



To: Directors of Public Protection

20 March 2008

Reference: ENF/W/08/017

Dear Colleague

### **GM CONTAMINATION IN RICE FROM THE USA – UPDATED DECISION**

Further to Jane Davies' letter of 9 November 2006, reference IFD/W/06/019, I am writing to advise you that the Commission has issued updated emergency measures on imports of rice from the USA.

Commission Decision 2006/601/EC (as amended) required the sampling and testing on import of all consignments of rice from the USA. Decision 2008/162/EC, which further amends Decision 2006/601/EC was published in the Commission's Official Journal on 27 February 2008 and I attach here a link:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:052:0025:0027:EN:PDF>

Please note that this is in PDF format and to access it you will need to have Adobe Acrobat.

This amendment (a) adapts the certification requirements for consignments of long grain rice from the USA and (b) removes the previous requirement for mandatory sampling and testing of these consignments at the point of import into the EU.

Article 2 as amended by Decision 2008/162/EC sets out the conditions for sampling and testing long grain rice shipments from the USA and documents that need to accompany consignments.

Article 3 as amended by Decision 2008/162/EC provides for random sampling /analysis at UK ports.

The revision does not alter the obligations regarding the measures to be taken regarding products on the market, as described in letter IFD/W/06/019.

However, Article 3 includes a new requirement for Member States to submit a report to the Commission of all analytical results obtained from official controls. This report is to be submitted by 26 July and the Food Standards Agency will need to receive



results from enforcement authorities by 19 July. We will issue a reminder nearer the time.

The Commission will review the updated emergency measures by 26 August 2008 at the latest.

UK implementation

Commission Decision 2008/162/EC has been implemented into English law by The Rice Products from the United States of America (Restriction on First Placing on the Market) (Wales) Regulations 2008, which come into force today. The Regulations will appear on the OPSI website shortly (<http://www.opsi.gov.uk>).

If you need any further information on this Decision, please contact my colleague Hilary Neathley in our Dietary Health and Corporate Services Division on 029 2067 8911 or by email at [hilary.neathley@foodstandards.gsi.gov.uk](mailto:hilary.neathley@foodstandards.gsi.gov.uk).

The advice contained in this letter should not be taken as an authoritative statement of the law or its interpretation. Only the courts can decide whether in particular circumstances an offence has been committed.

You may wish to know that we have an imports section on the Food Standards Agency's website. This can be found at [www.food.gov.uk/imports](http://www.food.gov.uk/imports)

Yours sincerely

A handwritten signature in black ink that reads "M. D. Bassett". The signature is written in a cursive style with a large, prominent 'M' and 'B'.

Mike Bassett  
Head of Imported Food Branch