

2004 No. 676

**AGRICULTURE, ENGLAND AND WALES
PESTICIDES, ENGLAND AND WALES**

**The Pesticides (Maximum Residue Levels in Crops,
Food and Feeding Stuff) (England and Wales)
(Amendment) Regulations 2004**

<i>Made - - - - -</i>	<i>9th March 2004</i>
<i>Laid before Parliament</i>	<i>10th March 2004</i>
<i>Coming into force - -</i>	<i>31st March 2004</i>

The Secretary of State for Environment, Food and Rural Affairs and the National Assembly for Wales being 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, acting jointly (the National Assembly for Wales acting in relation to Wales only), in exercise of the powers conferred upon them by that section, hereby make the following Regulations:

Title, extent and commencement

1. These Regulations may be cited as the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) (Amendment) Regulations 2004, extend to England and Wales and come into force on 31st March 2004.

Amendment to the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) Regulations 1999

2.—(1) The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) Regulations 1999(c) 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(d), Council Directive 86/363/EEC(e) and Council Directive 90/642/EEC(f), in each case amended as at the date of the making of the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) (Amendment) Regulations 2004.”

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

(a) S.I. 1972/1811 and, in the case of the National Assembly for Wales, S.I. 1999/2788.

(b) 1972 c. 68.

(c) S.I. 1999/3483, amended by S.I. 2001/1113, S.I. 2001/2420, S.I. 2001/3834, S.I. 2002/1767, S.I. 2002/2723, S.I. 2003/661 and S.I. 2003/2591.

(d) OJ No. L221, 7.8.86, p.37. The last amending instrument is Commission Directive 2004/2/EC (OJ No. L14, 21.1.2004, p.10).

(e) OJ No. L221, 7.8.86, p.43. The last amending instrument is Commission Directive 2004/2/EC (OJ No. L14, 21.1.2004, p.10).

(f) OJ No. L350, 14.12.90, p. 71. The last amending instrument is Commission Directive 2004/2/EC (OJ No. L14, 21.1.2004, p.10).

- (4) In Part 2 of Schedule 2—
- (a) in the column headed Prochloraz, for the entry for food group 3, Pulses, Peas 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 1 of Schedule 2, the column for the pesticide Parathion-methyl shall be deleted;
 - (c) in Part 2 of Schedule 2—
 - (i) there shall be inserted, in the appropriate place to preserve the alphabetical ordering, 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.

Signed on behalf of the National Assembly for Wales

9th March 2004

John Marek
Deputy Presiding Officer
National Assembly for Wales

6th March 2004

Alun Michael
Minister of State
Department for Environment, Food and Rural Affairs

SCHEDULE

Regulation 2

Group to which food belongs	Groups include the following products	Abamectin	Acephate Applying from 1 December 2004	Diquat	Parathion-methyl Applying from 1 December 2004	2,4-D
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 and 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) Table & wine grapes						
	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) Strawberries (other than wild)						
		0.1	0.02*	0.05*	0.02*	0.05*
(c) Cane Fruit (other than wild)						
	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) Other small fruit & berries (other than wild)						
	Bilberries	0.01*	0.02*	0.05*	0.02*	0.05*
	Cranberries	0.01*	0.02*	0.05*	0.02*	0.05*
	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) Wild berries & wild fruit						
		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

Group to which food belongs	Groups include the following products	Abamectin	Acephate Applying from 1 December 2004	Diquat	Parathion-methyl Applying from 1 December 2004	2,4-D
(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) Solanacea						
	Tomatoes	0.02	0.02*	0.05*	0.02*	0.05*
	Peppers	0.05	0.02*	0.05*	0.02*	0.05*
	Chili 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*
(b) Cucurbits-edible peel						
	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) Cucurbits-inedible peel						
	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) Sweet corn						
		0.01*	0.02*	0.05*	0.02*	0.05*
(iv) BRASSICA VEGETABLES						
(a) Flowering Brassicas						
	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) Head Brassicas						
	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) Leafy Brassicas						
	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) Kohlrabi						
		0.01*	0.02*	0.05*	0.02*	0.05*
(v) LEAF VEGETABLES AND FRESH HERBS						
(a) Lettuce & similar						
	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) Spinach & similar						
	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) Watercress						
		0.01*	0.02*	0.05*	0.02*	0.05*
(d) Witloof						
		0.01*	0.02*	0.05*	0.02*	0.05*
(e) Herbs						
	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*
(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*

Group to which food belongs	Groups include the following products	Abamectin	Acephate Applying from 1 December 2004	Diquat	Parathion- methyl Applying from 1 December 2004	2,4-D
	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*
(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) Cultivated mushrooms	0.01*	0.02*	0.05*	0.02*	0.05*
	(b) Wild mushrooms	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, Camellia sinensis)	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.	CEREAL					
	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*
9.	PRODUCTS OF ANIMAL ORIGIN					
	Meat, fat & preparations of meat ⁽³⁾	0.02 ⁽¹²⁾ 0.01* ⁽¹⁷⁾	0.02	0.05*	0.02*	1 ⁽³¹⁾ 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 extend to England and Wales, are made under section 2(2) of the European Communities Act 1972 and further amend the provisions of the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) Regulations 1999 (S.I. 1999/3483).

The Regulations implement Commission Directive 2003/118/EC and corrigenda (OJ No. L342, 30.12.2003, p.58, OJ No. L14, 21.1.2004, p. 55) to Commission Directives 2002/79/EC (OJ No. L291, 28.10.2002, p.1) and 2003/60/EC (OJ 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 2 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 1 of Schedule 2 and replaced by a new entry in Part 2 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 2 of Schedule 2 are replaced with new maximum residue levels (regulation 2(5)).

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