishment(s) implementing a programme based on the hazard analysis and critical control points (HACCP) principles in accordance with Regulation (EC) No.852/2004;]

Or

[II.1.2 ☐ the feed of the consignment described above with the identification code ... (indicate the identification code for the consignment referred to in Article 9(1) of Implementing Regulation (EU) 2019/1793) was produced in accordance with the requirements of Regulations (EC) No. 178/2002 and (EC) No.183/2005 and in particular ;

- primary production of such feed and associated operations listed in Article 5(1) of Regulation (EC) No. 183/2005 comply with the provisions of Annex I to Regulation (EC) No.183/2005;
- and, in the case of any stage of production, processing and distribution after primary production and related operations :
- it has been handled and, where appropriate, prepared, packaged and stored in a hygienic manner in accordance with the requirements of Annex II to Regulation (EC) No.183/2005 and,
- it comes from (an) establishment(s) implementing a programme based on the hazard analysis and critical control points (HACCP) principles in accordance with Regulation (EC) No.183/2005.] and

Country		Certificate for the entry into the Union of food or feed	
II. information	Health	II.a Certificate reference No	II. b IMSOC reference No
<p>II. 2. I, the undersigned, according to the provisions of 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 repealing Commission Regulations (EC) No. 669/2009, (EU) No.884/2014, (EU) No. 2015/175, (EU) No. 2017/186 and (EU) 2018/1660, certify that:-</p> <p>II.2.3 Certification for guar gum listed in Annex II to Implementing Regulation (EU) 2019/1793, including for compound food listed in that Annex, due to contamination risk by pentachlorophenol and dioxins</p> <ul style="list-style-type: none"> - from the consignment described above, samples were taken in accordance with Commission Directive 2002/63/EC on (date), subject to laboratory analysis on (date) in the (name of the laboratory) with methods covering at least the hazards identified in Annex II to Implementing Regulation (EU) 2019/1793 - The details of the methods of laboratory analyses and all results are attached and show that the goods do not contain more than 0.01 mg/kg pentachlorophenol (PCP).] <p>II.3. This certificate has been issued before the consignment to which it relates has left the control of the competent authority issuing it.</p> <p>II. 4. This certificate is valid during four months from the date of issue, but in any case no longer than six months from the date of the results of the last laboratory analyses.</p>			
<p>Certifying officer :</p> <div style="display: flex; justify-content: space-between;"> Name (in capital letters) : Qualification and title : </div> <div style="display: flex; justify-content: space-between;"> Date : Signature : </div> <div style="display: flex; justify-content: space-between;"> Stamp </div>			

Annexure- 6**MONTHLY STATEMENT OF SAMPLES DRAWN BY AUTHORISED AGENCY**

(TO BE SUBMITTED BY AUTHORISED AGENCY TO SHEFEXIL)

Srl. No.	Date of Sampling	Sample slip no	Name of Guar Gum (food and feed) Manufacturer/Exporter	Consignment code	Remarks

Date:

Seal

Signature

Name of Authorized Signatory

Place:

MONTHLY STATEMENT OF SAMPLES DRAWN BY RECOGNISED LABORATORY

(TO BE SUBMITTED BY AUTHORISED LABORATORY TO SHEFEXIL)

Srl. No.	Sample slip no	Consignment code	Ref. no. of the Lab	Name of Guar Gum (food and feed) Manufacturer/Exporter	Result	Remarks

Date:

Seal

Signature

Name of Authorized Signatory

Place: