SCOTTISH STATUTORY INSTRUMENTS

# 2008 No. 65

# AGRICULTURE

# PESTICIDES

# The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Amendment Regulations 2008

*Made - - - -* *28th February 2008*

*Laid before the Scottish Parliament* *29th February 2008*

*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(**a**) 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 Stuffs) (Scotland) Amendment Regulations 2008.

(2) These Regulations come into force on 28th March 2008, except for–

(a) regulation 4, which comes into force on 15th June 2008; and

(b) regulation 5, which comes into force on 15th September 2008.

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

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

**Amendments coming into force on 28th March 2008**

**3.** In Schedule 2 (maximum residue levels), for the entries in the column relating to the pesticide Deltamethrin, substitute the entries for that pesticide set out in the Schedule to these Regulations.

(**a**) 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 on 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.

(**b**) S.S.I. 2005/599 as amended by S.S.I. 2006/151, 312, 548 and S.S.I. 2007/142, 306, 481 and 523.

**Amendments coming into force on 15th June 2008**

**4.** In Schedule 2 (maximum residue levels), for the entries in the columns relating to the pesticides Acetamiprid, Indoxacarb, Pendimethalin, Pymetrozine, Pyraclostrobin, Thiacloprid and Trifloxystrobin, substitute the entries for those pesticides set out in the Schedule to these Regulations.

**Amendments coming into force on 15th September 2008**

**5.** In Schedule 2 (maximum residue levels), for the entries in the column relating to the pesticide Imazalil, substitute the entries for that pesticide set out in the Schedule to these Regulations.

*RICHARD LOCHHEAD*
A member of the Scottish Executive

St Andrew's House,
Edinburgh
28th February 2008

# SCHEDULE

Regulations 3, 4 and 5

## Entries substituted or inserted in Schedule 2

| *Group to which food belongs* | *Groups include the following products* | *Acetamiprid* | *Deltamethrin* | *Imazalil* | *Indoxacarb* |
|---|---|---|---|---|---|
| **1. FRUIT, FRESH, DRIED OR UNCOOKED, PRESERVED BY FREEZING NOT CONTAINING ADDED SUGAR: NUTS** | | | | | |
| i) CITRUS FRUIT | | | | | |
| | Grapefruit | 1 | 0.05* | 5 | 0.02* |
| | Lemons | 1 | 0.05* | 5 | 0.02* |
| | Limes | 1 | 0.05* | 5 | 0.02* |
| | Mandarins (inc clementines & similar hybrids) | 1 | 0.05* | 5 | 0.02* |
| | Oranges | 1 | 0.05* | 5 | 0.02* |
| | Pomelos | 1 | 0.05* | 5 | 0.02* |
| | Others | 1 | 0.05* | 5 | 0.02* |
| ii) TREE NUTS (shelled or unshelled) | | | | | |
| | Almonds | 0.01* | 0.05* | 0.05* | 0.05 |
| | Brazil nuts | 0.01* | 0.05* | 0.05* | 0.05 |
| | Cashew nuts | 0.01* | 0.05* | 0.05* | 0.05 |
| | Chestnuts | 0.01* | 0.05* | 0.05* | 0.05 |
| | Coconuts | 0.01* | 0.05* | 0.05* | 0.05 |
| | Hazelnuts | 0.01* | 0.05* | 0.05* | 0.05 |
| | Macadamia nuts | 0.01* | 0.05* | 0.05* | 0.05 |
| | Pecans | 0.01* | 0.05* | 0.05* | 0.05 |
| | Pine nuts | 0.01* | 0.05* | 0.05* | 0.05 |
| | Pistachios | 0.01* | 0.05* | 0.05* | 0.05 |
| | Walnuts | 0.01* | 0.05* | 0.05* | 0.05 |

| *Group to which food belongs* | *Groups include the following products* | *Acetamiprid* | *Deltamethrin* | *Imazalil* | *Indoxacarb* |
|---|---|---|---|---|---|
| | Others | 0.01* | 0.05* | 0.05* | 0.05 |
| iii) POME FRUIT | | | | | |
| | Apples | 0.1 | 0.2 | 2 | 0.5 |
| | Pears | 0.1 | 0.1 | 2 | 0.3 |
| | Quinces | 0.1 | 0.1 | 2 | 0.3 |
| | Others | 0.1 | 0.1 | 2 | 0.3 |
| iv) STONE FRUIT | | | | | |
| | Apricots | 0.1 | 0.1 | 0.05* | 0.3 |
| | Cherries | 0.2 | 0.2 | 0.05* | 0.02* |
| | Peaches (incl nectarines & similar hybrids) | 0.1 | 0.1 | 0.05* | 0.3 |
| | Plums | 0.02 | 0.1 | 0.05* | 0.02* |
| | Others | 0.01* | 0.1 | 0.05* | 0.02* |
| v) BERRIES AND SMALL FRUIT | | | | | |
| a) | Table & wine grapes | | | | |
| | Table grapes | 0.01* | 0.2 | 0.05* | 2 |
| | Wine grapes | 0.01* | 0.2 | 0.05* | 2 |
| b) | Strawberries (other than wild) | 0.01* | 0.2 | 0.05* | 0.02* |
| c) | Cane fruit (other than wild) | | | | |
| | Blackberries | 0.01* | 0.5 | 0.05* | 0.02* |
| | Dewberries | 0.01* | 0.05* | 0.05* | 0.02* |
| | Loganberries | 0.01* | 0.05* | 0.05* | 0.02* |
| | Raspberries | 0.01* | 0.5 | 0.05* | 0.02* |
| | Others | 0.01* | 0.05* | 0.05* | 0.02* |

| *Group to which food belongs* | | *Groups include the following products* | *Acetamiprid* | *Deltamethrin* | *Imazalil* | *Indoxacarb* |
|---|---|---|---|---|---|---|
| | d) | other small fruit & berries (other than wild) | | | | |
| | | Bilberries | 0.01* | 0.05* | 0.05* | 0.02* |
| | | Cranberries | 0.01* | 0.05* | 0.05* | 0.02* |
| | | Currants (red, black & white) | 0.01* | 0.5 | 0.05* | 1 |
| | | Gooseberries | 0.01* | 0.2 | 0.05* | 1 |
| | | Others | 0.01* | 0.05* | 0.05* | 0.02* |
| | e) | Wild berries & wild fruit | 0.01* | 0.05* | 0.05* | 0.02* |
| vi) MISCELLANEOUS FRUIT | | | | | | |
| | | Avocados | 0.01* | 0.05* | 0.05* | 0.02* |
| | | Bananas | 0.01* | 0.05* | 2 | 0.2 |
| | | Dates | 0.01* | 0.05* | 0.05* | 0.02* |
| | | Figs | 0.01* | 0.05* | 0.05* | 0.02* |
| | | Kiwi fruit | 0.01* | 0.2 | 0.05* | 0.02* |
| | | Kumquats | 0.01* | 0.05* | 0.05* | 0.02* |
| | | Litchis | 0.01* | 0.05* | 0.05* | 0.02* |
| | | Mangoes | 0.01* | 0.05* | 0.05* | 0.02* |
| | | Olives (table consumption) | 0.01* | 1 | 0.05* | 0.02* |
| | | Olives (oil extract) | 0.01* | 1 | 0.05* | 0.02* |
| | | Papaya | 0.01* | 0.05* | 0.05* | 0.02* |
| | | Passion fruit | 0.01* | 0.05* | 0.05* | 0.02* |
| | | Pineapples | 0.01* | 0.05* | 0.05* | 0.02* |
| | | Pomegranates | 0.01* | 0.05* | 0.05* | 0.02* |
| | | Others | 0.01* | 0.05* | 0.05* | 0.02* |

| *Group to which food belongs* | *Groups include the following products* | *Acetamiprid* | *Deltamethrin* | *Imazalil* | *Indoxacarb* |
|---|---|---|---|---|---|
| **2. VEGETABLES, FRESH OR UNCOOKED, FROZEN OR DRY** | | | | | |
| i) ROOT AND TUBER VEGETABLES | | | | | |
| | Beetroot | 0.01* | 0.05* | 0.05* | 0.02* |
| | Carrots | 0.01* | 0.05* | 0.05* | 0.02* |
| | Cassava | 0.01* | 0.05* | 0.05* | 0.02* |
| | Celeriac | 0.01* | 0.05* | 0.05* | 0.02* |
| | Horseradish | 0.01* | 0.05* | 0.05* | 0.02* |
| | Jerusalem artichokes | 0.01* | 0.05* | 0.05* | 0.02* |
| | Parsnips | 0.01* | 0.05* | 0.05* | 0.02* |
| | Parsley root | 0.01* | 0.05* | 0.05* | 0.02* |
| | Radishes | 0.01* | 0.05* | 0.05* | 0.2 |
| | Salsify | 0.01* | 0.05* | 0.05* | 0.02* |
| | Sweet potatoes | 0.01* | 0.05* | 0.05* | 0.02* |
| | Swedes | 0.01* | 0.05* | 0.05* | 0.02* |
| | Turnips | 0.01* | 0.05* | 0.05* | 0.02* |
| | Yams | 0.01* | 0.05* | 0.05* | 0.02* |
| | Others | 0.01* | 0.05* | 0.05* | 0.02* |
| ii) BULB VEGETABLES | | | | | |
| | Garlic | 0.01* | 0.1 | 0.05* | 0.02* |
| | Onions | 0.01* | 0.1 | 0.05* | 0.02* |
| | Shallots | 0.01* | 0.1 | 0.05* | 0.02* |
| | Spring onions | 0.01* | 0.1 | 0.05* | 0.02* |
| | Others | 0.01* | 0.05* | 0.05* | 0.02* |
| iii) FRUITING VEGETABLES | | | | | |
| | a) Solanacea | | | | |
| | Tomatoes | 0.1 | 0.3 | 0.5 | 0.5 |
| | Peppers | 0.3 | 0.2 | 0.05* | 0.3 |
| | Chilli Peppers | 0.3 | 0.2 | 0.05* | 0.3 |
| | Aubergines | 0.1 | 0.3 | 0.05* | 0.5 |

| *Group to which food belongs* | *Groups include the following products* | *Acetamiprid* | *Deltamethrin* | *Imazalil* | *Indoxacarb* |
|---|---|---|---|---|---|
| | Okra | 0.01* | 0.3 | 0.05* | 0.02* |
| | Others | 0.01* | 0.2 | 0.05* | 0.02* |
| | b) Cucurbits-edible peel | | | | |
| | Cucumbers | 0.3 | 0.2 | 0.2 | 0.2 |
| | Gherkins | 0.3 | 0.2 | 0.2 | 0.2 |
| | Courgettes | 0.3 | 0.2 | 0.2 | 0.2 |
| | Others | 0.3 | 0.2 | 0.2 | 0.2 |
| | c) Cucurbits-inedible peel | | | | |
| | Melons | 0.01* | 0.2 | 2 | 0.1 |
| | Squashes | 0.01* | 0.2 | 0.05* | 0.1 |
| | Watermelons | 0.01* | 0.2 | 0.05* | 0.1 |
| | Others | 0.01* | 0.2 | 0.05* | 0.1 |
| | d) Sweet corn | 0.01* | 0.05* | 0.05* | 0.02* |
| iv) BRASSICA VEGETABLES | | | | | |
| | a) Flowering Brassicas | | | | |
| | Broccoli | 0.01*(13) | 0.1(13) | 0.05*(13) | 0.3(13) |
| | Cauliflower | 0.01* | 0.1 | 0.05* | 0.3 |
| | Others | 0.01* | 0.1 | 0.05* | 0.3 |
| | b) Head Brassicas | | | | |
| | Brussels sprouts | 0.01* | 0.1 | 0.05* | 0.02* |
| | Head cabbage | 0.01* | 0.1 | 0.05* | 3 |
| | Others | 0.01* | 0.1 | 0.05* | 0.02* |
| | c) Leafy Brassicas | | | | |
| | Chinese cabbage | 0.01* | 0.5 | 0.05* | 0.2 |
| | Kale | 0.01* | 0.5 | 0.05* | 0.2 |
| | Others | 0.01* | 0.5 | 0.05* | 0.02* |
| | d) Kohlrabi | 0.01* | 0.05 | 0.05* | 0.02* |

| *Group to which food belongs* | *Groups include the following products* | *Acetamiprid* | *Deltamethrin* | *Imazalil* | *Indoxacarb* |
|---|---|---|---|---|---|
| v) LEAF VEGETABLES AND FRESH HERBS | | | | | |
| a) | Lettuce & similar | | | | |
| | Cress | 0.01* | 0.5 | 0.05* | 0.02* |
| | Lamb's lettuce | 5 | 0.5 | 0.05* | 1 |
| | Lettuce | 5 | 0.5 | 0.05* | 2 |
| | Scarole | 5(6) | 0.5(6) | 0.05*(6) | 2(6) |
| | Ruccola | 0.01* | 0.5 | 0.05* | 0.02* |
| | Leaves and stems of brassica, including turnip greens | 0.01* | 0.5 | 0.05* | 0.02* |
| | Others | 0.01* | 0.5 | 0.05* | 0.02* |
| b) | Spinach & similar | | | | |
| | Spinach | 0.01* | 0.5 | 0.05* | 2 |
| | Beet leaves (chard) | 0.01* | 0.5 | 0.05* | 0.02* |
| | Others | 0.01* | 0.5 | 0.05* | 0.02* |
| c) | Watercress | 0.01* | 0.05* | 0.05* | 0.02* |
| d) | Witloof | 0.01* | 0.05* | 0.05* | 0.02* |
| e) | Herbs | | | | |
| | Chervil | 0.01* | 0.5 | 0.05* | 2 |
| | Chives | 0.01* | 0.5 | 0.05* | 2 |
| | Parsley | 5 | 0.5 | 0.05* | 2 |
| | Celery leaves | 0.01* | 0.5 | 0.05* | 2 |
| | Others | 0.01* | 0.5 | 0.05* | 2 |
| vi) LEGUME VEGETABLES (Fresh) | | | | | |
| | Beans (with pods) | 0.01* | 0.2 | 0.05* | 0.02* |
| | Beans (without pods) | 0.01* | 0.2 | 0.05* | 0.02* |
| | Peas (with pods) | 0.01* | 0.2 | 0.05* | 0.02* |
| | Peas (without pods) | 0.01* | 0.2 | 0.05* | 0.02* |
| | Others | 0.01* | 0.2 | 0.05* | 0.02* |

| *Group to which food belongs* | *Groups include the following products* | *Acetamiprid* | *Deltamethrin* | *Imazalil* | *Indoxacarb* |
|---|---|---|---|---|---|
| vii) STEM VEGETABLES | | | | | |
| | Asparagus | 0.01* | 0.05* | 0.05* | 0.02* |
| | Cardoons | 0.01* | 0.05* | 0.05* | 0.02* |
| | Celery | 0.01* | 0.05* | 0.05* | 0.02* |
| | Fennel | 0.01* | 0.05* | 0.05* | 0.02* |
| | Globe artichokes | 0.01* | 0.1 | 0.05* | 0.1 |
| | Leeks | 0.01* | 0.2 | 0.05* | 0.02* |
| | Rhubarb | 0.01* | 0.05* | 0.05* | 0.02* |
| | Others | 0.01* | 0.05* | 0.05* | 0.02* |
| viii) FUNGI | | | | | |
| a) | Cultivated mushrooms | 0.01* | 0.05 | 0.05* | 0.02* |
| b) | Wild mushrooms | 0.01* | 0.05 | 0.05* | 0.02* |
| **3. PULSES** | | | | | |
| | Beans | 0.01* | 1 | 0.05* | 0.02* |
| | Lentils | 0.01* | 1 | 0.05* | 0.02* |
| | Peas | 0.01* | 1 | 0.05* | 0.02* |
| | Lupins | 0.01* | 1 | 0.05* | 0.02* |
| | Others | 0.01* | 1 | 0.05* | 0.02* |
| **4. OILSEEDS** | | | | | |
| | Linseed | 0.01* | 0.05* | 0.05* | 0.05* |
| | Peanuts | 0.01* | 0.05* | 0.05* | 0.05* |
| | Poppy seed | 0.01* | 0.05* | 0.05* | 0.05* |
| | Sesame seed | 0.01* | 0.05* | 0.05* | 0.05* |
| | Sunflower seed (with shell) | 0.01* | 0.05* | 0.05* | 0.05* |
| | Rape seed | 0.01* | 0.1 | 0.05* | 0.05* |
| | Soya bean | 0.01* | 0.05* | 0.05* | 0.5 |
| | Mustard seed | 0.01* | 0.1 | 0.05* | 0.05* |
| | Cotton seed | 0.02 | 0.05* | 0.05* | 0.05* |

| *Group to which food belongs* | *Groups include the following products* | *Acetamiprid* | *Deltamethrin* | *Imazalil* | *Indoxacarb* |
|---|---|---|---|---|---|
| | Hemp seed | 0.01* | 0.05* | 0.05* | 0.05* |
| | Pumpkin seed | 0.01* | 0.05* | 0.05* | 0.05* |
| | Others | 0.01* | 0.05* | 0.05* | 0.05* |
| **5. POTATOES** | | | | | |
| | Early potatoes | 0.01* | 0.05* | 3 | 0.02* |
| | Ware potatoes | 0.01* | 0.05* | 3 | 0.02* |
| **6. TEA** | | | | | |
| | Tea (dried leaves and stalks, fermented or otherwise, Camellia sinesis) | 0.1* | 5 | 0.1* | 0.05* |
| **7. HOPS (dried)** | | | | | |
| | including hop pellets & unconcentrated powder | 0.1* | 5 | 0.1* | 0.05* |
| **8. CEREALS** | | | | | |
| | Wheat | 0.01* | 2 | 0.02* | 0.02* |
| | Rye | 0.01* | 2 | 0.02* | 0.02* |
| | Barley | 0.01* | 2 | 0.02* | 0.02* |
| | Sorghum | 0.01* | 2 | 0.02* | 0.02* |
| | Oats | 0.01* | 2 | 0.02* | 0.02* |
| | Triticale | 0.01* | 2 | 0.02* | 0.02* |
| | Maize | 0.01* | 2 | 0.02* | 0.02* |
| | Buckwheat | 0.01* | 2 | 0.02* | 0.02* |
| | Millet | 0.01* | 2 | 0.02* | 0.02* |
| | Rice[(1)] | 0.01* | 2 | 0.02* | 0.02* |
| | Others | 0.01* | 2 | 0.02* | 0.02* |

| *Group to which food belongs* | *Groups include the following products* | *Acetamiprid* | *Deltamethrin* | *Imazalil* | *Indoxacarb* |
|---|---|---|---|---|---|
| **9. PRODUCTS OF ANIMAL ORIGIN** | | | | | |
| | Meat, edible offal, fat & preparations of meat and edible offal[2] | 0.05*[10]<br>0.1[42]<br>0.2[30]<br>0.05*[49] | 0.03[11]<br>0.1[47]<br>0.5[9] | 0.02* | 0.3[49]<br>0.01[50] |
| | Milk[3] and dairy produce[4] | 0.05* | 0.05 | 0.02* | 0.02[51]<br>0.3[52] |
| | Eggs[5] | 0.05* | 0.05* | 0.02* | 0.01* |
| **10. SPICES** | | | | | |
| | Cumin seed | | | | |
| | Juniper seed | | | | |
| | Nutmeg | | | | |
| | Pepper, black and white | | | | |
| | Vanilla pods | | | | |
| | Spices - others | | | | |

| *Group to which food belongs* | *Groups include the following products* | *Pendimethalin* | *Pymetrozine* | *Pyraclostrobin* | *Thiacloprid* | *Trifloxystrobin* |
|---|---|---|---|---|---|---|
| **1. FRUIT, FRESH, DRIED OR UNCOOKED, PRESERVED BY FREEZING NOT CONTAINING ADDED SUGAR: NUTS** | | | | | | |
| i) CITRUS FRUIT | | | | | | |
| | Grapefruit | 0.05* | 0.3 | 1 | 0.02* | 0.3 |
| | Lemons | 0.05* | 0.3 | 1 | 0.02* | 0.3 |
| | Limes | 0.05* | 0.3 | 1 | 0.02* | 0.3 |
| | Mandarins (inc clementines & similar hybrids) | 0.05* | 0.3 | 1 | 0.02* | 0.3 |
| | Oranges | 0.05* | 0.3 | 1 | 0.02* | 0.3 |
| | Pomelos | 0.05* | 0.3 | 1 | 0.02* | 0.3 |
| | Others | 0.05* | 0.3 | 1 | 0.02* | 0.3 |
| ii) TREE NUTS (shelled or unshelled) | | | | | | |
| | Almonds | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Brazil nuts | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Cashew nuts | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Chestnuts | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Coconuts | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Hazelnuts | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Macadamia nuts | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Pecans | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Pine nuts | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Pistachios | 0.05* | 0.02* | 1 | 0.02* | 0.02* |
| | Walnuts | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Others | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| iii) POME FRUIT | | | | | | |
| | Apples | 0.05* | 0.02* | 0.3 | 0.3 | 0.5 |
| | Pears | 0.05* | 0.02* | 0.3 | 0.3 | 0.5 |
| | Quinces | 0.05* | 0.02* | 0.3 | 0.3 | 0.5 |

| *Group to which food belongs* | | *Groups include the following products* | *Pendimethalin* | *Pymetrozine* | *Pyraclostrobin* | *Thiacloprid* | *Trifloxystrobin* |
|---|---|---|---|---|---|---|---|
| | | Others | 0.05* | 0.02* | 0.3 | 0.3 | 0.5 |
| iv) STONE FRUIT | | | | | | | |
| | | Apricots | 0.05* | 0.05 | 0.2 | 0.3 | 1 |
| | | Cherries | 0.05* | 0.02* | 0.3 | 0.3 | 1 |
| | | Peaches (incl nectarines & similar hybrids) | 0.05* | 0.05 | 0.2 | 0.3 | 1 |
| | | Plums | 0.05* | 0.02* | 0.1 | 0.1 | 0.2 |
| | | Others | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| v) BERRIES AND SMALL FRUIT | | | | | | | |
| | a) | Table & wine grapes | | | | | |
| | | Table grapes | 0.05* | 0.02* | 1 | 0.02* | 5 |
| | | Wine grapes | 0.05* | 0.02* | 2 | 0.02* | 5 |
| | b) | Strawberries (other than wild) | 0.05* | 0.5 | 0.5 | 0.5 | 0.5 |
| | c) | Cane fruit (other than wild) | | | | | |
| | | Blackberries | 0.05* | 3 | 1 | 1 | 0.02* |
| | | Dewberries | 0.05* | 0.02* | 0.02* | 1 | 0.02* |
| | | Loganberries | 0.05* | 0.02* | 0.02* | 1 | 0.02* |
| | | Raspberries | 0.05* | 3 | 1 | 1 | 0.02* |
| | | Others | 0.05* | 0.02* | 0.02* | 1 | 0.02* |
| | d) | other small fruit & berries (other than wild) | | | | | |
| | | Bilberries | 0.05* | 0.02* | 0.5 | 1 | 0.02* |
| | | Cranberries | 0.05* | 0.02* | 0.5 | 1 | 0.02* |
| | | Currants (red, black & white) | 0.05* | 0.5 | 2 | 1 | 1 |
| | | Gooseberries | 0.05* | 0.5 | 0.5 | 1 | 1 |
| | | Others | 0.05* | 0.02* | 0.5 | 1 | 0.02* |
| | e) | Wild berries & wild fruit | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |

| *Group to which food belongs* | *Groups include the following products* | *Pendimethalin* | *Pymetrozine* | *Pyraclostrobin* | *Thiacloprid* | *Trifloxystrobin* |
|---|---|---|---|---|---|---|
| vi) MISCELLANEOUS FRUIT | | | | | | |
| | Avocados | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Bananas | 0.05* | 0.02* | 0.02* | 0.02* | 0.05 |
| | Dates | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Figs | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Kiwi fruit | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Kumquats | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Litchis | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Mangoes | 0.05* | 0.02* | 0.05 | 0.02* | 0.5 |
| | Olives (table consumption) | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Olives (oil extract) | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Papaya | 0.05* | 0.02* | 0.05 | 0.5 | 1 |
| | Passion fruit | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Pineapples | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Pomegranates | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Others | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| **2. VEGETABLES, FRESH OR UNCOOKED, FROZEN OR DRY** | | | | | | |
| i) ROOT AND TUBER VEGETABLES | | | | | | |
| | Beetroot | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Carrots | 0.2 | 0.02* | 0.1 | 0.02* | 0.05 |
| | Cassava | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Celeriac | 0.1 | 0.02* | 0.02* | 0.02* | 0.02* |
| | Horseradish | 0.2 | 0.02* | 0.3 | 0.02* | 0.02* |
| | Jerusalem artichokes | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Parsnips | 0.2 | 0.02* | 0.3 | 0.02* | 0.02* |
| | Parsley root | 0.2 | 0.02* | 0.1 | 0.02* | 0.02* |
| | Radishes | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Salsify | 0.05* | 0.02* | 0.1 | 0.02* | 0.02* |
| | Sweet potatoes | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |

| *Group to which food belongs* | *Groups include the following products* | *Pendimethalin* | *Pymetrozine* | *Pyraclostrobin* | *Thiacloprid* | *Trifloxystrobin* |
|---|---|---|---|---|---|---|
| | Swedes | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Turnips | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Yams | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Others | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| ii) BULB VEGETABLES | | | | | | |
| | Garlic | 0.05* | 0.02* | 0.2 | 0.02* | 0.02* |
| | Onions | 0.05* | 0.02* | 0.2 | 0.02* | 0.02* |
| | Shallots | 0.05* | 0.02* | 0.2 | 0.02* | 0.02* |
| | Spring onions | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Others | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| iii) FRUITING VEGETABLES | | | | | | |
| a) | Solanacea | | | | | |
| | Tomatoes | 0.05* | 0.5 | 0.2 | 0.5 | 0.5 |
| | Peppers | 0.05* | 1 | 0.5 | 1 | 0.3 |
| | Chilli Peppers | 0.05* | 1 | 0.5 | 1 | 0.3 |
| | Aubergines | 0.05* | 0.5 | 0.2 | 0.5 | 0.02* |
| | Okra | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Others | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| b) | Cucurbits-edible peel | | | | | |
| | Cucumbers | 0.05* | 0.5 | 0.02* | 0.3 | 0.2 |
| | Gherkins | 0.05* | 0.5 | 0.02* | 0.3 | 0.2 |
| | Courgettes | 0.05* | 0.5 | 0.02* | 0.3 | 0.2 |
| | Others | 0.05* | 0.5 | 0.02* | 0.3 | 0.2 |
| c) | Cucurbits-inedible peel | | | | | |
| | Melons | 0.05* | 0.2 | 0.02* | 0.2 | 0.3 |
| | Squashes | 0.05* | 0.2 | 0.02* | 0.02* | 0.02* |
| | Watermelons | 0.05* | 0.2 | 0.02* | 0.2 | 0.2 |
| | Others | 0.05* | 0.2 | 0.02* | 0.02* | 0.02* |
| d) | Sweet corn | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |

| *Group to which food belongs* | *Groups include the following products* | *Pendimethalin* | *Pymetrozine* | *Pyraclostrobin* | *Thiacloprid* | *Trifloxystrobin* |
|---|---|---|---|---|---|---|
| iv) BRASSICA VEGETABLES | | | | | | |
| a) | Flowering Brassicas | | | | | |
| | Broccoli | 0.05*[13] | 0.02*[13] | 0.1[13] | 0.02*[13] | 0.05[13] |
| | Cauliflower | 0.05* | 0.02* | 0.1 | 0.02* | 0.05 |
| | Others | 0.05* | 0.02* | 0.1 | 0.02* | 0.02* |
| b) | Head Brassicas | | | | | |
| | Brussels sprouts | 0.05* | 0.02* | 0.2 | 0.02* | 0.2 |
| | Head cabbage | 0.05* | 0.05 | 0.2 | 0.02* | 0.2 |
| | Others | 0.05* | 0.02* | 0.02* | 0.02* | 0.2 |
| c) | Leafy Brassicas | | | | | |
| | Chinese cabbage | 0.05* | 0.2 | 0.02* | 0.02* | 0.02* |
| | Kale | 0.05* | 0.2 | 0.02* | 0.02* | 0.02* |
| | Others | 0.05* | 0.2 | 0.02* | 0.02* | 0.02* |
| d) | Kohlrabi | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| v) LEAF VEGETABLES AND FRESH HERBS | | | | | | |
| a) | Lettuce & similar | | | | | |
| | Cress | 0.05* | 2 | 2 | 2 | 0.02* |
| | Lamb's lettuce | 0.05* | 2 | 10 | 2 | 0.02* |
| | Lettuce | 0.05* | 2 | 2 | 2 | 0.02* |
| | Scarole | 0.05*[6] | 2[6] | 2[6] | 2[6] | 0.02*[6] |
| | Ruccola | 0.05* | 2 | 2 | 2 | 0.02* |
| | Leaves and stems of brassica, including turnip greens | 0.05* | 2 | 2 | 2 | 0.02* |
| | Others | 0.05* | 2 | 2 | 2 | 0.02* |
| b) | Spinach & similar | | | | | |
| | Spinach | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Beet leaves (chard) | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |

| *Group to which food belongs* | | *Groups include the following products* | *Pendimethalin* | *Pymetrozine* | *Pyraclostrobin* | *Thiacloprid* | *Trifloxystrobin* |
|---|---|---|---|---|---|---|---|
| | | Others | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | c) | Watercress | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | d) | Witloof | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | e) | Herbs | | | | | |
| | | Chervil | 0.05* | 1 | 2 | 3 | 0.02* |
| | | Chives | 0.05* | 1 | 2 | 3 | 0.02* |
| | | Parsley | 0.05* | 1 | 2 | 3 | 0.02* |
| | | Celery leaves | 0.05* | 1 | 2 | 3 | 0.02* |
| | | Others | 0.05* | 1 | 2 | 3 | 0.02* |
| vi) LEGUME VEGETABLES (Fresh) | | | | | | | |
| | | Beans (with pods) | 0.2 | 1 | 0.02* | 1 | 0.5 |
| | | Beans (without pods) | 0.2 | 1 | 0.02* | 0.02* | 0.02* |
| | | Peas (with pods) | 0.2 | 1 | 0.02* | 0.02* | 0.02* |
| | | Peas (without pods) | 0.2 | 1 | 0.02* | 0.02* | 0.02* |
| | | Others | 0.2 | 1 | 0.02* | 0.02* | 0.02* |
| vii) STEM VEGETABLES | | | | | | | |
| | | Asparagus | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | | Cardoons | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | | Celery | 0.1 | 0.02* | 0.02* | 0.02* | 0.02* |
| | | Fennel | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | | Globe artichokes | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | | Leeks | 0.05* | 0.02* | 0.5 | 0.02* | 0.2 |
| | | Rhubarb | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | | Others | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| viii) FUNGI | | | | | | | |
| | a) | Cultivated mushrooms | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | b) | Wild mushrooms | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |

| *Group to which food belongs* | *Groups include the following products* | *Pendimethalin* | *Pymetrozine* | *Pyraclostrobin* | *Thiacloprid* | *Trifloxystrobin* |
|---|---|---|---|---|---|---|
| **3. PULSES** | | | | | | |
| | Beans | 0.2 | 0.02* | 0.3 | 0.02* | 0.02* |
| | Lentils | 0.2 | 0.02* | 0.3 | 0.02* | 0.02* |
| | Peas | 0.2 | 0.02* | 0.3 | 0.02* | 0.02* |
| | Lupins | 0.2 | 0.02* | 0.3 | 0.02* | 0.02* |
| | Others | 0.2 | 0.02* | 0.3 | 0.02* | 0.02* |
| **4. OILSEEDS** | | | | | | |
| | Linseed | 0.1* | 0.02* | 0.02* | 0.05* | 0.05* |
| | Peanuts | 0.1* | 0.02* | 0.02* | 0.05* | 0.05* |
| | Poppy seed | 0.1* | 0.02* | 0.02* | 0.05* | 0.05* |
| | Sesame seed | 0.1* | 0.02* | 0.02* | 0.05* | 0.05* |
| | Sunflower seed (with shell) | 0.1* | 0.02* | 0.02* | 0.05* | 0.05* |
| | Rape seed | 0.1* | 0.02* | 0.02* | 0.3 | 0.05* |
| | Soya bean | 0.1* | 0.02* | 0.02* | 0.05* | 0.05* |
| | Mustard seed | 0.1* | 0.02* | 0.02* | 0.2 | 0.05* |
| | Cotton seed | 0.1* | 0.05 | 0.02* | 0.05* | 0.05* |
| | Hemp seed | 0.1* | 0.02* | 0.02* | 0.05* | 0.05* |
| | Pumpkin seed | 0.1* | 0.02* | 0.02* | 0.05* | 0.05* |
| | Others | 0.1* | 0.02* | 0.02* | 0.05* | 0.05* |
| **5. POTATOES** | | | | | | |
| | Early potatoes | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Ware potatoes | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| **6. TEA** | | | | | | |
| | Tea (dried leaves and stalks, fermented or otherwise, Camellia sinesis) | 0.1* | 0.1* | 0.05* | 0.05* | 0.05* |

| *Group to which food belongs* | *Groups include the following products* | *Pendimethalin* | *Pymetrozine* | *Pyraclostrobin* | *Thiacloprid* | *Trifloxystrobin* |
|---|---|---|---|---|---|---|
| **7. HOPS (dried)** | | | | | | |
| | including hop pellets & unconcentrated powder | 0.1* | 15 | 10 | 0.05* | 30 |
| **8. CEREALS** | | | | | | |
| | Wheat | 0.05* | 0.02* | 0.1 | 0.02* | 0.05 |
| | Rye | 0.05* | 0.02* | 0.1 | 0.02* | 0.05 |
| | Barley | 0.05* | 0.02* | 0.3 | 0.02* | 0.3 |
| | Sorghum | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Oats | 0.05* | 0.02* | 0.3 | 0.02* | 0.02* |
| | Triticale | 0.05* | 0.02* | 0.1 | 0.02* | 0.05 |
| | Maize | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Buckwheat | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Millet | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Rice[1] | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| | Others | 0.05* | 0.02* | 0.02* | 0.02* | 0.02* |
| **9. PRODUCTS OF ANIMAL ORIGIN** | | | | | | |
| | Meat, edible offal, fat & preparations of meat and edible offal[2] | 0.05* | 0.01* | 0.05* | 0.05[10]<br>0.3[11]<br>0.05[49]<br>0.01[9] | |
| | Milk[3] and dairy produce[4] | 0.05* | 0.01* | 0.01* | 0.03 | |
| | Eggs[5] | 0.05* | 0.01* | 0.05* | 0.01* | |

| *Group to which food belongs* | *Groups include the following products* | *Pendimethalin* | *Pymetrozine* | *Pyraclostrobin* | *Thiacloprid* | *Trifloxystrobin* |
|---|---|---|---|---|---|---|
| **10. SPICES** | | | | | | |
| | Cumin seed | | | | | |
| | Juniper seed | | | | | |
| | Nutmeg | | | | | |
| | Pepper, black and white | | | | | |
| | Vanilla pods | | | | | |
| | 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.
(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.
(10) All meat.
(11) All liver and kidney.
(13) Broccoli includes calabrese.
(30) All kidney.
(42) All liver.

[47] Poultry and poultry products.
[49] All fat.
[50] All other meat, edible offal and preparations of meat and edible offal.
[51] Milk except cream of milk.
[52] Cream of milk.

## 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, amend the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Regulations 2005 ("the principal Regulations").

These Regulations implement Commission Directive 2007/73/EC (O.J. No. L 329, 14.12.2007, p.40).

The Regulations come into force, in stages, on 28th March 2008, 15th June 2008 and 15th September 2008. They substitute or insert maximum residue levels for the pesticides Acetamiprid, Deltamethrin, Imazalil, Indoxacarb, Pendimethalin, Pymetrozine, Pyraclostrobin, Thiacloprid and Trifloxystrobin.

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.

SCOTTISH STATUTORY INSTRUMENTS

# 2008 No. 65

# AGRICULTURE

# PESTICIDES

## The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Amendment Regulations 2008

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