SCOTTISH STATUTORY INSTRUMENTS

2002 No. 271

AGRICULTURE
PESTICIDES

The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Amendment Regulations 2002

Made - - - -	*5th June 2002*
Laid before the Scottish Parliament - - - -	*7th June 2002*
Coming into force - -	*1st September 2002*

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(**1**) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Amendment Regulations 2002 and shall come into force on 1st September 2002.

Amendment to the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Regulations 2000

2.—(1) The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Regulations 2000(**2**) are amended in accordance with this regulation.

(2) In regulation 2(1), for the definition of "the Residues Directives"(**3**) there is substituted–

""the Residue Directives" has the same meaning as it has in Schedule 5 to these Regulations".

(3) In Schedule 1, at the appropriate place in alphabetical order in column 1, there shall be inserted, together with the corresponding entry in column 2–

(**1**) 1972 c. 68; section 2(2) was amended by the Scotland Act 1998 (c. 46), Schedule 8, paragraph 15. The function conferred upon the Minister of the Crown under section 2(2) of the European Communities Act 1972, insofar as within devolved competence, was transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.
(**2**) S.S.I. 2000/22 amended by S.S.I. 2001/84, 221 and 435.
(**3**) The definition of "the Residue Directives" was substituted by S.S.I. 2001/435.

Column 1 *Pesticide*	*Column 2* *Residues*
Azimsulfuron	Azimsulfuron
Flupyrsulfuron-methyl	Flupyrsulfuron-methyl
Fluroxypyr	Fluroxypyr and its esters expressed as fluroxypyr
Prohexadione	Prohexadione and its salts expressed as prohexadione
Pymetrozine	Pymetrozine

(4) In Part 2 of Schedule 2(**4**) maximum residue levels are substituted as follows:–

(a) for mg/kg of acephate on peaches (incl nectarines & similar hybrids) 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 (other than wild) delete "0.05*" and insert "0.2";

(g) for mg/kg of kresoxim-methyl on chilli peppers(**5**) delete "0.05*" and insert "1";

(h) for mg/kg of metalaxyl on spring onions delete "0.05*" and insert "0.2";

(i) for mg/kg of metalaxyl on scarole delete "0.05*" and insert "1";

(j) for mg/kg of metalaxyl on all of the products listed as Herbs in the Leaf Vegetables and Fresh Herbs group delete "0.05*" and insert "1".

(5) In Part 2 of Schedule 2–

(a) for the existing maximum permitted levels for residues of the pesticides amitraz, azoxystrobin and lambda cyhalothrin there are substituted the maximum permitted levels for residues of the pesticides amitraz (sum of amitraz plus all of its metabolites containing the 2.4 dimethyl aniline moiety expressed as amitraz), azoxystrobin and lambda-cyhalothrin specified in Schedule 2 to these Regulations in relation to the products so specified; and

(b) there are inserted, in the appropriate places to preserve the alphabetical ordering from left to right, the maximum permitted levels for residues of the pesticides flupyrsulfuron methyl and pymetrozine specified in Schedule 2 to these Regulations in relation to the products so specified.

(6) After Schedule 4 insert a new Schedule 5, being Schedule 1 to these Regulations.

Amendment to the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Amendment (No. 2) Regulations 2001

3. In regulation 2(4) of the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Amendment (No. 2) Regulations 2001(**6**) for "July" there is substituted "January".

(**4**) Part 2 of Schedule 2 was substituted by S.S.I. 2001/84 and subsequently amended by S.S.I. 2001/221 and S.S.I. 2001/435.
(**5**) The existing figure of "0.05*" was inserted by S.S.I. 2001/435.
(**6**) S.S.I. 2001/221.

Consequential revocations

4. Regulation 2(2) of, and Schedule 1 to, the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Amendment (No. 3) Regulations 2001(**7**) are omitted.

St Andrew's House,
Edinburgh
5th June 2002

ROSS FINNIE
A member of the Scottish Executive

(**7**) S.S.I. 2001/435.

SCHEDULE 1 Regulation 2(6)

"SCHEDULE 5

DEFINITION OF RESIDUE DIRECTIVES

"The Residue Directives" means Council Directive 1986/362/EEC(**8**) as amended by

Directive	*Reference*
Council Directive 1988/298/EEC	O.J. No. L126, 20.5.88, p.53
Council Directive 1990/654EEC	O.J. No. L 353, 17.12.90, p.48
Council Directive 1993/57/EEC	O.J. No. L 211, 23.8.93, p.1
Council Directive 1994/29/EC	O.J. No. L 189, 23.7.94, p.67
Council Directive 1995/39/EC	O.J. No. L 197, 22.8.95, p.29
Council Directive 1996/33/EC	O.J. No. L 144, 18.6.96, p.35
Council Directive 1997/41/EC	O.J. No. L 184, 12.7.97, p.33
Commission Directive 1997/71/EC	O.J. No. L 347, 18.12.97, p.42
Commission Directive 1998/82/EC	O.J. No. L 290, 29.10.98, p.25
Commission Directive 1999/65/EC	O.J. No. L 172, 8.7.99, p.40
Commission Directive 1999/71/EC	O.J. No. L 194, 27.7.99, p.36
Commission Directive 2000/24/EC	O.J. No. L 107, 4.5.00, p.28
Commission Directive 2000/42/EC	O.J. No. L 158, 30.6.00, p. 51
Commission Directive 2000/48/EC	O.J. No. L 197, 3.8.00, p. 26
Commission Directive 2000/58/EC	O.J. No. L 244, 29.9.00, p.78
Commission Directive 2000/81/EC	O.J. No. L 326, 22.12.00, p.56
Commission Directive 2000/82/EC	O.J. No. L 3, 6.1.01, p.18
Commission Directive 2001/39/EC	O.J. No. L 148, 1.6.01, p.70
Commission Directive 2001/48/EC	O.J. No. L 180, 3.7.01, p.26
Commission Directive 2001/57/EC	O.J. No. L 208, 1.8.01, p.36
Commission Directive 2002/23/EC	O.J. No. L 64, 7.3.02, p.13

together with Council Directive 1986/363/EEC(**9**) as amended by

Directive	*Reference*
Council Directive 1993/57/EEC	O.J. No. L 211, 23.8.93, p.1
Council Directive 1994/29/EEC	O.J. No. L 189, 23.7.94, p.67
Council Directive 1995/39/EC	O.J. No. L 197, 22.8.95, p.29
Council Directive 1996/33/EC	O.J. No. L 144, 18.6.96, p.35

(**8**) O.J. No. L 221, 7.8.86, p.37.
(**9**) O.J. No. L 221, 7.8.86, p.43.

Directive	*Reference*
Council Directive 1997/41/EC	O.J. No. L 184, 12.7.97, p.33
Commission Directive 1997/71/EC	O.J. No. L 347, 18.12.97, p.42
Commission Directive 1998/82/EC	O.J. No. L 290, 29.10.98, p.25
Commission Directive 1999/71/EC	O.J. No. L 194, 27.7.99, p.36
Commission Directive 2000/24/EC	O.J. No. L 107, 4.5.00, p.28
Commission Directive 2000/81/EC	O.J. No. L 326, 22.12.00, p.56
Commission Directive 2000/82/EC	O.J. No. L 3, 6.1.01, p.18
Commission Directive 2001/39/EC	O.J. No. L 148, 1.6.01, p.70
Commission Directive 2001/57/EC	O.J. No. L 208, 1.8.01, p.36
Commission Directive 2002/23/EC	O.J. No. L 64, 7.3.02, p.13

and Council Directive 1990/642/EEC(**10**) as amended by

Directive	*Reference*
Council Directive 1993/58/EEC	O.J. No. L 211, 23.8.93, p.6
Council Directive 1994/30/EC	O.J. No. L 189, 23.7.94, p.70
Council Directive 1995/38/EC	O.J. No. L 197, 22.8.94, p.14
Council Directive 1995/61/EC	O.J. No. L 292, 7.12.95, p.27
Council Directive 1996/32/EC	O.J. No. L 144, 18.6.96, p.12
Council Directive 1997/41/EC	O.J. No. L 184, 12.7.97, p.33
Commission Directive 1997/71/EC	O.J. No. L 347, 18.12.97, p.42
Commission Directive 1998/82/EC	O.J. No. L 290, 29.10.98, p.25
Commission Directive 1999/65/EC	O. J. No. L 172, 8.7.99, p.40
Commission Directive 1999/71/EC	O.J. No. L 194, 27.7.99, p.36
Commission Directive 2000/24/EC	O.J. No. L 107, 4.5.00, p.28
Commission Directive 2000/42/EC	O.J. No. L 158, 30.6.00, p. 51
Commission Directive 2000/48/EC	O.J. No. L 197, 3.8.00, p. 26
Commission Directive 2000/57/EC	O.J. No. L 244, 29.9.00, p.76
Commission Directive 2000/58/EC	O.J. No. L 244, 29.9.00, p.78
Commission Directive 2000/81/EC	O.J. No. L 326, 22.12.00, p.56
Commission Directive 2000/82/EC	O.J. No. L 3, 6.1.01, p.18
Commission Directive 2001/35/EC	O.J. No. L 136, 18.5.01, p.42
Commission Directive 2001/48/EC	O.J. No. L 180, 3.7.01, p.26
Commission Directive 2001/57/EC	O.J. No. L 208, 1.8.01, p.36

(**10**) O.J. No. L 350, 14.12.90, p.71.