
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 523

**AGRICULTURE
PESTICIDES**

**The Pesticides (Maximum Residue Levels in
Crops, Food and Feeding Stuff) (Scotland)
Amendment (No. 4) Regulations 2007**

Made - - - - 21st November 2007

Laid before the Scottish

Parliament - - - - 23rd November 2007

Coming into force in accordance with regulation 1(2)

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972⁽¹⁾ and all other powers enabling them to do so.

Citation and commencement

1.—(1) These Regulations may be cited as the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (Scotland) Amendment (No. 4) Regulations 2007.

(2) These Regulations come into force on 19th December 2007, except for—

- (a) regulation 4, which comes into force on 19th March 2008; and
- (b) regulation 5, which comes into force on 6th April 2008.

Amendment of the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (Scotland) Regulations 2005

2. The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (Scotland) Regulations 2005⁽²⁾ are amended in accordance with regulations 3 to 5.

(1) 1972 c. 68. Section 2(2) was amended by the Scotland Act 1998 (c. 46), Schedule 8, paragraph 15(3) and the Legislative and Regulatory Reform Act 2006 (c. 51), section 27(1)(a). The function conferred upon the Minister of the Crown under section 2(2), insofar as within devolved competence, was transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(2) S.S.I. 2005/599 as amended by S.S.I. 2006/151, 312, 548 and S.S.I. 2007/142, 306 and 481.

Amendments coming into force on 19th December 2007

3.—(1) In Schedule 1 (pesticide residues), for the entry for Deltamethrin, substitute the entry for Deltamethrin set out in Schedule 1 to these Regulations.

(2) In Schedule 2 (maximum residue levels)—

- (a) for the entries in the columns relating to the pesticides Azoxystrobin, Chlorothalonil, Deltamethrin, Hexachlorobenzene (HCB), Ioxynil, Oxamyl and Quinoxifen, substitute the entries in the columns relating to those pesticides set out in Schedule 2 to these Regulations; and
- (b) in the column relating to the pesticide Penconazole, for the entry relating to milk and dairy produce in food group 9 (foodstuffs of animal origin)—
 - (i) for “0.01” substitute “0.01*”; and
 - (ii) omit “0.05”.

(3) In Schedule 3—

- (a) in paragraph 4 (oilseeds), in column 2, beneath “Poppy seed”, insert “Pumpkin seed”; and
- (b) in paragraph 8 (cereals), in column 2, beneath “Rice”, insert “Spelt”.

Amendments coming into force on 19th March 2008

4.—(1) In Schedule 1 (pesticide residues)—

- (a) omit the entry for the pesticides Maneb, Mancozeb, Metiram, Propineb and Zineb in column 1 and the residue entries (1) and (2) relating to those pesticides in column 2; and
- (b) in the appropriate places in the alphabetical sequence, insert the entries for the pesticides Dithiocarbamates, Propineb, Thiram and Ziram set out in Schedule 1 to these Regulations.

(2) In Schedule 2 (maximum residue levels)—

- (a) for the entries in the column relating to Azinphos-methyl, substitute the entries for that pesticide set out in Schedule 2 to these Regulations;
- (b) omit the column headed “Maneb Mancozeb Metiram Propineb Zineb”;
- (c) in the appropriate places in the alphabetical sequence, insert the columns and corresponding entries relating to the pesticides Dithiocarbamates, Propineb, Thiram and Ziram set out in Schedule 2 to these Regulations; and
- (d) at the end, add as footnote 53, the footnote numbered (53) set out in Schedule 2 to these Regulations.

Amendments coming into force on 6th April 2008

5.—(1) In Schedule 1 (pesticide residues), in the appropriate places in the alphabetical sequence, insert the entries for the pesticides Bifenazate, Pethoxamid, Pyrimethanil and Rimsulfuron set out in Schedule 1 to these Regulations.

(2) In Schedule 2 (maximum residue levels), in the appropriate places in the alphabetical sequence, insert the columns and corresponding entries relating to the pesticides Bifenazate, Pethoxamid, Pyrimethanil and Rimsulfuron set out in Schedule 2 to these Regulations.

St Andrew's House,
Edinburgh
21st November 2007

RICHARD LOCHHEAD
A member of the Scottish Executive

Status: This is the original version (as it was originally made).

SCHEDULE 1

Regulations 3(1), 4(1) and 5(1)

Entries substituted or inserted in Schedule 1

<i>Column 1 Pesticide</i>	<i>Column 2 Residue</i>
Bifenazate	Bifenazate
Deltamethrin	Deltamethrin (cis-deltamethrin)
Dithiocarbamates	Dithiocarbamates, expressed as CS ₂ , including mancozeb, maneb, metiram, propineb, thiram and ziram
Pethoxamid	Pethoxamid
Propineb	Propineb (expressed as propilendiammine)
Pyrimethanil	Pyrimethanil
Rimsulfuron	Rimsulfuron
Thiram	Thiram (expressed as Thiram)
Ziram	Ziram (expressed as Ziram)

SCHEDULE 2

Regulations 3(2), 4(2) and 5(2)

Entries substituted or inserted in Schedule 2

<i>Group to include which the food following belongs</i>	<i>Group A</i>	<i>Group B</i>	<i>Group C</i>	<i>Group D</i>	<i>Group E</i>	<i>Group F</i>	<i>Group G</i>	<i>Group H</i>	<i>Group I</i>	<i>Group J</i>	<i>Group K</i>	<i>Group L</i>	<i>Group M</i>	<i>Group N</i>	<i>Group O</i>	<i>Group P</i>	<i>Group Q</i>	<i>Group R</i>	<i>Group S</i>	<i>Group T</i>	<i>Group U</i>	<i>Group V</i>	<i>Group W</i>	<i>Group X</i>	<i>Group Y</i>	<i>Group Z</i>

1.

FRUIT, FRESH, DRIED OR UNCOOKED, PRESERVED BY FREEZING NOT CONTAINING ADDED SUGAR: NUTS

(i) CITRUS FRUIT

Grapefruit	0.05*1	0.01*0.01*0.05*5	0.01*0.05*0.01*0.01*0.05*10	0.02*0.05*0.1* 0.1*
Lemon	0.05*1	0.01*0.01*0.05*5	0.01*0.05*0.01*0.01*0.05*10	0.02*0.05*0.1* 0.1*
Lime	0.05*1	0.01*0.01*0.05*5	0.01*0.05*0.01*0.01*0.05*10	0.02*0.05*0.1* 0.1*
Mandarin (inc clementines & similar hybrids)	0.05*1	0.01*0.01*0.05*5	0.01*0.05*0.02*0.01*0.05*10	0.02*0.05*0.1* 0.1*
Orange	0.05*1	0.01*0.01*0.05*5	0.01*0.05*0.01*0.01*0.05*10	0.02*0.05*0.1* 0.1*

Status: This is the original version (as it was originally made).

Group to include which the food following belongs	Group	zinc	As	Cd	Pb	Co	Cr	Hg	Mn	Ni	Se	Sn	Th	U	Other	Residual	Sum
	(HCB)																

(v) BERRIES AND SMALL FRUIT

(a) (a) Table & wine grapes

Table grapes	0.05*2	0.01*1	0.2	5	0.01*0.05*0.01*0.01*1	5	1	0.05*0.1*	0.1*								
Wine grapes	0.05*2	0.01*3	0.2	5	0.01*0.05*0.01*0.01*1	5	1	0.05*3	0.1*								
Strawberries (other than wild)	2 (b) 2	3	0.2	10	0.01*0.05*0.01*0.01*0.05*5			0.3	0.05*10	0.1*							

(c) (c) Cane fruit (other than wild)

Blackberries	0.01*0.01*0.5	0.05*0.01*0.05*0.01*0.01*0.05*10	0.02*0.05*0.1*	0.1*													
Dewberries	0.05*0.01*0.01*0.05*0.05*0.01*0.05*0.01*0.01*0.05*0.05*0.02*0.05*0.1*	0.1*															
Loganberries	0.05*0.01*0.01*0.05*0.05*0.01*0.05*0.01*0.01*0.05*0.05*0.02*0.05*0.1*	0.1*															
Raspberries	0.01*0.01*0.05*0.05*0.01*0.05*0.01*0.01*0.05*10	0.02*0.05*0.1*	0.1*														
Other	0.5	0.05*0.01*0.01*0.05*0.05*0.01*0.05*0.01*0.01*0.05*0.05*0.02*0.05*0.1*	0.1*														

(d) (d) Other small fruit & berries (other than wild)

Bilberries	0.05*0.05*0.01*0.01*0.05*0.05*0.01*0.05*0.01*0.01*0.05*5	2	0.05*0.1*	0.1*													
Cranberries	0.05*0.01*2	0.05*0.05*0.01*0.05*0.01*0.01*0.05*5	2	0.05*0.1*	0.1*												
Currants (red, black & white)	0.05*0.01*10	0.5	5	0.01*0.05*0.01*0.01*0.05*5	2	0.05*0.1*	0.1*										
Gooseberries	0.05*0.01*10	0.2	0.05*0.01*0.05*0.01*0.01*0.05*5	2	0.05*0.1*	0.1*											
Other	0.05*0.05*0.01*0.01*0.05*0.05*0.01*0.05*0.01*0.01*0.05*5	2	0.05*0.1*	0.1*													
Wild berries & wild fruit	0.05*0.05*0.01*0.01*0.05*0.05*0.01*0.05*0.01*0.01*0.05*0.05*0.02*0.05*0.1*	0.1*															

(vi) MISCELLANEOUS FRUIT

Avocados	0.05*0.05*0.01*0.01*0.05*0.05*0.01*0.05*0.01*0.01*0.05*0.05*0.02*0.05*0.1*	0.1*															
Bananas	0.05*2	0.01*0.2	0.05*2	0.01*0.05*0.01*0.01*0.05*0.1	0.02*0.05*0.1*	0.1*											
Dates	0.05*0.05*0.01*0.01*0.05*0.05*0.01*0.05*0.01*0.01*0.05*0.05*0.02*0.05*0.1*	0.1*															
Figs	0.05*0.05*0.01*0.01*0.05*0.05*0.01*0.05*0.01*0.01*0.05*0.05*0.02*0.05*0.1*	0.1*															

Status: This is the original version (as it was originally made).

Group to include which the food following belongs	Group	zinc	Ascorbic acid	Bifidobacteria	Chlorophyll	Dietary fiber	Gluten	Lactulose	Phenols	Phytates	Sulfonamides	Sulfur	Trimethylamine			
Turnips	0.05	*0.05	*0.01	*0.01	*0.05	*0.05	*0.01	*0.05	*0.01	*0.01	*0.05	*0.05	*0.02	*0.05	*0.1	* 0.1*
Yams	0.05	*0.05	*0.01	*0.01	*0.05	*0.05	*0.01	*0.05	*0.01	*0.01	*0.05	*0.05	*0.02	*0.05	*0.1	* 0.1*
Other	0.05	*0.05	*0.01	*0.01	*0.05	*0.05	*0.01	*0.05	*0.01	*0.01	*0.05	*0.05	*0.02	*0.05	*0.1	* 0.1*

(ii) BULB VEGETABLES

Garlic	0.05	*0.05	*0.01	*0.5	0.1	0.1	0.01	*0.2	0.01	*0.01	*0.05	*0.05	*0.02	*0.05	*0.1	* 0.1*
Onions	0.05	*0.05	*0.01	*0.5	0.1	1	0.01	*0.2	0.01	*0.01	*0.05	*0.1	0.02	*0.05	*0.1	* 0.1*
Shallots	0.05	*0.05	*0.01	*0.5	0.1	1	0.01	*0.2	0.01	*0.01	*0.05	*0.05	*0.02	*0.05	*0.1	* 0.1*
Spring onions	0.05	*2	0.01	*5	0.1	1	0.01	*3	0.01	*0.01	*0.05	*0.05	*0.02	*0.05	*0.1	* 0.1*
Other	0.05	*0.05	*0.01	*0.01	*0.05	*0.05	*0.01	*0.05	*0.01	*0.01	*0.05	*0.05	*0.02	*0.05	*0.1	* 0.1*

(iii) FRUITING VEGETABLES

(a) (a) Solanacea

Tomatoes	0.05	*2	0.5	2	0.3	3	0.01	*0.05	*0.02	0.01	*2	1	0.02	*0.05	*0.1	* 0.1*
Peppers	0.05	*2	2	2	0.2	5	0.01	*0.05	*0.02	0.01	*1	2	0.02	*0.05	*0.1	* 0.1*
Chili Peppers	0.05	*2	2	2	0.2	5	0.01	*0.05	*0.02	0.01	*1	2	0.02	*0.05	*0.1	* 0.1*
Aubergines	0.05	*2	0.5	2	0.3	3	0.01	*0.05	*0.02	0.01	*0.05	*1	0.02	*0.05	*0.1	* 0.1*
Okra	0.05	*2	0.01	*2	0.3	0.5	0.01	*0.05	*0.01	*0.01	*0.05	*0.05	*0.02	*0.05	*0.1	* 0.1*
Other	0.05	*2	0.01	*2	0.2	0.05	*0.01	*0.05	*0.01	*0.01	*0.05	*0.05	*0.02	*0.05	*0.1	* 0.1*

(b) (b) Cucurbits-edible peel

Cucumbers	0.05	*1	0.3	1	0.2	2	0.01	*0.05	*0.02	0.01	*2	1	0.02	*0.05	*0.1	* 0.1*
Gherkins	0.05	*1	0.3	5	0.2	2	0.01	*0.05	*0.02	0.01	*0.05	*1	0.02	*0.05	*0.1	* 0.1*
Courgettes	0.05	*1	0.3	0.01	*0.2	2	0.01	*0.05	*0.03	0.01	*0.05	*1	0.02	*0.05	*0.1	* 0.1*
Other	0.05	*1	0.3	0.01	*0.2	2	0.01	*0.05	*0.01	*0.01	*0.05	*1	0.02	*0.05	*0.1	* 0.1*

(c) (c) Cucurbits-inedible peel

Melons	0.05	*0.5	0.01	*1	0.2	1	0.01	*0.05	*0.01	*0.01	*1	0.05	*0.05	0.05	*0.1	* 0.1*
Squashes	0.05	*0.5	0.01	*1	0.2	1	0.01	*0.05	*0.01	*0.01	*0.05	*0.05	*0.05	0.05	*0.1	* 0.1*
Watermelons	0.05	*0.5	0.01	*1	0.2	1	0.01	*0.05	*0.01	*0.01	*1	0.05	*0.05	0.05	*0.1	* 0.1*
Other	0.05	*0.5	0.01	*1	0.2	1	0.01	*0.05	*0.01	*0.01	*0.05	*0.05	*0.05	0.05	*0.1	* 0.1*

Sweet corn 0.05 *0.05 *0.01 *0.01 *0.05 *0.05 *0.01 *0.05 *0.01 *0.01 *0.05 *0.05 *0.02 *0.05 *0.1 * 0.1*

(iv) BRASSICA VEGETABLES

(a) (a) Flowering Brassicas

Status: This is the original version (as it was originally made).

Group to include which food following belongs	Group	zinc	As	Bi	Co	Cr	Di	Dr	End	Hex	Chl	Be	St	Ho	Pop	Rb	Th	Li	By	Su	Fu	Am
Other	ethyl	0.05*	0.05*	0.02*	0.01*	0.05*	0.1*	0.02*	0.1*	0.02*	0.01*	0.1*	0.1*	0.05*	0.05*	0.1*	0.1*					

5.

POTATOES

Early potatoes	0.05*	0.05*	0.01*	0.01*	0.05*	0.3	0.01	0.05*	0.01*	0.01*	0.2	0.05*	0.02*	0.05*	0.1*	0.1*					
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Ware potatoes	0.05*	0.05*	0.01*	0.01*	0.05*	0.3	0.01	0.05*	0.01*	0.01*	0.2	0.05*	0.02*	0.05*	0.1*	0.1*					
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6.

TEA

(dried leaves and stalks, fermented or otherwise, Camellia sinesis)	0.1*	0.1*	0.02*	0.1*	5	0.1*	0.02*	0.1*	0.02*	0.02*	0.1*	0.1*	0.05*	0.1	0.2*	0.2*					
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7.

HOPS (dried)

including hop pellets & unconcentrated powder	0.1*	20	0.02*	50	5	25	0.02*	0.1*	0.02*	0.02*	50	0.1*	0.5	0.1*	0.2*	0.2*					
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8.

CEREALS

Wheat	0.05*	0.3	0.01*	0.1	2	1	0.01	0.05*	0.01*	0.01*	0.05*	0.05*	0.02*	0.05*	0.1*	0.1*					
Rye	0.05*	0.3	0.01*	0.1	2	1	0.01	0.05*	0.01*	0.01*	0.05*	0.05*	0.02*	0.05*	0.1*	0.1*					
Barley	0.05*	0.3	0.01*	0.1	2	2	0.01	0.05*	0.01*	0.01*	0.05*	0.05*	0.2	0.05*	0.1*	0.1*					
Sorghum	0.05*	0.05*	0.01*	0.01*	2		0.05*	0.01	0.05*	0.01*	0.01*	0.05*	0.05*	0.02*	0.05*	0.1*	0.1*				
Oats	0.05*	0.3	0.01*	0.1	2	2	0.01	0.05*	0.01*	0.01*	0.05*	0.05*	0.2	0.05*	0.1*	0.1*					
Triticale	0.05*	0.3	0.01*	0.1	2	1	0.01	0.05*	0.01*	0.01*	0.05*	0.05*	0.02*	0.05*	0.1*	0.1*					
Maize	0.05*	0.05*	0.01*	0.01*	2		0.05*	0.01	0.05*	0.01*	0.01*	0.05*	0.05*	0.02*	0.05*	0.1*	0.1*				
Buckwheat	0.05*	0.05*	0.01*	0.01*	2		0.05*	0.01	0.05*	0.01*	0.01*	0.05*	0.05*	0.02*	0.05*	0.1*	0.1*				
Millet	0.05*	0.05*	0.01*	0.01*	2		0.05*	0.01	0.05*	0.01*	0.01*	0.05*	0.05*	0.02*	0.05*	0.1*	0.1*				

Status: This is the original version (as it was originally made).

Group to include which food following belongs products

Spices
-
others

UNITS:
Maximum residue levels (MRLs) are expressed in milligrammes of residue per kilogramme of food.
KEY:
* Level at or about the limit of determination.
FOOTNOTES:

- (1) Paddy or rough rice, husked rice and semi-milled or wholly milled rice.
- (2) Levels are measured on fat, except in the case of foods with a fat content of 10% or less by weight. In these cases the residue is related to the total weight of the boned foodstuff and the MRL is one tenth of the value given in the table, but must be no less than 0.01 mg/kg.
- (3) These levels are for fresh raw cow's milk and fresh whole cream cow's milk expressed on the whole milk.
- (4) For preserved, concentrated or sweetened cow's milk; for raw milk and whole cream milk of another animal origin; and for butter, cheese or curd. Whether made from cow's milk or other milk or a combination, the following levels apply:
 - if the fat content is less than 2% by weight, the MRL is taken as half that set for raw milk and whole cream milk;
 - if the fat content is 2% or more by weight, the MRL is expressed in mg/kg of fat and is set at 25 times that set for raw milk and whole cream milk.
- (5) Birds' eggs in shell (other than eggs for hatching) and whole egg products and egg yolk products (whether fresh, dried or otherwise prepared).
- (6) Scarole includes broad-leaf endive.
- (9) All other meat, edible offal, fat and preparations of meat and edible offal.
- (11) All liver and kidney.
- (13) Broccoli includes calabrese.
- (39) Offals only.
- (40) All meat except offal.
- (47) Poultry and poultry products.
- (53) These maximum residue levels apply when single residue methods are employed for the specific quantification of Propineb, Thiram or Ziram, as the case may be.

EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations, which are made under section 2(2) of the European Communities Act 1972, amend the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (Scotland) Regulations 2005 (S.S.I. 2005/599) (“the principal Regulations”).

These Regulations implement Commission Directives 2007/55/EC (O.J. No. L 243, 18.9.2007, p.41), 2007/56/EC (O.J. No. L 243, 18.9.2007, p.50), 2007/57/EC (O.J. No. L 243, 18.9.2007, p.61) and 2007/62/EC (O.J. No. L 260, 5.10.2007, p.4).

The Regulations come into force, in stages, on 19th December 2007, 19th March 2008 and 6th April 2008. They substitute or insert–

- (a) new residue definitions for the pesticides Bifenazate, Deltamethrin, Dithiocarbamates, Pethoxamid, Propineb, Pyrimethanil, Rimsulfuron, Thiram and Ziram in Schedule 1 to the principal Regulations, which identifies the pesticide residues that are taken into account in the measuring of residue levels for each pesticide; and
- (b) maximum residue levels for the pesticides Azinphos-methyl, Azoxystrobin, Bifenazate, Chlorothalonil, Deltamethrin, Dithiocarbamates, Hexachlorobenzene (HCB), Ioxynil, Oxamyl, Pethoxamid, Propineb, Pyrimethanil, Quinoxifen, Rimsulfuron, Thiram and Ziram in Schedule 2 to the principal Regulations.

Regulation 3(2)(b) corrects an error in the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Amendment (No. 3) Regulations 2007 ([S.S.I. 2007/481](#)).

A Regulatory Impact Assessment (RIA) was prepared in respect of the principal Regulations which provides a basis for establishing the impact of amendments to those Regulations. Copies of the RIA can be obtained from the Scottish Government Rural Directorate, Area 1B, Pentland House, 47 Robb's Loan, Edinburgh, EH14 1TY. Copies have been placed in the Scottish Parliament Information Centre.