1995 No. 32

AGRICULTURE

PESTICIDES

Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (National Limits) Regulations (Northern Ireland) 1995

Made . . . . . 13th February 1995

Coming into operation . . 24th April 1995

To be laid before Parliament under paragraph 3(3) of Schedule 1 to the Northern Ireland Act 1974

The Department of Agriculture in exercise of the powers conferred on it by sections 16(2)(*k*) and (*l*), (15) and 24(3) of the Food and Environment Protection Act 1985(**a**) and of every other power enabling it in that behalf, after consultation with the Advisory Committee on Pesticides for Northern Ireland, established under section 16(7) of that Act(**b**), 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) (National Limits) Regulations (Northern Ireland) 1995 and shall come into operation on 24th April 1995.

Interpretation

2.—(1) In these Regulations—

"pesticide" means any pesticide specified in column 1 of Schedule 1;

"product" means any crop, food or feeding stuff specified in Schedule 2;

(2) Any reference in a Schedule to any product, figure or pesticide includes any qualifying words relating to that product, figure or pesticide in that Schedule.

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

(a) 1985 c. 48. *See* also s. 25(2) of that Act and S.I. 1973/2162
(b) Established by S.R. 1987 No. 341
(c) 1954 c. 33 (N.I.)

Meaning of pesticide residue

3. Any reference in these Regulations to a pesticide residue contained in any product after the application to that product, or to land on which it is grown, of a pesticide is a reference to the substance specified in column 2 of Schedule 1 opposite the reference to that pesticide.

Maximum residue levels

4. The maximum level of any pesticide residue which may be contained in any product after the application of any pesticide to that product, or to land on which it is grown, shall be the number of milligrammes of the pesticide residue per kilogramme of the product (if any) specified in Schedule 2 under the name of that pesticide opposite the name of that product.

Seizure or disposal of crops, food or feeding stuffs

5. If, after the application of any pesticide to a product, or to any land on which a product is grown, that product contains a level of pesticide residue above that permitted by regulation 4, any Northern Ireland Department shall have power—

(*a*) to seize or dispose of the consignment containing that product, or any part of it, or to direct that some other person shall dispose of it, or

(*b*) to direct some other person to take such remedial action as appears to that Department to be necessary.

Sampling and analysis

6. In determining whether the level of pesticide residue contained in any product specified in column 2 of Schedule 3 exceeds the maximum permitted by regulation 4—

(*a*) only so much of that product shall, so far as is practicable, be taken into account as is specified opposite thereto in column 3, and

(*b*) the procedure laid down in Part 5 of the Codex Recommendations Concerning Pesticide Residues(**a**) shall so far as is practicable be followed, and

(*c*) in the case of any product specified in paragraph 3, 4 or 5 of Schedule 2 which has been dried, that Schedule shall have effect as if for the number of milligrammes of each pesticide residue specified opposite the name of that product there were substituted that number of milligrammes divided by the fraction of 1 kilogramme to which 1 kilogramme of the product is reduced by the drying process.

Revocation

7. The Pesticides (Maximum Residue Levels in Food) Regulations (Northern Ireland) 1988(**b**) are hereby revoked.

(**a**) Food and Agriculture Organisation of the United Nations and World Health Organisation joint Food Standards Programme Codex Alimentarius Commission, document CAC/PR5-1984. Part 5 is entitled "Recommended Method of Sampling for the Determination of Pesticide Residues"

(**b**) S.R. 1988 No. 313

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 13th February 1995.

(L.S.) *I. C. Henderson*
Assistant Secretary

Column 1 *Pesticide*	Column 2 *Residues*
Aldrin and Dieldrin	singly or combined, expressed as dieldrin (HEOD)
2-Aminobutane	2-aminobutane
Azinphos-methyl	azinphos-methyl
Bitertanol	bitertanol
Captan	captan
Carbaryl	carbaryl
Carbendazim, Benomyl and Thiophanate-methyl	carbendazim, benomyl and thiophanate-methyl (expressed as carbendazim)
Carbophenothion	sum of carbophenothion, its sulphoxide and its sulphone, expressed as carbophenothion
Chlordane	(1) for products of animal origin: sum of *cis*- and *trans*-isomers and oxychlordane, expressed as chlordane; (2) for cereals, fruit and vegetables: sum of *cis*- and *trans*-isomers expressed as chlordane
Chlorfenvinphos	sum of E- and Z-isomers of chlorfenvinphos
Chlorobenzilate	chlorobenzilate
Chlorpyrifos-methyl	chlorpyrifos-methyl
Diazinon	diazinon
Dichlofluanid	dichlofluanid
Dichlorvos	dichlorvos
Dicofol	dicofol
Diflubenzuron	diflubenzuron
Dimethipin	dimethipin
Dimethoate	dimethoate
Endosulfan	sum of alpha- and beta- isomers and of endosulfan sulphate, expressed as endosulfan
Ethion	ethion
Etrimfos	etrimfos
Fenitrothion	fenitrothion
Fluazifop	fluazifop and esters (including conjugates) of fluazifop, expressed as free acid
Flurochloridone	flurochloridone
Haloxyfop	haloxyfop and esters (including conjugates) of haloxyfop, expressed as free acid
Hexachloro-cyclohexane (HCH)	hexachlorocyclohexane (HCH) alpha, beta and gamma isomers individually or summed as in Schedule 2
Inorganic bromide	determined and expressed as total bromine from all sources
Ioxynil	ioxynil

SCHEDULE 1 — *continued*

Column 1 *Pesticide*	Column 2 *Residues*
Malathion	sum of malathion and malaoxon, expressed as malathion
Mercury compounds	determined as total mercury and expressed as mercury
Metalaxyl	metalaxyl
Methacrifos	methacrifos
Mevinphos	sum of *cis*- and *trans*-mevinphos
Omethoate	omethoate (from use of formothion dimethoate and omethoate)
Parathion	parathion
Parathion-methyl	parathion-methyl
Phosalone	phosalone
Pirimiphos-methyl	pirimiphos-methyl
Quintozene	sum of quintozene, pentachloroaniline and methyl pentachlorophenyl sulphide, expressed as quintozene
Tecnazene	tecnazene
Thiabendazole	thiabendazole
Triazophos	triazophos
Vinclozolin	sum of vinclozolin and all metabolites containing 3, 5-dichloroaniline moiety, expressed as vinclozolin