

S.I. No. 249 of 2001

European Communities (Pesticide Residues) (Foodstuffs of Animal Origin) (Amendment) (No. 2) Regulations, 2001

I, Joe Walsh, Minister for Agriculture, Food and Rural Development, in exercise of the powers conferred on me by section 3 of the European Communities Act, 1972 (No. 27 of 1972), and for the purpose of giving effect to Council Directive 86/363/EEC of 24 July 1986¹, Council Directive 93/57/EEC of 29 June 1993², Council Directive 94/29/EC of 23 June 1994³, Council Directive 95/39/EC of 17 July 1995⁴ and the corrigenda to Council Directive 95/39/EC⁵, Council Directive 96/33/EC of 21 May 1996⁶, Council Directive 97/41/EC of 25 June 1997⁷, Commission Directive 97/71/EC of 15 December 1997⁸, Commission Directive 98/82/EC of 27 October 1998⁹, Commission Directive 1999/71/EC of 14 July 1999¹⁰, Commission Directive 2000/24/EC of 28 April 2000¹¹, Commission Directive 2000/58/EC of 22 September 2000¹², Commission Directive 2000/42/EC of 22 June 2000¹³ and the corrigenda to Commission Directive 2000/42/EC of 22 June 2000¹⁴, Commission Directive 2000/81/EC of 18 December 2000¹⁵ and Commission Directive 2000/82/EC of 20 December 2000¹⁶, hereby make the following Regulations:

1. (1) These Regulations may be cited as the European Communities (Pesticide Residues) (Foodstuffs of Animal Origin) (Amendment) (No. 2)

¹ O.J. No. L221/43 of 7/8/1986

² O.J. No. L211/1 of 23/8/1993

³ O.J. No. L189/67 of 23/7/1994

⁴ O.J. No. L197/29 of 22/8/1995

⁵ O.J. No. L164/23 of 3/7/1996

⁶ O.J. No. L144/35 of 18/6/1996

⁷ O.J. No. L184/33 of 12/7/1997

⁸ O.J. No. L347/42 of 18/12/1997

⁹ O.J. No. L290/25 of 29/10/1998

¹⁰ O.J. No. L194/36 of 27/7/1999

¹¹ O.J. No. L107/28 of 4/5/2000

¹² O.J. No. L244/78 of 29/9/2000

¹³ O.J. No. L158/51 of 30/6/2000

¹⁴ O.J. No. L262/46 of 17/10/2000

¹⁵ O.J. No. L326/56 of 22/12/2000

¹⁶ O.J. No. L3/18 of 6/1/2001

Regulations, 2001.

(2) These Regulations shall come into operation on the 1st day of July 2001.

2. In these Regulations -

“the Principal Regulations” means the European Communities (Pesticide Residues) (Foodstuffs of Animal Origin) Regulations, 1999 (S.I. No. 180 of 1999).

“the Directive” means Council Directive 86/363/EEC of 24 July 1986¹, as amended by Council Directive 93/57/EEC of 29 June 1993², Council Directive 94/29/EC of 23 June 1994³, Council Directive 95/39/EC of 17 July 1995⁴ and the corrigenda to Council Directive 95/39/EC⁵, Council Directive 96/33/EC of 21 May 1996⁶, Council Directive 97/41/EC of 25 June 1997⁷, Commission Directive 97/71/EC of 15 December 1997⁸, Commission Directive 98/82/EC of 27 October 1998⁹, Commission Directive 1999/71/EC of 14 July 1999¹⁰, Commission Directive 2000/24/EC of 28 April 2000¹¹, Commission Directive 2000/58/EC of 22 September 2000¹², Commission Directive 2000/42/EC of 22 June 2000¹³ and the corrigenda to Commission Directive 2000/42/EC of 22 June 2000¹⁴, Commission Directive 2000/81/EC of 18 December 2000¹⁵ and Commission Directive 2000/82/EC of 20 December 2000¹⁶.

¹ O.J. No. L221/43 of 7/8/1986

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¹⁴ O.J. No. L262/46 of 17/10/2000

¹⁵ O.J. No. L326/56 of 22/12/2000

¹⁶ O.J. No. L3/18 of 6/1/2001

3. Part A Annex II of the Principal Regulations is hereby amended by the replacement of the following entries to Part A Annex II:

Maximum levels in mg/kg (ppm)			
Pesticide Residues	Of fat contained in meat, preparations of meat, offal and animal fats listed in Annex I under Heading Nos 0201, 0202, 0203, 0204, 0205 00 00, 0206, 0207, ex 0208, 0209 00, 0210, 1601 00 and 1602 ⁽¹⁾⁽⁴⁾	For cow's milk and whole cream cow's milk listed in Annex I under heading No 0401; for the other foodstuffs in heading Nos 0401, 0402, 0405 00 and 0406 in accordance with ⁽²⁾ ⁽⁴⁾	of shelled fresh eggs, for birds' eggs and egg yolks listed in Annex I under Heading Nos 0407 00 and 0408 ⁽³⁾⁽⁴⁾
Endosulfan sum of alpha- and beta-isomers and endosulfan-sulfate expressed as endosulfan	0.1		0.1 ^(*)
Triazophos	0.02 ^(*)	0.02 ^(*)	0.02 ^(*)
Fenvalerate and esfenvalerate: Sum of RR and SS isomers:	0.02 ^(*)	0.02 ^(*)	0.02 ^(*)
0207 poultry meat	0.2		
Other products			
Sum of RS and SR isomers:	0.02 ^(*)	0.02 ^(*)	0.02 ^(*)
0207 poultry meat	0.05		
Other products			

”

(*) Indicates lower limit of analytical determination.

- (1) In the case of foodstuffs with a fat content of 10% or less by weight, the residue is related to the total weight of the boned foodstuff. In such cases, the maximum level is one tenth of the value related to fat content, but must be no less than 0.01 mg/kg.
- (2) In determining the residues in raw cow's milk and whole cream cow's milk, a fat content of 4% by weight should be taken as a basis. For raw milk and whole cream milk of another animal origin the residues are expressed on the basis of the fat. For the other foodstuffs listed in Annex I under heading Nos 0401, 0402, 0405 00 and 0406:
- with a fat content of less than 2% by weight, the maximum level is taken as half that set for raw milk and whole cream milk.
 - with a fat content of 2% or more by weight, the maximum level is expressed in mg/kg of fat. In such case, the maximum level is 25 times that set for raw milk and whole cream milk.
- (3) For eggs and egg products with a fat content higher than 10%, the maximum level is expressed in mg/kg fat. In this case, the maximum level is 10 times higher than the maximum level for fresh eggs.
- (4) Footnotes (1), (2) and (3) do not apply in cases where the lower limit of analytical determination is indicated.

4. Part A Annex II of the Principal Regulations is hereby amended by the addition of the following entries to Part A Annex II:

Maximum levels in mg/kg (ppm)

Pesticide Residues	Of fat contained in meat, preparations of meat, offal and animal fats listed in Annex I within CN code Nos 0201, 0202, 0203, 0204, 0205 00 00, 0206, 0207, ex 0208, 0209 00, 0210, 1601 00 and 1602 ⁽¹⁾ ⁽⁴⁾	For cow's milk and whole cream cow's milk listed in Annex 1 within CN code Nos 0401; for the other foodstuffs within CN code Nos 0401, 0402, 0405 00 and 0406 in accordance with ⁽²⁾ ⁽⁴⁾	of shelled fresh eggs, for birds' eggs and egg yokes listed in Annex 1 within CN code Nos 0407 00 and 0408 ⁽³⁾ ⁽⁴⁾
Azinphos-ethyl	0.05 ^(*)	0.05 ^(*)	0.05 ^(*)
Pyrazophos	0.02 ^(*) ^(#)	0.02 ^(*) ^(#)	0.1 ^(*) ^(#)
Tecnazene	0.05 ^(*) ⁽⁺⁾	0.05 ^(*) ⁽⁺⁾	0.05 ^(*) ⁽⁺⁾

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(*) Indicates lower limit of analytical determination.

(#) These measures shall apply from 1 July 2002.

(+) These measures shall apply from 1 July 2003.

5. Part B Annex II of the Principal Regulations is hereby amended by the replacement of the following entries to Part B Annex II:

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Maximum levels in mg/kg (ppm)			
Pesticide Residues	Of meat including Fat, preparations of meat, offal and animal fats listed in Annex I under Heading Nos 0201, 0202, 0203, 0204, 0205 00 00, 0206, 0207, ex 0208, 0209 00, 0210, 1601 00 and 1602	for milk and milk products listed in Annex 1 under Heading Nos 0401, 0402, 0405 00 and 0406	of shelled fresh eggs, for birds' eggs and egg yokes listed in Annex 1 under Heading Nos 0407 00 and 0408
Chlormequat:			
Liver of chicken	0.05	0.05	0.05 ^(*)
Kidney of cattle	0.2		
Liver of cattle	0.1		
Others	0.05 ^(*)		

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(*) Indicates lower limit of analytical determination.

6. Part B Annex II of the Principal Regulations is hereby amended by the addition of the following entries to Part B Annex II:

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Maximum levels in mg/kg (ppm)			
Pesticide Residues	Of meat including Fat, preparations of meat, offal and animal fats listed in Annex I within CN codes 0201, 0202, 0203, 0204, 0205 00 00, 0206, 0207, ex 0208, 0209 00, 0210, 1601 00 and 1602	for milk and milk products listed in Annex 1 within CN codes 0401, 0402, 0405 00 and 0406	of shelled fresh eggs, for birds' eggs and egg yokes listed in Annex 1 within CN codes 0407 00 and 0408
Spiroxamine carboxylic acid expressed as spiroxamine	0.2 ^(P) ex 0206 Kidney, Liver 0.05 ^{(P)(*)} Other products	0.02 ^(P)	0.05 ^{(P)(*)}
Dinoterb	0.05 ^(*)	0.05 ^(*)	0.05 ^(*)
DNOC	0.02 ^{(*)(#)}	0.05 ^{(*)(#)}	0.05 ^{(*)(#)}
Propham	0.05 ^(*)	0.05 ^(*)	0.05 ^(*)
Monolinuron	0.05 ^{(*)(#)}	0.05 ^{(*)(#)}	0.05 ^{(*)(#)}

(*) Indicates lower limit of analytical determination.

(P) Indicates provisional maximum residue level. This maximum level will cease to be provisional in 2005.

(#) These measures shall apply from 1 July 2002.

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GIVEN under my Official Seal,
this 31st day of May 2001

L.S.

Joe Walsh
Minister for Agriculture, Food and Rural Development.

Explanatory Note

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These Regulations amend existing Regulations on the fixing of maximum residue levels for pesticides in and on foodstuffs of animal origin.

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