

Summary of stakeholder responses Spring 2025 - Amendments to assimilated Regulation 2019/1793: Controls Applied to Imported Food and Feed not of Animal Origin

The Food Standards Agency (FSA) launched a public consultation in England and Wales on proposed amendments to assimilated Regulation 2019/1793.

Introduction

[This consultation was issued on 26 February 2025 and closed on 9 April 2025.](#)

This Regulation applies a temporary increase of official controls and special conditions governing the entry into Great Britain of certain food and feed of non-animal origin from certain countries. Food Standards Scotland (FSS) also launched a separate parallel consultation in Scotland.

The reason we consulted was to seek stakeholder comments and views on proposed amendments to the Annexes of assimilated Regulation 2019/1793.

Review of assimilated Regulation 2019/1793 controls is delivered through a risk analysis process that is evidence and science based to assist risk managers in making recommendations on these enhanced controls.

A key element of the risk analysis is a risk categorisation tool. The tool contains three components, hazard presence (based on compliance data), hazard characteristics - hazard severity and predicted consumer exposure, and UK trade. The risk categorisation tool was developed using principles set out in the Food and Agriculture Organization Risk-Based Imported Food Control Manual (2016).

The consultation was [published on the FSA website](#). Emails were sent to trade bodies, port health, local authorities and other interested parties in both England and Wales. Prior to the consultation opening, the FSA and FSS wrote to the Embassies of countries affected by the proposals. We also notified the World Trade Organisation (WTO) in line with our international obligations.

The FSA is grateful to those stakeholders who responded and sets out in the table below responses in order of the date in which they were received.

The key questions on which the consultation sought views were:

- Do you have any comments on the country/commodity recommendations that are being proposed to update the lists?
- Are you aware of any impacts of the proposed commodity updates that have not been identified in this consultation?

The FSA responses to stakeholders' comments are summarised in this report and the actions resulting from stakeholder comments are explained.

A list of stakeholders who responded can be found at the end of the document.

Summary of substantive comments

1. British Retail Consortium

Summary of comment

The stakeholder appreciated the opportunity to respond to the consultation. Whilst noting there was no formal response from members on this occasion, feedback indicated that the changes primarily affected the importation of raw materials, impacting supply chains rather than finished retail products. The respondent noted the proposal for an increase in checks on herbs and spices from India, commenting that these checks should be proportionate to the associated risks and supported by food safety considerations. The respondent added that given the widespread use of these commodities in various manufactured products, such checks may affect manufacturers who rely heavily on herbs and spices.

Summary of response

The respondent was thanked for responding and informed that their comments would be noted in the consultation report.

2. Institute of Food Science and Technology

Summary of comment

The stakeholder appreciated the opportunity to respond to the consultation. They expressed support for the ongoing risk evaluation and updates based on the latest evidence but could not comment on individual risk assessments without access to the underlying information. Nonetheless, they trusted that the risk assessors and the framework they operate under provided a robust process for modifying risk evaluations. The stakeholder was pleased with the commitment to consult when identifying higher-risk food and feed of non-animal origin that would be subject to intensified checks.

Summary of response

The respondent was thanked for responding and informed that their comments would be noted in the consultation report. The stakeholder's comment on the importance of a robust risk assessment process was acknowledged, and a reference link shared to a research paper titled "[Risk Categorization of Foods of Non-Animal Origin Subject to United Kingdom Import Controls](#)," recently published by the FSA in the Journal of Food Protection. This paper describes the methodology for risk categorization which forms part of the evidence base used by the four-nation working group.

3. Suffolk Coastal Port Health Authority

Summary of comment

The stakeholder raised several concerns regarding the proposed amendments to assimilated Regulation 2019/1793:

1. **Increased Physical Checks:** Concerns were expressed about the resources required for additional sampling of three product groups from India, specifically staff and UK lab capacity for ethylene oxide testing.
2. **Pesticide Residues:** There were concerns about timely communication of health certification and laboratory test report requirements to exporting countries for four country/commodity combinations moving into Annex I controls.
3. **Spices from India:** Clarification was sought on whether 'other spices' imported under commodity code 0910 were covered by CHEDD requirements, with specific reference to Fenugreek leaves.
4. **Sesamum Seeds:** The addition of all applicable commodity codes for Sesamum seeds from several countries was welcomed to ensure fair checks for all importers. It was questioned whether the statutory instrument annexes would clearly lay out requirements, including separate coverage for tahini and halva made from Sesamum seeds.
5. **Additional CN Codes:** The stakeholder requested that the FSA considered including additional codes for some commodities.

Summary of responses

The respondent was thanked for responding and informed their comments would be noted in the consultation report. Each point was addressed separately.

1. Regarding the resources required for additional sampling on three product groups from India, the stakeholder was assured that regular meetings with official laboratories are held, during which monitoring capacity for official sampling is discussed. Public and private Public Analyst Laboratories were informed about this consultation, and no concerns had been raised.
2. Concerning the timely communication, the stakeholder was advised that active engagement with exporting countries is ongoing to ensure they understand and can meet the requirements. Embassies in countries with impacted commodities were informed about this public consultation in advance, and the upcoming World Trade Organisation notification period will provide countries an opportunity to comment on the proposed amendments.
3. Regarding whether the product descriptions under commodity code 0910 or only specific 'other spices' were covered by CHEDD requirements, the response clarified that the wording is as it appears in Annex I of the regulation, and the same description appears in the EU equivalent regulation. The stakeholder was advised that this matter is under further consideration.
4. Regarding the layout of entries for Sesamum seeds the stakeholder was advised that the tables in the legislation Annexes will be consistently laid out to reflect that tahini and halva made from Sesamum seeds are covered separately from Sesamum seeds. Tahini and halva will continue to be presented as separate entries.
5. Regarding the addition of codes for other commodities not captured by the consultation, the stakeholder was advised that these insights would be considered as part of the next review as any changes would need to be subject to public consultation.

4. Seasoning and Spice Association

Summary of comment

The stakeholder expressed support for the government's aim of ensuring that all food imports are safe and pose no risk to consumers' health and noted its engagement with Defra, to highlight the impacts of this legislation on food businesses.

The stakeholder confirmed its members were preparing for the updated legislation and highlighted a concern with the proposed changes on controls of seeds of Anise, Badian, Fennel,

Coriander, Cumin, Caraway, Ginger, Saffron, Turmeric, Thyme, Bay leaves, Curry, and other spices (included under code 0910).

The stakeholder emphasised the need for consideration of sampling and handling capabilities at various GB ports, reporting that members faced unpredictable and frequent delays in receiving their goods and were incurring demurrage costs beyond their control.

The stakeholder commented that they champion collaboration between industry and regulatory bodies to maximise consumer protection while mitigating disruption to food supply.

A suggestion was provided that digitised certificates could be presented to authorities at GB ports instead of the current physical documentation.

Summary of response

The respondent was thanked for responding and informed their comments would be noted in the consultation report.

The stakeholder was advised that their concerns raised on spices from India for pesticide residues, grouped under commodity code 0910 would be taken into consideration.

The stakeholder was assured that Public and private Public Analyst Laboratories were informed about this consultation to address any concerns around sampling resources. Port Health Authorities (PHA) work closely with laboratories to minimise delays and address capacity and capability issues.

Safety remains the guiding principle, and the commitment of SSA members to drive compliance with regulations was recognised. The stakeholder's ongoing proactive engagement and efforts in coordinating with origin countries and importers to ensure preparedness for the proposed legislative changes was welcomed.

Actions to be implemented

The FSA considers that amending assimilated Regulation 2019/1793 remains the preferred option.

Having considered the GB nomenclature and available commodity codes to describe spices from India for pesticide residues grouped under commodity code 0910, the proposed heading level control remains the preferred option.

Fenugreek leaves are individually named in the regulation under commodity codes ex0910 99 91 and ex0910 99 99 and 'Other' spices in 0910 covered by CHED requirements is defined in GB nomenclature as follows:

- **0910 99 91** - Spices, neither crushed nor ground (excl. Pepper of the genus *Piper*, fruit of the genus *Capsicum* or of the genus *Pimenta*, vanilla, cinnamon, cinnamontree flowers, cloves "wholefruit", clove stems, nutmeg, mace, cardamoms, seeds of anise, badian, fennel, coriander, cumin and caraway, and juniper berries, ginger, saffron, turmeric "curcuma", thyme, bay leaves, curry and seeds of fenugreek, and mixtures of various types of spices.
- **0910 99 99** - Spices, crushed nor ground (excl. Pepper of the genus *Piper*, fruit of the genus *Capsicum* or of the genus *Pimenta*, vanilla, cinnamon, cinnamontree flowers, cloves "wholefruit", clove stems, nutmeg, mace, cardamoms, seeds of anise, badian, fennel, coriander, cumin and caraway, and juniper berries, ginger, saffron, turmeric "curcuma", thyme, bay leaves, curry and seeds of fenugreek, and mixtures of various types of spices.

List of respondents

1. British Retail Consortium
2. Institute of Food Science and Technology
3. Suffolk Coastal Port Health Authority
4. Seasoning and Spice Association, member organisation of Food and Drink Federation