

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations enforce the provisions of Regulation (EC) No 396/2005 of the European Parliament and of the Council on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/41/EEC (“Regulation 396/2005”).

Regulation 4 designates the Department of Agriculture and Rural Development as the national authority for the purposes of Article 38 of Regulation 396/2005.

Regulation 5 provides that, in relation to Northern Ireland, the functions of the member State in Regulation 396/2005 are to be performed by the Department of Agriculture and Rural Development.

Regulation 6 creates an offence of placing on the market as food or feed, or feeding to an animal, any product covered by Annex I to Regulation 396/2005, if that product contains pesticide residue levels in excess of those specified in Article 18(1) of that Regulation as read with Article 20(1). Regulation 7 creates an offence of processing or mixing certain products with a view to placing them on the market as food or feed, or feeding them to animals.

Regulation 8 and Schedule 1 set out the powers of inspectors.

Regulation 12 provides that any person guilty of an offence under these Regulations is liable, on summary conviction, to a fine not exceeding the statutory maximum or, on conviction on indictment, to a fine.

Changes to legislation:

There are currently no known outstanding effects for the The Pesticides (Maximum Residue Levels) Regulations (Northern Ireland) 2008.