STATUTORY RULES OF NORTHERN IRELAND

2004 No. 367

AGRICULTURE
PESTICIDES

Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Amendment) (No. 2) Regulations (Northern Ireland) 2004

Made - - - -	*26th August 2004*
Coming into operation	*18th October 2004*

The Department of Agriculture and Rural Development, being a Department designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) 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 Stuffs) (Amendment) (No. 2) Regulations (Northern Ireland) 2004 and shall come into operation on 18th October 2004.

(2) The Interpretation Act (Northern Ireland) 1954(**3**) 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 Stuffs) Regulations (Northern Ireland) 2002

2.—(1) The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) Regulations (Northern Ireland) 2002(**4**) 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:

(**1**) S.I. 2000/2812
(**2**) 1972 c. 68
(**3**) 1954 c. 33 (N.I.)
(**4**) 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, S.R. 2003 No. 435 and S.R. 2004 No. 200

""the Residues Directives" means Council Directive 86/362/EEC(**5**), Council Directive 86/363/EEC(**6**) and Council Directive 90/642/EEC(**7**), in each case amended as at the date of the making of the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Amendment) (No. 2) Regulations (Northern Ireland) 2004.".

(3) In Schedule 1:

(a) the entry for Omethoate shall be deleted;

(b) there shall be inserted at the appropriate places in Columns 1 and 2 the following entries:

Column 1 *Pesticide*	Column 2 *Residues*
Cyazofamid	cyazofamid
2,4-DB	2,4-DB
Ethoxysulfuron	ethoxysulfuron
Fenamiphos	fenamiphos (sum of fenamiphos and its sulphoxide and sulphone expressed as fenamiphos)
Foramsulfuron	foramsulfuron
Imazamox	imazamox
Linuron	linuron
Oxadiargyl	oxadiargyl
Oxasulfuron	oxasulfuron
Pendimethalin	pendimethalin

and the Column 1 and 2 entries for 2,4-D shall be repositioned immediately above those for 2,4-DB.

(4) In Part II of Schedule 2 the maximum residue levels shall be substituted as follows –

(a) for mg/kg of Aramite on papaya delete "0.05*" and insert "0.01*";

(b) for mg/kg of Benalaxyl on lettuce delete "0.05" and insert "0.5";

(c) for mg/kg of Diphenylamine on papaya delete "0.01*" and insert "0.05*".

(5) In Part II of Schedule 2:

(a) the column relating to the pesticide Omethoate shall be deleted;

(b) for the column relating to the pesticide Bromopropylate there shall be substituted the column of maximum permitted levels for residue of the pesticide Bromopropylate as specified in the Schedule to these Regulations;

(c) 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 Fenamiphos as specified in the Schedule to these Regulations;

(6) On the 26th January 2005:

(**5**) O.J. No. L221, 7.8.86, p. 37. The last amending instrument is Commission Directive 2004/61/EC (O.J. No. L127, 29.4.2004, p. 81)
(**6**) O.J. No. L221, 7.8.86, p. 43. The last amending instrument is Commission Directive 2004/61/EC (O.J. No. L127, 29.4.2004, p. 81)
(**7**) O.J. No. L350, 14.12.90, p. 71. The last amending instrument is Commission Directive 2004/61/EC (O.J. No. L127, 29.4.2004, p. 81)

(a) in Schedule 1:

(i) the entry for Hexachlorocyclohexane (HCH) shall be deleted;

(ii) there shall be inserted at the appropriate places in Columns 1 and 2 the following entries:

Column 1 *Pesticide*	Column 2 *Residues*
1,2 Dichloroethane	1,2 dichloroethane
Ethylene oxide	ethylene oxide (sum of ethylene oxide and 2-chloro-ethanol expressed as ethylene oxide)
HCH (Hexachlorocyclohexane)	HCH, sum of isomers except the gamma isomer
Nitrofen	nitrofen

(iii) the following entries shall be substituted for the corresponding existing entries:

Column 1 *Pesticide*	Column 2 *Residues*
Aldrin and Dieldrin	(1) For products of plant origin other than cereals: Aldrin and Dieldrin combined expressed as Dieldrin (2) For cereals and foodstuffs of animal origin: Aldrin and Dieldrin singly or combined, expressed as Dieldrin (HEOD)
Camphechlor (Toxaphene)	(1) For products of plant origin other than cereals: Camphechlor (Toxaphene) (2) For cereals: Camphechlor (chlorinated camphen with 67-69% chlorine) (3) For foodstuffs of animal origin: Camphechlor (sum of the three indicator compounds Palar No. 26 (2-endo, 3-exo, 5-endo, 6-exo, 8, 8, 10, 10-octachlorobornane), Palar No. 50 (2-endo, 3-exo, 5-endo, 6-exo, 8, 8, 9, 10, 10-nonachlorobornane) and Palar No. 62 (2, 2, 5, 5, 8, 9, 9, 10, 10-nonachlorobornane)
Chlordane	(1) For products of plant origin other than cereals: Chlordane (sum of cis- and trans-chlordane) (2) For cereals: Chlordane (sum of cis- and trans-isomers) (3) For foodstuffs of animal origin: (sum of cis- and trans-isomers and oxychlordane expressed as chlordane)
Mercury compounds	Sum of mercury compounds expressed as mercury

(b) in Part I of Schedule 2 the columns relating to Aldrin and Dieldrin, Chlordane and Mercury compounds shall be deleted;

(c) in Part II of Schedule 2:

(i) the columns relating to Hexachlorobenzene (HCB) and Hexachlorocyclohexane (HCH) shall be deleted;

(ii) there shall be inserted, in the appropriate place to preserve the alphabetical ordering from left to right, the columns of maximum permitted levels for residues of the pesticides 1,2-Dichloroethane, Ethylene oxide, HCH (Hexachlorocyclohexane), Hexachlorobenzene, Mercury compounds and Nitrofen as specified in the Schedule to these Regulations;

(iii) for the columns relating to the pesticides Aldrin and Dieldrin, Binapacryl, Camphechlor (Toxaphene), Captafol, Chlordane, 1,2-Dibromoethane, Dinoseb, there shall be substituted the columns of maximum permitted levels for residues of those pesticides as specified in the Schedule to these Regulations;

(iv) for footnote 40 there shall be substituted:

"**40.** Where there are two columns the MRLs relate to the sum of alpha isomers (left hand column) and the sum of beta isomers (right hand column).".

(7) On 4th June 2005 in Part II of Schedule 2 there shall be inserted, in the appropriate place to preserve the alphabetical ordering from left to right, columns of maximum permitted levels for residues of the pesticides Cyazofamid, 2,4-DB, Ethoxysulfuron, Foramsulfuron, Imazamox, Linuron, Oxadiargyl, Oxasulfuron and Pendimethalin as specified in the Schedule to these Regulations.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 26th August 2004.

D. Small
A senior officer of the
Department of Agriculture and Rural
Development

SCHEDULE

Regulation 2

Group to which food belongs	*Groups include the following products*	*Aldrin & Dieldrin* Applying from 26 January 2005	*Binapacryl* Applying from 26 January 2005	*Bromopropylate* Applying from 26 January 2005	*Camphechlor (Toxaphene)* Applying from 26 January 2005	*Chlorbufam* Applying from 26 January 2005	*Chlordane* Applying from 4 June 2005	*Cyazofamid* Applying from 4 June 2005	*1,2-DB* Applying from 26 January 2005	*1,2-Dibromoethane* Applying from 26 January 2005	*1,2-Dichloroethane* Applying from 26 January 2005
1. Fruit, fresh, dried or uncooked, preserved by freezing not containing added sugar: nuts											
i. CITRUS FRUIT											
	Grapefruit	0.01*	0.05*	2	0.1*	0.02*	0.01*	0.01*	0.05*	0.01*	0.01*
	Lemons	0.01*	0.05*	2	0.1*	0.02*	0.01*	0.01*	0.05*	0.01*	0.01*
	Limes	0.01*	0.05*	2	0.1*	0.02*	0.01*	0.01*	0.05*	0.01*	0.01*
	Mandarins (inc clementines & similar hybrids)	0.01*	0.05*	2	0.1*	0.02*	0.01*	0.01*	0.05*	0.01*	0.01*
	Oranges	0.01*	0.05*	2	0.1*	0.02*	0.01*	0.01*	0.05*	0.01*	0.01*
	Pomelos	0.01*	0.05*	2	0.1*	0.02*	0.01*	0.01*	0.05*	0.01*	0.01*
	Others	0.01*	0.05*	2	0.1*	0.02*	0.01*	0.01*	0.05*	0.01*	0.01*
ii. TREE NUTS (shelled or unshelled)											
	Almonds	0.01*	0.05*	0.05*	0.1*	0.02*	0.01*	0.01*	0.05*	0.01*	0.01*
	Brazil nuts	0.01*	0.05*	0.05*	0.1*	0.02*	0.01*	0.01*	0.05*	0.01*	0.01*
	Cashew nuts	0.01*	0.05*	0.05*	0.1*	0.02*	0.01*	0.01*	0.05*	0.01*	0.01*
	Chestnuts	0.01*	0.05*	0.05*	0.1*	0.02*	0.01*	0.01*	0.05*	0.01*	0.01*
	Coconuts	0.01*	0.05*	0.05*	0.1*	0.02*	0.01*	0.01*	0.05*	0.01*	0.01*
	Hazelnuts	0.01*	0.05*	0.05*	0.1*	0.02*	0.01*	0.01*	0.05*	0.01*	0.01*
	Macadamia nuts	0.01*	0.05*	0.05*	0.1*	0.02*	0.01*	0.01*	0.05*	0.01*	0.01*
	Pecans	0.01*	0.05*	0.05*	0.1*	0.02*	0.01*	0.01*	0.05*	0.01*	0.01*
	Pine nuts	0.01*	0.05*	0.05*	0.1*	0.02*	0.01*	0.01*	0.05*	0.01*	0.01*
	Pistachios	0.01*	0.05*	0.05*	0.1*	0.02*	0.01*	0.01*	0.05*	0.01*	0.01*
	Walnuts	0.01*	0.05*	0.05*	0.1*	0.02*	0.01*	0.01*	0.05*	0.01*	0.01*
	Others	0.01*	0.05*	0.05*	0.1*	0.02*	0.01*	0.01*	0.05*	0.01*	0.01*