STATUTORY RULES OF NORTHERN IRELAND

2003 No. 123

AGRICULTURE
PESTICIDES

Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Amendment) Regulations (Northern Ireland) 2003

Made - - - -	*3rd March 2003*
Coming into operation	*11th April 2003*

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) Regulations (Northern Ireland) 2003 and shall come into operation on 11th April 2003.

(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 and S.R. 2002 No. 250

""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) Regulations (Northern Ireland) 2003.".

(3) For paragraph (b) of regulation 6 there shall be substituted the following paragraph–

"(b) the procedure to be followed for sampling for the determination of pesticide residues shall–

(i) be that set out in the Annex to Commission Directive 2002/63/EC(**8**) for the residues covered by Part II of Schedule 2; and

(ii) so far as is practicable, be that set out in the Codex Alimentarius Commission 'Recommended Method of Sampling for the Determination of Pesticides Residues for compliance with MRLs; CAC/GL 33-1999' for the residues not covered by Part II of Schedule 2;".

(4) In Schedule 1 there shall be inserted at the appropriate places in Columns 1 and 2 the following entries (the entries for Dimethoate and Quintozene being substituted for the existing ones):

Column 1 *Pesticide*	Column 2 *Residues*
Bentazone	bentazone (sum of bentazone and conjugates 6-OH- and 8-OH-bentazone expressed as bentazone)
Dimethoate	dimethoate (sum of dimethoate and omethoate expressed as dimethoate)
Formothion	formothion
Lindane	lindane (hexachlorocylohexane γ)
Metsulfuron methyl	metsulfuron methyl
Oxydemeton methyl	oxydemeton methyl (sum of oxydemeton methyl and demeton-S-methylsulfone expressed as oxydemeton methyl)
Pyridate	pyridate (sum of pyridate, its hydrolysis product CL 9673 (6-chloro-4-hydroxy-3-phenylpyridazin) and hydrolysable conjugates of CL 9673 expressed as pyridate)
Quintozene	quintozene (sum of quintozene and pentachloroaniline) expressed as quintozene

(5) In Part I of Schedule 2 the following pesticide columns together with any residue level inserted under the respective columns shall be deleted–

(a) Dimethoate, Hexachlorocyclohexane (HCH) γ and Quintozene;

(b) Parathion (which shall be deleted with effect on and from 1st May 2003).

(**5**) O.J. No. L221, 7.8.86, p. 37. The last amending instrument is Commission Directive 2002/76/EC (O.J. No. L240, 7.9.2002, p. 45)
(**6**) O.J. No. L221, 7.8.86, p. 43. The last amending instrument is Commission Directive 2002/71/EC (O.J. No. L225, 22.8.2002, p. 21)
(**7**) O.J. No. L350, 14.12.90, p. 71. The last amending instrument is Commission Directive 2002/100/EC (O.J. No. L2, 7.1.2003, p. 33)
(**8**) O.J. No. L187, 16.7.02, p. 30

(6) In Part II of Schedule 2–

(a) 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 Bentazone, Formothion, Lindane, Metsulfuron methyl, Oxydemeton methyl, Parathion, Pyridate and Quintozene as specified in the Schedule to these Regulations;

(b) for the columns relating to the pesticides Azoxystrobin, Dimethoate and Permethrin there shall be substituted the columns of maximum permitted levels for residues of these pesticides as specified in the Schedule to these Regulations;

(c) for the pesticide Hexachlorocyclohexane (HCH) γ the pesticide column together with any residue level inserted under the respective column shall be deleted; and

(d) for mg/kg of ethion on tea delete "2" and insert "3".

(7) The following footnotes shall be added at the end of Part II of Schedule 2–

"**39.** All kidney except poultry kidney.

40. Broccoli includes calabrese.

41. MRL is based on Codex MRL.

42. These MRLs are based on Codex MRLs (extraneous residue limits) and do not result from the use of plant protection products".

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 3rd March 2003.

David Small
A senior officer of the
Department of Agriculture and Rural
Development

SCHEDULE

Regulation 2(6)

Group to which food belongs	*Groups include the following products*	*Azoxystrobin Applying from 1 Apr 2003*	*Bentazone*	*Dimethoate*	*Formothion*	*Lindane*	*Metsulfuron-methyl*
1.Fruit, fresh, dried or uncooked, preserved by freezing not containing added sugar: nuts							
(i) CITRUS FRUIT							
	Grapefruit	1	0.1*	0.02*	0.02*	0.01*	0.05*
	Lemons	1	0.1*	0.02*	0.02*	0.01*	0.05*
	Limes	1	0.1*	0.02*	0.02*	0.01*	0.05*
	Mandarins (inc clementines & similar hybrids)	1	0.1*	0.02*	0.02*	0.01*	0.05*
	Oranges	1	0.1*	0.02*	0.02*	0.01*	0.05*
	Pomelos	1	0.1*	0.02*	0.02*	0.01*	0.05*
	Others	1	0.1*	0.02*	0.02*	0.01*	0.05*
(ii) TREE NUTS (shelled or unshelled)							
	Almonds	0.1*	0.1*	0.05*	0.05*	0.01*	0.05*
	Brazil nuts	0.1*	0.1*	0.05*	0.05*	0.01*	0.05*
	Cashew nuts	0.1*	0.1*	0.05*	0.05*	0.01*	0.05*
	Chestnuts	0.1*	0.1*	0.05*	0.05*	0.01*	0.05*
	Coconuts	0.1*	0.1*	0.05*	0.05*	0.01*	0.05*
	Hazelnuts	0.1*	0.1*	0.05*	0.05*	0.01*	0.05*
	Macadamia nuts	0.1*	0.1*	0.05*	0.05*	0.01*	0.05*
	Pecans	0.1*	0.1*	0.05*	0.05*	0.01*	0.05*
	Pine nuts	0.1*	0.1*	0.05*	0.05*	0.01*	0.05*
	Pistachios	0.1*	0.1*	0.05*	0.05*	0.01*	0.05*
	Walnuts	0.1*	0.1*	0.05*	0.05*	0.01*	0.05*
	Others	0.1*	0.1*	0.05*	0.05*	0.01*	0.05*
(iii) POME FRUIT							
	Apples	0.05*	0.1*	0.02*	0.02*	0.01*	0.05*
	Pears	0.05*	0.1*	0.02*	0.02*	0.01*	0.05*
	Quinces	0.05*	0.1*	0.02*	0.02*	0.01*	0.05*

Group to which food belongs	*Groups include the following products*	*Azoxystrobin Applying from 1 Apr 2003*	*Bentazone*	*Dimethoate*	*Formothion*	*Lindane*	*Metsulfuron-methyl*
	Others	0.05*	0.1*	0.02*	0.02*	0.01*	0.05*
(iv) STONE FRUIT							
	Apricots	0.05*	0.1*	0.02*	0.02*	0.01*	0.05*
	Cherries	0.05*	0.1*	1	0.02*	0.01*	0.05*
	Peaches (incl nectarines & similar hybrids)	0.05*	0.1*	0.02*	0.02*	0.01*	0.05*
	Plums	0.05*	0.1*	0.02*	0.02*	0.01*	0.05*
	Others	0.05*	0.1*	0.02*	0.02*	0.01*	0.05*
(v) BERRIES AND SMALL FRUIT							
	(a)	(a) *Table & wine grapes*					
	Table grapes	2	0.1*	0.02*	0.02*	0.01*	0.05*
	Wine grapes	2	0.1*	0.02*	0.02*	0.01*	0.05*
	Strawberries (b)	2	0.1*	0.02*	0.02*	0.01*	0.05*
		(b) (other than wild)					
	(c)	(c) *Cane Fruit* (other than wild)					
	Blackberries	0.05*	0.1*	0.02*	0.02*	0.01*	0.05*
	Dewberries	0.05*	0.1*	0.02*	0.02*	0.01*	0.05*
	Loganberries	0.05*	0.1*	0.02*	0.02*	0.01*	0.05*
	Raspberries	0.05*	0.1*	0.02*	0.02*	0.01*	0.05*
	Others	0.05*	0.1*	0.02*	0.02*	0.01*	0.05*
	(d)	(d) *Other small fruit & berries* (other than wild)					
	Bilberries	0.05*	0.1*	0.02*	0.02*	0.01*	0.05*
	Cranberries	0.05*	0.1*	0.02*	0.02*	0.01*	0.05*
	Currants (red, black & white)	0.05*	0.1*	0.02*	0.02*	0.01*	0.05*
	Gooseberries	0.05*	0.1*	0.02*	0.02*	0.01*	0.05*
	Others	0.05*	0.1*	0.02*	0.02*	0.01*	0.05*