STATUTORY RULES OF NORTHERN IRELAND

2002 No. 250

AGRICULTURE
PESTICIDES

Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Amendment) (No. 2) Regulations (Northern Ireland) 2002

Made - - - -	*23rd July 2002*
Coming into operation	*1st September 2002*

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, in respect of the provisions of these Regulations relating to Part I of Schedule 2 to the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) Regulations (Northern Ireland) 2002(**3**), in exercise of the powers conferred on it by section 16(2) of the Food and Environment Protection Act 1985(**4**), 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) 2002 and shall come into operation on 1st September 2002.

(2) The Interpretation Act (Northern Ireland) 1954(**5**) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

(**1**) S.I. 2000/2812
(**2**) 1972 c. 68; the powers conferred by section 2(2) were extended by virtue of the amendment of section 1(2) of the European Communities Act 1972 by section 1 of the European Economic Area Act 1993 (c. 51)
(**3**) S.R. 2002 No. 20 as amended by S.R. 2002 No. 27
(**4**) 1985 c. 48; section 16 was amended by the Pesticides (Fees and Enforcement) Act 1989 (c. 27) and by the Pesticides Act 1998 (c. 26); *see also* section 25(2) and Article 3(4) of the Department (Northern Ireland) Order 1999 (S.I. 1999/283 (N.I. 1)) and section 25(2A) as inserted by section 1(5) of the Pesticides Act 1998
(**5**) 1954 c. 33 (N.I.)

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 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(**6**), Council Directive 86/363/EEC(**7**) and Council Directive 90/642/EEC(**8**), 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) 2002.".

(3) In Schedule 1 there shall be inserted at the appropriate places in Columns 1 and 2 the following:

Column 1 *Pesticide*	Column 2 *Residues*
Flupyrsulfuron-methyl	flupyrsulfuron-methyl
Pymetrozine	pymetrozine

(4) On 1st January 2003, the column for the pesticide Tecnazene shall be deleted from Part I of Schedule 2.

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

(a) for mg/kg of Acephate on peaches 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 delete "0.05*" and insert "0.2"; and

(g) for mg/kg of Metalaxyl on spring onions delete "0.05*" and insert "0.2", and on scarole (broad-leaf endive), chervil, chives, parsley, celery leaves and other herbs delete "0.05*" and insert "1".

(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 Flupyrsulfuron-methyl and Pymetrozine as specified in the Schedule to these Regulations; and

(b) for the columns relating to the pesticides Amitraz, Azoxystrobin and Lambda-cyhalothrin, there shall be substituted the columns of maximum permitted levels for residues of these pesticides as specified in the Schedule to these Regulations.

(**6**) O.J. No. L221, 7.8.86, p. 37. The last amending instrument is Commission Directive 2002/23/EC (O.J. No. L64, 7.03.02, p. 13)
(**7**) O.J. No. L221, 7.8.86, p. 43. The last amending instrument is Commission Directive 2002/23/EC
(**8**) O.J. No. L350, 14.12.90, p. 71. The last amending instrument is Commission Directive 2002/23/EC

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 23rd July 2002.

Liam McKibben
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*	*Amitraz*	*Azoxystrobin*	*Flupyrsulf-uron-methyl*	*Lambda-cyhalothrin*	*Pymetrozine*
1. Fruit, fresh, dried or uncooked, preserved by freezing not containing added sugar: nuts						
(i) CITRUS FRUIT						
	Grapefruit	0.05*	1	0.02*	0.1	0.3
	Lemons	0.05*	1	0.02*	0.02*	0.3
	Limes	0.05*	1	0.02*	0.02*	0.3
	Mandarins (inc clementines & similar hybrids)	0.05*	1	0.02*	0.02*	0.3
	Oranges	0.05*	1	0.02*	0.1	0.3
	Pomelos	0.05*	1	0.02*	0.1	0.3
	Others	0.05*	1	0.02*	0.02*	0.3
(ii) TREE NUTS (shelled or unshelled)						
	Almonds	0.05*	0.1*	0.02*	0.05*	0.02*
	Brazil nuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Cashew nuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Chestnuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Coconuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Hazelnuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Macadamia nuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Pecans	0.05*	0.1*	0.02*	0.05*	0.02*
	Pine nuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Pistachios	0.05*	0.1*	0.02*	0.05*	0.02*
	Walnuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Others	0.05*	0.1*	0.02*	0.05*	0.02*
(iii) POME FRUIT						
	Apples	0.5	0.05*	0.02*	0.1	0.02*
	Pears	0.5	0.05*	0.02*	0.1	0.02*
	Quinces	0.5	0.05*	0.02*	0.1	0.02*
	Others	0.5	0.05*	0.02*	0.1	0.02*

Group to which food belongs	*Groups include the following products*	*Amitraz*	*Azoxystrobin*	*Flupyrsulf-uron-methyl*	*Lambda-cyhalothrin*	*Pymetrozine*
(iv) STONE FRUIT						
	Apricots	0.05*	0.05*	0.02*	0.2	0.05
	Cherries	0.05*	0.05*	0.02*	0.1	0.02*
	Peaches (incl nectarines & similar hybrids)	0.05*	0.05*	0.02*	0.2	0.05
	Plums	0.05*	0.05*	0.02*	0.1	0.02*
	Others	0.05*	0.05*	0.02*	0.1	0.02*
(v) BERRIES AND SMALL FRUIT						
	(a) (a) *Table & wine grapes*					
	Table grapes	0.05*	2	0.02*	0.2	0.02*
	Wine grapes	0.05*	2	0.02*	0.2	0.02*
	Strawberries (other than wild) (b)	0.05*	2	0.02*	0.5	0.02*
	(c) (c) *Cane Fruit* (other than wild)					
	Blackberries	0.05*	0.05*	0.02*	0.02*	0.02*
	Dewberries	0.05*	0.05*	0.02*	0.02*	0.02*
	Loganberries	0.05*	0.05*	0.02*	0.02*	0.02*
	Raspberries	0.05*	0.05*	0.02*	0.02*	0.02*
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
	(d) (d) *Other small fruit & berries* (other than wild)					
	Bilberries	0.05*	0.05*	0.02*	0.02*	0.02*
	Cranberries	0.05*	0.05*	0.02*	0.02*	0.02*
	Currants (red, black & white)	0.05*	0.05*	0.02*	0.1	0.02*
	Gooseberries	0.05*	0.05*	0.02*	0.1	0.02*
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
	(e) *Wild berries & wild fruit* (e)	0.05*	0.05*	0.02*	0.2	0.02*