STATUTORY RULES OF NORTHERN IRELAND

1999 No. 114

AGRICULTURE
PESTICIDES

Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (EEC Limits) (Amendment) Regulations (Northern Ireland) 1999

Made - - - -	*12th March 1999*
Coming into operation	*19th April 1999*

The Department of Agriculture, 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 and commencement

1. These Regulations may be cited as the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (EEC Limits) (Amendment) Regulations (Northern Ireland) 1999 and shall come into operation on 19th April 1999.

Interpretation

2.—(1) In these Regulations "the principal Regulations" means the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (EEC Limits) Regulations (Northern Ireland) 1995(**3**).

(2) The Interpretation Act (Northern Ireland) 1954(**4**) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Amendment of the principal Regulations

3. In regulation 2 of the principal Regulations—

(**1**) S.I.1972/1811
(**2**) 1972 c. 68; section 2 is subject to Schedule of that Act and is to be read with S.I. 1984/703 (N.I. 3) and S.I. 1994/2795 (N.I. 15)
(**3**) S.R. 1995 No. 33 amended by S.R. 1995 No. 461, S.R. 1996 No. 527 and S.R. 1997 No. 244
(**4**) 1954 c. 33 (N.I.)

(a) in paragraph (1) after the definition of "putting into circulation" there shall be inserted the following definition—

> ""the Residues Directives" means Council Directive 86/362/EEC(**5**), (as amended by Council Directives 88/298/EEC(**6**), 90/654/EEC(**7**), 93/57/EEC(**8**), 94/29/EC(**9**), 95/39/EC(**10**), 96/33/EC(**11**), 97/41/EC(**12**) and 97/71/EC(**13**)), together with Council Directive 86/363/EEC(**14**) (as amended by Council Directives 93/57/EEC, 94/29/EC, 95/39/EC, 96/33/EC, 97/41/EC and 97/71/EC) and Council Directive 90/642/EEC(**15**) (as amended by Council Directives 93/58/EEC(**16**), 94/30/EC(**17**), 95/38/EC(**18**), 95/61/EC(**19**), 96/32/EC(**20**), 97/41/EC and 97/71/EC);"; and

(b) after paragraph (1) there shall be inserted the following paragraph—

> "(1A) The words and expressions "dried", "processed", "composite food", "drying" and "processing" when used in either regulation 4 or in sub-paragraphs (c) and (d) of regulation 7 shall have the same meaning as when used in the Residues Directives.".

4. For regulation 4 of the principal Regulations there shall be substituted the following—

"**Maximum residue levels**

4.—(1) Where any product has—

(a) had a pesticide applied to it; or

(b) been grown on land to which a pesticide has been applied,

a person shall not put that product into circulation if it contains a level of pesticide residue greater than the number of milligrammes of that residue per kilogramme of the product (if any) specified in Schedule 2 under the name of that pesticide opposite the name of that product.

(2) Subject to the provisions of regulation 7 the provisions of this Regulation shall, without prejudice to the generality of paragraph (1), apply—

(i) to any products which after drying or processing are obtained from any of the products specified in Schedule 2; and

(ii) to any composite foods which include any of the products specified in that Schedule

notwithstanding that no maximum permitted level has been expressly specified therein for the amount of pesticide residue which may be contained in that dried or processed product or composite food."

5. In regulation 7 of the principal Regulations, for sub-paragraph (c) there shall be substituted—

(**5**) O.J. No. L221, 7.8.86, p. 37
(**6**) O.J. No. L126, 20.5.88, p. 53
(**7**) O.J. No. L353, 17.12.90, p. 48
(**8**) O.J. No. L211, 23.8.93, p. 1
(**9**) O.J. No. L189, 23.7.94, p. 67
(**10**) O.J. No. L197, 22.8.95, p. 29
(**11**) O.J. No. L144, 18.6.96, p. 35
(**12**) O.J. No. L184, 12.7.97, p. 33
(**13**) O.J. No. L347, 18.12.97, p. 42
(**14**) O.J. No. L221, 7.8.86, p. 43
(**15**) O.J. No. L350, 14.12.90, p. 71
(**16**) O.J. No. L211, 23.8.93, p. 6
(**17**) O.J. No. L189, 23.7.94, p. 70
(**18**) O.J. No. L197, 22.8.95, p. 14
(**19**) O.J. No. L292, 7.12.95, p. 27
(**20**) O.J. No. L144, 18.6.96, p. 12