

2004 No. 200

AGRICULTURE

PESTICIDES

Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (Amendment) Regulations (Northern Ireland) 2004

Made - - - - - *29th April 2004*

Coming into operation *16th June 2004*

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 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 Stuff) (Amendment) Regulations (Northern Ireland) 2004 and shall come into operation on 16th June 2004.

(2) The Interpretation Act (Northern Ireland) 1954(c) 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 Stuff) Regulations (Northern Ireland) 2002

2.—(1) The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) Regulations (Northern Ireland) 2002(d) 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:

“ “the Residues Directives” means Council Directive 86/362/EEC(e), Council Directive 86/363/EEC(f) and Council Directive 90/642/EEC(g), in each case amended as at the date

(a) S.I. 2000/2812
(b) 1972 c. 68
(c) 1954 c. 33 (N.I.)
(d) S.R. 2002 No. 20 as amended by S.R. 2002 No. 27, S.R. 2002 No. 250, S.R. 2003 No. 123, S.R. 2003 No. 379 and S.R. 2003 No. 435
(e) O.J. No. L221, 7.8.86, p. 37. The last amending instrument is Commission Directive 2003/118/EC (O.J. No. L327, 16.12.2003, p. 25)
(f) O.J. No. L221, 7.8.86, p. 43. The last amending instrument is Commission Directive 2003/118/EC (O.J. No. L327, 16.12.2003, p. 25)
(g) O.J. No. L350, 14.12.90, p. 71. The last amending instrument is Commission Directive 2003/118/EC (O.J. No. L327, 16.12.2003, p. 25)

of the making of the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (Amendment) Regulations (Northern Ireland) 2004.”.

(3) In Schedule 1, in column 2, for the residue for Metalaxyl-M there shall be substituted “metalaxyl-M”.

(4) In Part II of Schedule 2 –

(a) in the column headed Prochloraz, for the entry for food group 3, Pulses, in relation to the product Peas for “3” there shall be substituted “0.3”;

(b) for the columns relating to the pesticides Abamectin, 2,4-D and Diquat there shall be substituted the columns of maximum permitted levels for residue of those pesticides as specified in the Schedule to these Regulations.

(5) On 1st December 2004 –

(a) in Schedule 1, in column 2, for the residue of Parathion-methyl there shall be substituted “parathion-methyl (sum of parathion-methyl and para-oxon-methyl expressed as Parathion-methyl)”;

(b) in Part I of Schedule 2, the column for the pesticide Parathion-methyl shall be deleted;

(c) in Part II of Schedule 2 –

(i) there shall be inserted, in the appropriate place to preserve the alphabetical ordering, from left to right the column of maximum permitted levels for residue of the pesticide Parathion-methyl as specified in the Schedule to these Regulations;

(ii) for the column relating to the pesticide Acephate there shall be substituted the column of maximum permitted levels for residue of the pesticide Acephate as specified in the Schedule to these Regulations.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 30th April 2004.

(L.S.)

D. Small

A senior officer of the Department of Agriculture and Rural Development

SCHEDULE

Regulation 2(5)

<i>Group to which food belongs</i>	<i>Groups include the following products</i>	<i>Abamectin</i>	<i>Acephate</i>	<i>Diquat</i>	<i>Parathion-methyl</i>	<i>2,4-D</i>
			Applying from 1 December 2004		Applying from 1 December 2004	
1. Fruit, fresh, dried or uncooked, preserved by freezing not containing added sugar: nuts						
(i) CITRUS FRUIT						
	Grapefruit	0.01*	0.02*	0.05*	0.02*	1
	Lemons	0.01*	0.02*	0.05*	0.02*	1
	Limes	0.01*	0.02*	0.05*	0.02*	1
	Mandarins (inc clementines & similar hybrids)	0.01*	0.02*	0.05*	0.02*	1
	Oranges	0.01*	0.02*	0.05*	0.02*	1
	Pomelos	0.01*	0.02*	0.05*	0.02*	1
	Others	0.01*	0.02*	0.05*	0.02*	1
(ii) TREE NUTS (shelled or unshelled)						
	Almonds	0.02*	0.02*	0.05*	0.02*	0.05*
	Brazil nuts	0.02*	0.02*	0.05*	0.02*	0.05*
	Cashew nuts	0.02*	0.02*	0.05*	0.02*	0.05*
	Chestnuts	0.02*	0.02*	0.05*	0.02*	0.05*
	Coconuts	0.02*	0.02*	0.05*	0.02*	0.05*
	Hazelnuts	0.02*	0.02*	0.05*	0.02*	0.05*
	Macadamia nuts	0.02*	0.02*	0.05*	0.02*	0.05*
	Pecans	0.02*	0.02*	0.05*	0.02*	0.05*
	Pine nuts	0.02*	0.02*	0.05*	0.02*	0.05*
	Pistachios	0.02*	0.02*	0.05*	0.02*	0.05*
	Walnuts	0.02*	0.02*	0.05*	0.02*	0.05*
	Others	0.02*	0.02*	0.05*	0.02*	0.05*
(iii) POME FRUIT						
	Apples	0.01*	0.02*	0.05*	0.02*	0.05*
	Pears	0.01*	0.02*	0.05*	0.02*	0.05*
	Quinces	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
(iv) STONE FRUIT						
	Apricots	0.01*	0.02*	0.05*	0.02*	0.05*
	Cherries	0.01*	0.02*	0.05*	0.02*	0.05*
	Peaches (inc nectarines & similar hybrids)	0.01*	0.02*	0.05*	0.02*	0.05*
	Plums	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
(v) BERRIES AND SMALL FRUIT						
	(a) <i>Table & wine grapes</i>					
	Table grapes	0.01*	0.02*	0.05*	0.02*	0.05*
	Wine grapes	0.01*	0.02*	0.05*	0.02*	0.05*
	(b) <i>Strawberries (other than wild)</i>	0.1	0.02*	0.05*	0.02*	0.05*
	(c) <i>Cane Fruit (other than wild)</i>					
	Blackberries	0.01*	0.02*	0.05*	0.02*	0.05*
	Dewberries	0.01*	0.02*	0.05*	0.02*	0.05*
	Loganberries	0.01*	0.02*	0.05*	0.02*	0.05*
	Raspberries	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
	(d) <i>Other small fruit & berries (other than wild)</i>					
	Bilberries	0.01*	0.02*	0.05*	0.02*	0.05*
	Cranberries	0.01*	0.02*	0.05*	0.02*	0.05*

<i>Group to which food belongs</i>	<i>Groups include the following products</i>	<i>Abamectin</i>	<i>Acephate</i>	<i>Diquat</i>	<i>Parathion-methyl</i>	<i>2,4-D</i>
			Applying from 1 December 2004		Applying from 1 December 2004	
	Currants (red, black & white)	0.01*	0.02*	0.05*	0.02*	0.05*
	Gooseberries	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
	(e) <i>Wild berries & wild fruit</i>	0.01*	0.02*	0.05*	0.02*	0.05*

(vi) MISCELLANEOUS FRUIT

Avocados	0.01*	0.02*	0.05*	0.02*	0.05*
Bananas	0.01*	0.02*	0.05*	0.02*	0.05*
Dates	0.01*	0.02*	0.05*	0.02*	0.05*
Figs	0.01*	0.02*	0.05*	0.02*	0.05*
Kiwi fruit	0.01*	0.02*	0.05*	0.02*	0.05*
Kumquats	0.01*	0.02*	0.05*	0.02*	0.05*
Litchis	0.01*	0.02*	0.05*	0.02*	0.05*
Mangoes	0.01*	0.02*	0.05*	0.02*	0.05*
Olives (table consumption)	0.01*	0.02*	0.05*	0.02*	0.05*
Olives (oil extract)	0.01*	0.02*	0.05*	0.02*	0.05*
Papaya	0.01*	0.02*	0.05*	0.02*	0.05*
Passion fruit	0.01*	0.02*	0.05*	0.02*	0.05*
Pineapples	0.01*	0.02*	0.05*	0.02*	0.05*
Pomegranates	0.01*	0.02*	0.05*	0.02*	0.05*
Others	0.01*	0.02*	0.05*	0.02*	0.05*

2. Vegetables, fresh or uncooked, frozen or dry

(i) ROOT AND TUBER VEGETABLES

Beetroot	0.01*	0.02*	0.05*	0.02*	0.05*
Carrots	0.01*	0.02*	0.05*	0.02*	0.05*
Celeriac	0.01*	0.02*	0.05*	0.02*	0.05*
Horseradish	0.01*	0.02*	0.05*	0.02*	0.05*
Jerusalem artichokes	0.01*	0.02*	0.05*	0.02*	0.05*
Parsnips	0.01*	0.02*	0.05*	0.02*	0.05*
Parsley root	0.01*	0.02*	0.05*	0.02*	0.05*
Radishes	0.01*	0.02*	0.05*	0.02*	0.05*
Salsify	0.01*	0.02*	0.05*	0.02*	0.05*
Sweet potatoes	0.01*	0.02*	0.05*	0.02*	0.05*
Swedes	0.01*	0.02*	0.05*	0.02*	0.05*
Turnips	0.01*	0.02*	0.05*	0.02*	0.05*
Yams	0.01*	0.02*	0.05*	0.02*	0.05*
Others	0.01*	0.02*	0.05*	0.02*	0.05*

(ii) BULB VEGETABLES

Garlic	0.01*	0.02*	0.05*	0.02*	0.05*
Onions	0.01*	0.02*	0.05*	0.02*	0.05*
Shallots	0.01*	0.02*	0.05*	0.02*	0.05*
Spring onions	0.01*	0.02*	0.05*	0.02*	0.05*
Others	0.01*	0.02*	0.05*	0.02*	0.05*

(iii) FRUITING VEGETABLES

(a) <i>Solanacea</i>					
Tomatoes	0.02	0.02*	0.05*	0.02*	0.05*
Peppers	0.05	0.02*	0.05*	0.02*	0.05*
Chilli peppers	0.05	0.02*	0.05*	0.02*	0.05*
Aubergines	0.02	0.02*	0.05*	0.02*	0.05*
Others	0.01*	0.02*	0.05*	0.02*	0.05*

<i>Group to which food belongs</i>	<i>Groups include the following products</i>	<i>Abamectin</i>	<i>Acephate</i>	<i>Diquat</i>	<i>Parathion-methyl</i>	<i>2,4-D</i>
			Applying from 1 December 2004		Applying from 1 December 2004	
	(b) <i>Cucurbits-edible peel</i>					
	Cucumbers	0.01*	0.02*	0.05*	0.02*	0.05*
	Gherkins	0.01*	0.02*	0.05*	0.02*	0.05*
	Courgettes	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
	(c) <i>Cucurbits-inedible peel</i>					
	Melons	0.01*	0.02*	0.05*	0.02*	0.05*
	Squashes	0.01*	0.02*	0.05*	0.02*	0.05*
	Watermelons	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
	(d) <i>Sweet corn</i>	0.01*	0.02*	0.05*	0.02*	0.05*
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(iv) BRASSICA VEGETABLES						
	(a) <i>Flowering Brassicas</i>					
	Broccoli	0.01*	0.02*	0.05*	0.02*	0.05*
	Cauliflower	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
	(b) <i>Head Brassicas</i>					
	Brussels sprouts	0.01*	0.02*	0.05*	0.02*	0.05*
	Head cabbage	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
	(c) <i>Leafy Brassicas</i>					
	Chinese cabbage	0.01*	0.02*	0.05*	0.02*	0.05*
	Kale	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
	(d) <i>Kohlrabi</i>	0.01*	0.02*	0.05*	0.02*	0.05*
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(v) LEAF VEGETABLES AND FRESH HERBS						
	(a) <i>Lettuce & similar</i>					
	Cress	0.1	0.02*	0.05*	0.02*	0.05*
	Lamb's lettuce	0.1	0.02*	0.05*	0.02*	0.05*
	Lettuce	0.1	0.02*	0.05*	0.02*	0.05*
	Scarole	0.1	0.02*	0.05*	0.02*	0.05*
	Others	0.1	0.02*	0.05*	0.02*	0.05*
	(b) <i>Spinach & similar</i>					
	Spinach	0.01*	0.02*	0.05*	0.02*	0.05*
	Beet leaves (chard)	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
	(c) <i>Watercress</i>	0.01*	0.02*	0.05*	0.02*	0.05*
	(d) <i>Witloof</i>	0.01*	0.02*	0.05*	0.02*	0.05*
	(e) <i>Herbs</i>					
	Chervil	0.01*	0.02*	0.05*	0.02*	0.05*
	Chives	0.01*	0.02*	0.05*	0.02*	0.05*
	Parsley	0.01*	0.02*	0.05*	0.02*	0.05*
	Celery leaves	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
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(vi) LEGUME VEGETABLES (fresh)						
	Beans (with pods)	0.01*	0.02*	0.05*	0.02*	0.05*
	Beans (without pods)	0.01*	0.02*	0.05*	0.02*	0.05*
	Peas (with pods)	0.01*	0.02*	0.05*	0.02*	0.05*
	Peas (without pods)	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*

<i>Group to which food belongs</i>	<i>Groups include the following products</i>	<i>Abamectin</i>	<i>Acephate</i>	<i>Diquat</i>	<i>Parathion-methyl</i>	<i>2,4-D</i>
			Applying from 1 December 2004		Applying from 1 December 2004	
(vii) STEM VEGETABLES						
	Asparagus	0.01*	0.02*	0.05*	0.02*	0.05*
	Cardoons	0.01*	0.02*	0.05*	0.02*	0.05*
	Celery	0.01*	0.02*	0.05*	0.02*	0.05*
	Fennel	0.01*	0.02*	0.05*	0.02*	0.05*
	Globe artichokes	0.01*	0.02*	0.05*	0.02*	0.05*
	Leeks	0.01*	0.02*	0.05*	0.02*	0.05*
	Rhubarb	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
(viii) FUNGI						
	(a) <i>Cultivated mushrooms</i>	0.01*	0.02*	0.05*	0.02*	0.05*
	(b) <i>Wild mushrooms</i>	0.01*	0.02*	0.05*	0.02*	0.05*
3. PULSES						
	Beans	0.01*	0.02*	0.2	0.02*	0.05*
	Lentils	0.01*	0.02*	0.05*	0.02*	0.05*
	Peas	0.01*	0.02*	0.2	0.2	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
4. OILSEEDS						
	Linseed	0.02*	0.05*	5	0.05*	0.1*
	Peanuts	0.02*	0.05*	0.1*	0.05*	0.1*
	Poppy seed	0.02*	0.05*	0.1*	0.05*	0.1*
	Sesame seed	0.02*	0.05*	0.1*	0.05*	0.1*
	Sunflower seed	0.02*	0.05*	0.1*	0.05*	0.1*
	Rape seed	0.02*	0.05*	0.5	0.05*	0.1*
	Soya bean	0.02*	0.05*	0.1*	0.05*	0.1*
	Mustard seed	0.02*	0.05*	0.1*	0.05*	0.1*
	Cotton seed	0.02*	0.05*	0.1*	0.05*	0.1*
	Others	0.02*	0.05*	0.1*	0.05*	0.1*
5. POTATOES						
	Early potatoes	0.01*	0.02*	0.05*	0.02*	0.05*
	Ware potatoes	0.01*	0.02*	0.05*	0.02*	0.05*
6. TEA						
	(dried leaves and stalks, fermented or otherwise, <i>Camellia sinensis</i>)	0.02*	0.05*	0.1*	0.05*	0.1*
7. HOPS (dried)						
	including hop pellets & unconcentrated powder	0.05	0.05*	0.1*	0.05*	0.1*
8. CEREALS						
	Wheat	0.01*	0.02*	0.05*	0.02*	0.05*
	Rye	0.01*	0.02*	0.05*	0.02*	0.05*
	Barley	0.01*	0.02*	10	0.02*	0.05*
	Sorghum	0.01*	0.02*	0.05*	0.02*	0.05*
	Oats	0.01*	0.02*	2	0.02*	0.05*
	Triticale	0.01*	0.02*	0.05*	0.02*	0.05*
	Maize	0.01*	0.02*	1	0.02*	0.05*
	Buckwheat	0.01*	0.02*	0.05*	0.02*	0.05*
	Millet	0.01*	0.02*	1	0.02*	0.05*
	Rice ⁽¹⁾	0.01*	0.02*	0.05*	0.02*	0.05*
	Other cereals ⁽²⁾	0.01*	0.02*	0.05*	0.02*	0.05*

<i>Group to which food belongs</i>	<i>Groups include the following products</i>	<i>Abamectin</i>	<i>Acephate</i>	<i>Diquat</i>	<i>Parathion-methyl</i>	<i>2,4-D</i>
			Applying from 1 December 2004		Applying from 1 December 2004	
9. PRODUCTS OF ANIMAL ORIGIN						
	Meat, fat & preparations of meat ⁽³⁾	0.02 ⁽¹²⁾				1 ⁽³¹⁾
		0.01 ^{*(17)}	0.02*	0.05*	0.02*	0.05 ^{*(17)}
	Milk ⁽⁴⁾ & Dairy produce ⁽⁵⁾	0.005*	0.02*	0.05*	0.02*	0.01*
	Eggs ⁽⁶⁾	0.01*	0.02*	0.05*	0.02*	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, further amend the provisions of the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) Regulations (Northern Ireland) 2002 (“the principal Regulations”).

The Regulations implement Commission Directive 2003/118/EC and corrigenda (O.J. No. L342, 30.12.2003, p. 58 and O.J. No. L14, 21.1.2004, p. 55) to Commission Directives 2002/79/EC (O.J. No. L291, 28.10.2002, p. 1) and 2003/60/EC (O.J. No. L155, 24.6.2003, p. 15).

The definition of “the Residues Directives” is updated (regulation 2(2)).

In Schedule 1, the residue entries for Metalaxyl-M are corrected (regulation 2(3)).

In Part II of Schedule 2 the maximum permitted levels of residue for the pesticides Abamectin and Diquat are corrected and the maximum residue levels for 2,4-D on citrus fruits are amended (regulation 2(4)).

On 1st December 2004 the entry for the residue of Parathion-methyl is amended. In addition, the entry for Parathion-methyl which sets national maximum residue levels for the pesticide is deleted from Part I of Schedule 2 and replaced by a new entry in Part II of Schedule 2 establishing the Community maximum residue levels for the pesticide (regulation 2(5)).

On the same date the existing maximum residue levels for Acephate which are set out in Part II of Schedule 2 are replaced with new maximum residue levels (regulation 2(5)).

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