1988 No. 313

PESTICIDES

Pesticides (Maximum Residue Levels in Food) Regulations (Northern Ireland) 1988

Made . . . . . 30th August 1988

Coming into operation —

except for regulation 3(b) and Schedule 2 11th October 1988
Remainder 31st December 1988

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 Food) Regulations (Northern Ireland) 1988 and shall come into operation on 11th October 1988, except for regulation 3(b) and Schedule 2, which shall come into operation on 31st December 1988.

Interpretation

2.—(1) In these Regulations —

"food" includes cereals intended for human consumption listed in Schedules 1 and 2;

"maximum residue level" in the case of any food, in relation to any pesticide used in connection therewith, means the figure obtained at the point in Schedule 1 or 2 where a line drawn vertically from the reference to that pesticide intersects with a line drawn horizontally from the reference to that food;

"pesticide" means a pesticide specified in Schedule 1, 2 or 3;

(**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.

"residue" in relation to any pesticide means one or more of the substances specified in an entry in column (ii) of Schedule 3 alongside the entry of that pesticide in column (i) of that Schedule.

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

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

Maximum residue levels

3. No person may leave or cause to be left —

(a) in any food specified in Schedule 1;

(b) in any food specified in Schedule 2;

a level of residue exceeding any maximum residue level applicable to such food specified in that Schedule.

Seizure or disposal of food

4. If any food has in it a residue level in excess of any maximum residue level relating to that food, any Northern Ireland Department shall have power—

(a) to seize or dispose of the consignment containing that food or any part of it, or to require 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

5. The level of residue in a food shall be determined as far as practicable in accordance with the procedures laid down in Parts 5 and 6 of the Guide to Codex Recommendations Concerning Pesticide Residues (b).

Sealed with the Official Seal of the Department of Agriculture for Northern Ireland on 30th August 1988.

(L.S.)

I. C. Henderson
Assistant Secretary

(a) 1954 c. 33 (N.I.).

(b) Food and Agriculture Organisation of the United Nations and World Health Organisation joint Food Standards Programme; Codex Alimentarius Commission documents CAC/PR5 — 1984 and CAC/PR6 — 1984. Part 5 is entitled "Recommended Method of Sampling for the Determination of Pesticide Residues". Part 6 is entitled "Portion of Commodities to which Codex Maximum Residue Limits apply and which is analysed".

SCHEDULE 1

Regulations 2 and 3(a)

(Units, key and footnotes are at the end of this Schedule)

GROUP TO WHICH FOOD BELONGS	*FOOD*	*PESTICIDES*												
		Aldrin & Dieldrin	*Captafol*	*Carbaryl*	*Carbon Disulphide*	*Carbon Tetrachloride*	*Chlordane*	*DDT*	*Diazinon*	*1,2-Dibromoethane*	*Dichlorvos*	*Endosulfan*	*Endrin*	*Hexachloro-benzene (HCB)*
Cereals	Wheat	0.01	0.05*	0.5	0.1	0.1	0.02	0.05	0.05	0.05*	2	0.1	0.01	0.01
	Rye	0.01	0.05*	0.5	0.1	0.1	0.02	0.05	0.05	0.05*	2	0.1	0.01	0.01
	Barley	0.01	0.05*	0.5	0.1	0.1	0.02	0.05	0.05	0.05*	2	0.1	0.01	0.01
	Oats	0.01	0.05*	0.5	0.1	0.1	0.02	0.05	0.05	0.05*	2	0.1	0.01	0.01
	Maize	0.01	0.05*	0.5	0.1	0.1	0.02	0.05	0.05	0.05*	2	0.2	0.01	0.01
	Rice[1]	0.01	0.05*	1	0.1	0.1	0.02	0.05	0.05	0.05*	2	0.1	0.01	0.01
	Other Cereals[2]	0.01	0.05*	0.5	0.1	0.1	0.02	0.05	0.05	0.05*	2	0.1	0.01	0.01
Products of Animal Origin	Meat, Fat and Preparations of Meat[3]	0.2					0.05	1					0.05	0.2
	Milk[4]	0.006					0.002	0.04					0.0008	0.01
	Dairy Produce[5] (> 2% Fat)	0.15					0.05	1					0.02	0.25

GROUP TO WHICH FOOD BELONGS	FOOD	PESTICIDES												
		Hexachloro-cyclohexane (HCH)			Heptachlor	Hydrogen Cyanide	Hydrogen Phosphide	Inorganic Bromide	Malathion	Methyl Bromide	Phosphamidon	Pyrethrins	Trichlorfon
		α	β	γ									
Cereals	Wheat	0.02	sum of α and β	0.1	0.01	15	0.1	50	8	0.1	0.05	3	0.1
	Rye	0.02		0.1	0.01	15	0.1	50	8	0.1	0.05	3	0.1
	Barley	0.02		0.1	0.01	15	0.1	50	8	0.1	0.05	3	0.1
	Oats	0.02		0.1	0.01	15	0.1	50	8	0.1	0.05	3	0.1
	Maize	0.02		0.1	0.01	15	0.1	50	8	0.1	0.05	3	0.1
	Rice[1]	0.02		0.1	0.01	15	0.1	50	8	0.1	0.05	3	0.1
	Other Cereals[2]	0.02		0.1	0.01	15	0.1	50	8	0.1	0.05	3	0.1
Products of Animal Origin	Meat, Fat and Preparations of Meat[3]	0.2	0.1	2[6],1[7]	0.2								
	Milk[4]	0.004	0.003	0.008	0.004								
	Dairy Produce[5] (> 2% Fat)	0.1	0.075	0.2	0.1								

UNITS:

Maximum residue levels (MRLs) are expressed in milligrammes of residue per kilogramme of food.

KEY:

* Level at or about the limit of determination.

FOOTNOTES:

1. Paddy rice.
2. 'Other cereals' do not include rice.
3. Levels are measured on fat, except in the case of foods with a fat content of 10% or less by weight. In these cases the residue is related to the total weight of the boned foodstuff, and the MRL is one tenth of the value given in the table, but must be no less than 0.01 mg/kg.
4. These levels are for fresh raw cow's milk and fresh whole cream cow's milk expressed on the whole milk.
5. For preserved, concentrated or sweetened cow's milk; for raw milk and whole cream milk of another animal origin; and for butter, cheese or curd whether made from cow's milk or other milk or a combination, the following levels apply:
   - — if the fat content is less than 2% by weight, the MRL is taken as half that set for raw milk and whole cream milk;
   - — if the fat content is 2% or more by weight, the MRL is expressed in mg/kg of fat and is set at 25 times that set for raw milk and whole cream milk.
6. Sheepmeat only.
7. All meat except sheepmeat.