

2002 No. 250

AGRICULTURE

PESTICIDES

Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Amendment) (No. 2) Regulations (Northern Ireland) 2002

Made - - - - - 23rd July 2002

Coming into operation 1st September 2002

The Department of Agriculture and Rural Development, being a Department designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2), and, in respect of the provisions of these Regulations relating to Part I of Schedule 2 to the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) Regulations (Northern Ireland) 2002(c), in exercise of the powers conferred on it by section 16(2) of the Food and Environment Protection Act 1985(d), and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Amendment) (No. 2) Regulations (Northern Ireland) 2002 and shall come into operation on 1st September 2002.

(2) The Interpretation Act (Northern Ireland) 1954(e) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendment to the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) Regulations (Northern Ireland) 2002

2.—(1) The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) Regulations (Northern Ireland) 2002 shall be amended in accordance with this regulation.

(2) In regulation 2(1), for the definition of the Residues Directives there shall be substituted the following definition:

(a) S.I. 2000/2812
(b) 1972 c. 68; the powers conferred by section 2(2) were extended by virtue of the amendment of section 1(2) of the European Communities Act 1972 by section 1 of the European Economic Area Act 1993 (c. 51)
(c) S.R. 2002 No. 20 as amended by S.R. 2002 No. 27
(d) 1985 c. 48; section 16 was amended by the Pesticides (Fees and Enforcement) Act 1989 (c. 27) and by the Pesticides Act 1998 (c. 26); *see also* section 25(2) and Article 3(4) of the Department (Northern Ireland) Order 1999 (S.I. 1999/283 (N.I. 1)) and section 25(2A) as inserted by section 1(5) of the Pesticides Act 1998
(e) 1954 c. 33 (N.I.)

“the Residues Directives” means Council Directive 86/362/EEC(a), Council Directive 86/363/EEC(b) and Council Directive 90/642/EEC(c), in each case amended as at the date of the making of the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Amendment) (No. 2) Regulations (Northern Ireland) 2002.”

(3) In Schedule 1 there shall be inserted at the appropriate places in Columns 1 and 2 the following:

Column 1 <i>Pesticide</i>	Column 2 <i>Residues</i>
Flupyr-sulfuron-methyl	flupyr-sulfuron-methyl
Pymetrozine	pymetrozine

(4) On 1st January 2003, the column for the pesticide Tecnazene shall be deleted from Part I of Schedule 2.

(5) In Part II of Schedule 2 maximum residue levels shall be substituted as follows –

- (a) for mg/kg of Acephate on peaches delete “0.02*” and insert “0.2”;
- (b) for mg/kg of Chlorothalonil on celeriac delete “0.5” and insert “1”;
- (c) for mg/kg of Cypermethrin on asparagus delete “0.05*” and insert “0.1 ”;
- (d) for mg/kg of Ethephon on pineapples delete “0.5” and insert “2”;
- (e) for mg/kg of Fenbutatin oxide on peppers delete “0.05*” and insert “1”;
- (f) for mg/kg of Kresoxim-methyl on strawberries delete “0.05*” and insert “0.2”; and
- (g) for mg/kg of Metalaxyl on spring onions delete “0.05*” and insert “0.2”, and on scarole (broad-leaf endive), chervil, chives, parsley, celery leaves and other herbs delete “0.05*” and insert “1”.

(6) In Part II of Schedule 2 –

- (a) there shall be inserted, in the appropriate place to preserve the alphabetical ordering from left to right, columns of maximum permitted levels for residues of the pesticides Flupyr-sulfuron-methyl and Pymetrozine as specified in the Schedule to these Regulations; and
- (b) for the columns relating to the pesticides Amitraz, Azoxystrobin and Lambda-cyhalothrin, there shall be substituted the columns of maximum permitted levels for residues of these pesticides as specified in the Schedule to these Regulations.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 23rd July 2002.

(L.S.)

Liam McKibben

A senior officer of the Department of Agriculture and Rural Development

(a) O.J. No. L221, 7.8.86, p. 37. The last amending instrument is Commission Directive 2002/23/EC (O.J. No. L64, 7.03.02, p. 13)

(b) O.J. No. L221, 7.8.86, p. 43. The last amending instrument is Commission Directive 2002/23/EC

(c) O.J. No. L350, 14.12.90, p. 71. The last amending instrument is Commission Directive 2002/23/EC

SCHEDULE

Regulation 2(6)

<i>Group to which food belongs</i>	<i>Groups include the following products</i>	<i>Amitraz</i>	<i>Azoxystrobin</i>	<i>Flupyr-sulfuron-methyl</i>	<i>Lambda-cyhalothrin</i>	<i>Pymetrozine</i>
1. Fruit, fresh, dried or uncooked, preserved by freezing not containing added sugar: nuts						
(i) CITRUS FRUIT						
	Grapefruit	0.05*	1	0.02*	0.1	0.3
	Lemons	0.05*	1	0.02*	0.02*	0.3
	Limes	0.05*	1	0.02*	0.02*	0.3
	Mandarins (inc clementines & similar hybrids)	0.05*	1	0.02*	0.02*	0.3
	Oranges	0.05*	1	0.02*	0.1	0.3
	Pomelos	0.05*	1	0.02*	0.1	0.3
	Others	0.05*	1	0.02*	0.02*	0.3
(ii) TREE NUTS (shelled or unshelled)						
	Almonds	0.05*	0.1*	0.02*	0.05*	0.02*
	Brazil nuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Cashew nuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Chestnuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Coconuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Hazelnuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Macadamia nuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Pecans	0.05*	0.1*	0.02*	0.05*	0.02*
	Pine nuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Pistachios	0.05*	0.1*	0.02*	0.05*	0.02*
	Walnuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Others	0.05*	0.1*	0.02*	0.05*	0.02*
(iii) POME FRUIT						
	Apples	0.5	0.05*	0.02*	0.1	0.02*
	Pears	0.5	0.05*	0.02*	0.1	0.02*
	Quinces	0.5	0.05*	0.02*	0.1	0.02*
	Others	0.5	0.05*	0.02*	0.1	0.02*
(iv) STONE FRUIT						
	Apricots	0.05*	0.05*	0.02*	0.2	0.05
	Cherries	0.05*	0.05*	0.02*	0.1	0.02*
	Peaches (incl nectarines & similar hybrids)	0.05*	0.05*	0.02*	0.2	0.05
	Plums	0.05*	0.05*	0.02*	0.1	0.02*
	Others	0.05*	0.05*	0.02*	0.1	0.02*
(v) BERRIES AND SMALL FRUIT						
(a) <i>Table & wine grapes</i>						
	Table grapes	0.05*	2	0.02*	0.2	0.02*
	Wine grapes	0.05*	2	0.02*	0.2	0.02*
(b) <i>Strawberries</i> (other than wild)						
		0.05*	2	0.02*	0.5	0.02*
(c) <i>Cane Fruit</i> (other than wild)						
	Blackberries	0.05*	0.05*	0.02*	0.02*	0.02*
	Dewberries	0.05*	0.05*	0.02*	0.02*	0.02*
	Loganberries	0.05*	0.05*	0.02*	0.02*	0.02*
	Raspberries	0.05*	0.05*	0.02*	0.02*	0.02*
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
(d) <i>Other small fruit & berries</i> (other than wild)						
	Bilberries	0.05*	0.05*	0.02*	0.02*	0.02*
	Cranberries	0.05*	0.05*	0.02*	0.02*	0.02*

<i>Group to which food belongs</i>	<i>Groups include the following products</i>	<i>Amitraz</i>	<i>Azoxystrobin</i>	<i>Flupyr-sulfuron-methyl</i>	<i>Lambda-cyhalothrin</i>	<i>Pymetrozine</i>
	Currants (red, black & white)	0.05*	0.05*	0.02*	0.1	0.02*
	Gooseberries	0.05*	0.05*	0.02*	0.1	0.02*
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
	(e) <i>Wild berries & wild fruit</i>	0.05*	0.05*	0.02*	0.2	0.02*
(vi) MISCELLANEOUS FRUIT						
	Avocados	0.05*	0.05*	0.02*	0.02*	0.02*
	Bananas	0.05*	2	0.02*	0.02*	0.02*
	Dates	0.05*	0.05*	0.02*	0.02*	0.02*
	Figs	0.05*	0.05*	0.02*	0.02*	0.02*
	Kiwi fruit	0.05*	0.05*	0.02*	0.02*	0.02*
	Kumquats	0.05*	0.05*	0.02*	0.02*	0.02*
	Litchis	0.05*	0.05*	0.02*	0.02*	0.02*
	Mangoes	0.05*	0.05*	0.02*	0.02*	0.02*
	Olives	0.05*	0.05*	0.02*	0.02*	0.02*
	Passion fruit	0.05*	0.05*	0.02*	0.02*	0.02*
	Pineapple	0.05*	0.05*	0.02*	0.02*	0.02*
	Pomegranates	0.05*	0.05*	0.02*	0.02*	0.02*
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
2. Vegetables, fresh or uncooked, frozen or dry						
(i) ROOT AND TUBER VEGETABLES						
	Beetroot	0.05*	0.05*	0.02*	0.02*	0.02*
	Carrots	0.05*	0.2	0.02*	0.02*	0.02*
	Celeriac	0.05*	0.05*	0.02*	0.1	0.02*
	Horseradish	0.05*	0.2	0.02*	0.02*	0.02*
	Jerusalem artichokes	0.05*	0.05*	0.02*	0.02*	0.02*
	Parsnips	0.05*	0.2	0.02*	0.02*	0.02*
	Parsley root	0.05*	0.2	0.02*	0.02*	0.02*
	Radishes	0.05*	0.05*	0.02*	0.1	0.02*
	Salsify	0.05*	0.2	0.02*	0.02*	0.02*
	Sweet potatoes	0.05*	0.05*	0.02*	0.02*	0.02*
	Swedes	0.05*	0.05*	0.02*	0.02*	0.02*
	Turnips	0.05*	0.05*	0.02*	0.02*	0.02*
	Yams	0.05*	0.05*	0.02*	0.02*	0.02*
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
(ii) BULB VEGETABLES						
	Garlic	0.05*	0.05*	0.02*	0.02*	0.02*
	Onions	0.05*	0.05*	0.02*	0.02*	0.02*
	Shallots	0.05*	0.05*	0.02*	0.02*	0.02*
	Spring onions	0.05*	0.05*	0.02*	0.02*	0.02*
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
(iii) FRUITING VEGETABLES						
(a) <i>Solanacea</i>						
	Tomatoes	0.5	2	0.02*	0.1	0.5
	Peppers	0.05*	2	0.02*	0.1	1
	Aubergines	0.5	2	0.02*	0.5	0.5
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
(b) <i>Cucurbits-edible peel</i>						
	Cucumbers	0.05*	1	0.02*	0.1	0.5
	Gherkins	0.05*	1	0.02*	0.1	0.5
	Courgettes	0.05*	1	0.02*	0.1	0.5
	Others	0.05*	1	0.02*	0.1	0.5
(c) <i>Cucurbits-inedible peel</i>						
	Melons	0.05*	0.5	0.02*	0.05	0.2
	Squashes	0.05*	0.5	0.02*	0.05	0.2

<i>Group to which food belongs</i>	<i>Groups include the following products</i>	<i>Amitraz</i>	<i>Azoxystrobin</i>	<i>Flupyr-sulfuron-methyl</i>	<i>Lambda-cyhalothrin</i>	<i>Pymetrozine</i>
	Watermelons	0.05*	0.5	0.02*	0.05	0.2
	Others	0.05*	0.5	0.02*	0.05	0.2
	(d) <i>Sweet corn</i>	0.05*	0.05*	0.02*	0.02*	0.02*
(iv)	BRASSICA VEGETABLES					
	(a) <i>Flowering Brassicas</i>					
	Broccoli (including Calabrese)	0.05*	0.05*	0.02*	0.1	0.02*
	Cauliflower	0.05*	0.05*	0.02*	0.1	0.02*
	Others	0.05*	0.05*	0.02*	0.1	0.02*
	(b) <i>Head Brassicas</i>					
	Brussels sprouts	0.05*	0.05*	0.02*	0.05	0.02*
	Head cabbage	0.05*	0.05*	0.02*	0.2	0.05
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
	(c) <i>Leafy Brassicas</i>					
	Chinese cabbage	0.05*	0.05*	0.02*	0.02*	0.02*
	Kale	0.05*	0.05*	0.02*	0.02*	0.02*
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
	(d) <i>Kohlrabi</i>	0.05*	0.05*	0.02*	0.02*	0.02*
(v)	LEAF VEGETABLES AND FRESH HERBS					
	(a) <i>Lettuce & similar</i>					
	Cress	0.05*	3	0.02*	1	1
	Lamb's lettuce	0.05*	3	0.02*	1	1
	Lettuce	0.05*	3	0.02*	1	1
	Scarole (broad-leaf endive)	0.05*	3	0.02*	1	1
	Others	0.05*	3	0.02*	1	1
	(b) <i>Spinach & similar</i>					
	Spinach	0.05*	0.05*	0.02*	0.5	0.02*
	Beet leaves (chard)	0.05*	0.05*	0.02*	0.02*	0.02*
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
	(c) <i>Watercress</i>	0.05*	0.05*	0.02*	0.02*	0.02*
	(d) <i>Witloof</i>	0.05*	0.2	0.02*	0.02*	0.02*
	(e) <i>Herbs</i>					
	Chervil	0.05*	0.05*	0.02*	1	1
	Chives	0.05*	0.05*	0.02*	1	1
	Parsley	0.05*	0.05*	0.02*	1	1
	Celery leaves	0.05*	0.05*	0.02*	1	1
	Others	0.05*	0.05*	0.02*	1	1
(vi)	LEGUME VEGETABLES (fresh)					
	Beans (with pods)	0.05*	1	0.02*	0.2	0.02*
	Beans (without pods)	0.05*	0.05*	0.02*	0.02*	0.02*
	Peas (with pods)	0.05*	0.5	0.02*	0.2	0.02*
	Peas (without pods)	0.05*	0.2	0.02*	0.2	0.02*
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
(vii)	STEM VEGETABLES					
	Asparagus	0.05*	0.05*	0.02*	0.02*	0.02*
	Cardoons	0.05*	0.05*	0.02*	0.02*	0.02*
	Celery	0.05*	5	0.02*	0.3	0.02*
	Fennel	0.05*	0.05*	0.02*	0.02*	0.02*
	Globe artichokes	0.05*	1	0.02*	0.02*	0.02*
	Leeks	0.05*	0.1	0.02*	0.02*	0.02*
	Rhubarb	0.05*	0.05*	0.02*	0.02*	0.02*
	Others	0.05*	0.05*	0.02*	0.02*	0.02*

<i>Group to which food belongs</i>	<i>Groups include the following products</i>	<i>Amitraz</i>	<i>Azoxystrobin</i>	<i>Flupyr-sulfuron-methyl</i>	<i>Lambda-cyhalothrin</i>	<i>Pymetrozine</i>
(viii) FUNGI						
	(a) <i>Cultivated mushrooms</i>	0.05*	0.05*	0.02*	0.02*	0.02*
	(b) <i>Wild mushrooms</i>	0.05*	0.05*	0.02*	0.5	0.02*
3. PULSES						
	Beans	0.05*	0.1	0.02*	0.02*	0.02*
	Lentils	0.05*	0.1	0.02*	0.02*	0.02*
	Peas	0.05*	0.1	0.02*	0.02*	0.02*
	Others	0.05*	0.1	0.02*	0.02*	0.02*
4. OILSEEDS						
	Linseed	0.05*	0.05*	0.05*	0.02*	0.02*
	Peanuts	0.05*	0.05*	0.05*	0.02*	0.02*
	Poppy seed	0.05*	0.05*	0.05*	0.02*	0.02*
	Sesame seed	0.05*	0.05*	0.05*	0.02*	0.02*
	Sunflower seed	0.05*	0.05*	0.05*	0.02*	0.02*
	Rape seed	0.05*	0.05*	0.05*	0.02*	0.02*
	Soya bean	0.05*	0.05*	0.05*	0.02*	0.02*
	Mustard seed	0.05*	0.05*	0.05*	0.02*	0.02*
	Cotton seed	1	0.05*	0.05*	0.02*	0.05
	Others	0.05*	0.05*	0.05*	0.02*	0.02*
5. POTATOES						
	Early potatoes	0.05*	0.05*	0.02*	0.02*	0.02*
	Ware potatoes	0.05*	0.05*	0.02*	0.02*	0.02*
6. TEA						
	(dried leaves and stalks, fermented or otherwise, <i>Camellia sinensis</i>)	0.1*	0.1*	0.05*	1	0.1*
7. HOPS (dried)	including hop pellets & unconcentrated powder	20	20	0.05*	10	5

<i>Groups to which food belongs</i>	<i>Groups include the following products</i>	<i>Flupyr-sulfuron-methyl</i>	<i>Pymetrozine</i>
8. CEREALS			
	Wheat	0.02*	0.02*
	Rye	0.02*	0.02*
	Barley	0.02*	0.02*
	Sorghum	0.02*	0.02*
	Oats	0.02*	0.02*
	Triticale	0.02*	0.02*
	Maize	0.02*	0.02*
	Buckwheat	0.02*	0.02*
	Millet	0.02*	0.02*
	Rice ⁽¹⁾	0.02*	0.02*
	Other cereals ⁽²⁾	0.02*	0.02*
9. PRODUCTS OF ANIMAL ORIGIN			
	Meat, fat & preparations of meat ⁽³⁾		0.01*
	Milk ⁽⁴⁾ & Dairy produce ⁽⁵⁾		0.01*
	Eggs ⁽⁶⁾⁽⁷⁾		0.01*

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations, which are made under section 2(2) of the European Communities Act 1972 and section 16(2) of the Food and Environment Protection Act 1985, further amend the provisions of the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) Regulations (Northern Ireland) 2002 (“the principal Regulations”) (S.R. 2002 No. 20 amended by S.R. 2002 No. 27).

The Regulations specify maximum levels of pesticides which crops, food and feeding stuffs may contain in implementation of Commission Directives 2002/5/EC (O.J. No. L34, 5.02.02, p. 7) and 2002/23/EC (O.J. No. L64, 7.03.02, p. 13). New columns are added to Part II of Schedule 2 of the principal Regulations for the residues of pesticides Flupyr-sulfuron-methyl and Pymetrozine (regulation 2(6)(a)). Complete revised columns for the residues of pesticides Amitraz, Azoxystrobin and Lambda-cyhalothrin have been substituted for existing columns in Part II of Schedule 2 (regulation 2(6)(b)).

Regulation 2(3) adds the names of further pesticide residue substances to Schedule 1.

Regulation 2(4) removes the column for the pesticide Tecnazene from Part I of Schedule 2 from 1st January 2003 as this has now been prescribed by EC Directives and implemented by S.R. 2002 No. 27.

Other minor alterations to implement changes of pesticide residue for other pesticides, Acephate, Chlorothalonil, Cypermethrin, Ethephon, Fenbutatin oxide, Kresoxim-methyl and Metalaxyl are made to specified products in regulation 2(5).

The definition of “the Residues Directives” is updated to take account of the Directives being implemented (regulation 2(2)).

£2.00

Published by The Stationery Office Limited

Printed in the UK by The
Stationery Office Limited
under the authority and
superintendence of Carol
Tullo, Controller of
Her Majesty’s Stationery
Office being the Government
Printer for Northern Ireland and
the Officer appointed to print the
Acts of the Northern Ireland Assembly
Dd. N581. C3. 7/02. Gp. 130. 14567.

ISBN 0-337-94319-2

