

**S.I. No. 139 of 2001**

**European Communities (Pesticide Residues) (Products of Plant Origin,  
including Fruit and Vegetables) (Amendment) 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 90/642/EEC of 27 November 1990<sup>1</sup>, as amended by Council Directive 93/58/EEC of 29 June 1993<sup>2</sup>, and the corrigenda to Council Directive 93/58/EEC<sup>3</sup>, Council Directive 94/30/EC of 23 June 1994<sup>4</sup>, Council Directive 95/38/EC of 17 July 1995<sup>5</sup> and the corrigenda to Council Directive 95/38/EC<sup>6</sup>, Council Directive 95/61/EC of 29 November 1995<sup>7</sup>, Council Directive 96/32/EC of 21 May 1996<sup>8</sup>, Council Directive 97/41/EC of 25 June 1997<sup>9</sup>, Commission Directive 97/71/EC of 15 December 1997<sup>10</sup>, Commission Directive 98/82/EC of 27 October 1998<sup>11</sup>, Commission Directive 1999/65/EC of 24 June 1999<sup>12</sup>, Commission Directive 1999/71/EC of 14 July 1999<sup>13</sup>, Commission Directive 2000/24/EC of 28 April 2000<sup>14</sup>, Commission Directive 2000/48/EC of 25 July 2000<sup>15</sup>, Commission Directive 2000/57/EC of 22 September 2000<sup>16</sup>; and Commission Directive 2000/58/EC of 22 September 2000<sup>17</sup>, hereby make the following Regulations:

1. (1) These Regulations may be cited as the European Communities (Pesticide Residues) (Products of Plant Origin, including Fruit and Vegetables) (Amendment) Regulations, 2001.

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<sup>1</sup> O.J. No. L350 of 14/12/1990

<sup>2</sup> O.J. No. L211 of 23/8/1993

<sup>3</sup> O.J. No. L219 of 24/8/1994

<sup>4</sup> O.J. No. L189 of 23/7/1994

<sup>5</sup> O.J. No. L197 of 22/8/1995

<sup>6</sup> O.J. No. L155 of 28/6/1996

<sup>7</sup> O.J. No. L292 of 7/12/1995

<sup>8</sup> O.J. No. L1144 of 18/6/1996

<sup>9</sup> O.J. No. L184 of 12/7/1997

<sup>10</sup> O.J. No. L347 of 18/12/1997

<sup>11</sup> O.J. No. L290 of 29/10/1998

<sup>12</sup> O.J. No. L172 of 8/7/1999

<sup>13</sup> O.J. No. L194 of 27/7/1999

<sup>14</sup> O.J. No. L107/28 of 4/5/2000

<sup>15</sup> O.J. No. L197/26 of 3/8/2000

<sup>16</sup> O.J. No. L244/76 of 29/9/2000

<sup>17</sup> O.J. No. L244/78 of 29/9/2000

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

2. In these Regulations -

“the Principal Regulations” means the European Communities (Pesticide Residues) (Products of Plant Origin, including Fruit and Vegetables) Regulations, 1999 (S.I. No. 179 of 1999).

“the Directive” means Council Directive 90/642/EEC of 27 November 1990<sup>1</sup>, as amended by Council Directive 93/58/EEC of 29 June 1993<sup>2</sup>, and the corrigenda to Council Directive 93/58/EEC<sup>3</sup>, Council Directive 94/30/EC of 23 June 1994<sup>4</sup>, Council Directive 95/38/EC of 17 July 1995<sup>5</sup> and the corrigenda to Council Directive 95/38/EC<sup>6</sup>, Council Directive 95/61/EC of 29 November 1995<sup>7</sup>, Council Directive 96/32/EC of 21 May 1996<sup>8</sup>, Council Directive 97/41/EC of 25 June 1997<sup>9</sup>, Commission Directive 97/71/EC of 15 December 1997<sup>10</sup>, Commission Directive 98/82/EC of 27 October 1998<sup>11</sup>, Commission Directive 1999/65/EC of 24 June 1999<sup>12</sup>, Commission Directive 1999/71/EC of 14 July 1999<sup>13</sup>, Commission Directive 2000/24/EC of 28 April 2000<sup>14</sup>, Commission Directive 2000/48/EC of 25 July 2000<sup>15</sup>, Commission Directive 2000/57/EC of 22 September 2000<sup>16</sup>, and Commission Directive 2000/58/EC of 22 September 2000<sup>17</sup>.

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<sup>1</sup> O.J. No. L350 of 14/12/1990

<sup>2</sup> O.J. No. L211 of 23/8/1993

<sup>3</sup> O.J. No. L219 of 24/8/1994

<sup>4</sup> O.J. No. L189 of 23/7/1994

<sup>5</sup> O.J. No. L197 of 22/8/1995

<sup>6</sup> O.J. No. L155 of 28/6/1996

<sup>7</sup> O.J. No. L292 of 7/12/1995

<sup>8</sup> O.J. No. L144 of 18/6/1996

<sup>9</sup> O.J. No. L184 of 12/7/1997

<sup>10</sup> O.J. No. L347 of 18/12/1997

<sup>11</sup> O.J. No. L290 of 29/10/1998

<sup>12</sup> O.J. No. L172 of 8/7/1999

<sup>13</sup> O.J. No. L194 of 27/7/1999

<sup>14</sup> O.J. No. L107/28 of 4/5/2000

<sup>15</sup> O.J. No. L197/26 of 3/8/2000

<sup>16</sup> O.J. No. L244/76 of 29/9/2000

<sup>17</sup> O.J. No. L244/78 of 29/9/2000

3. First Schedule, Part 2, Annex II of the Principal Regulations is hereby amended by the replacement or the addition of the following entries: -

- (1) the entry of '1' for maleic hydrazide in carrots and in parsnips is replaced by '30';
- (2) the entry of '0.1' for glyphosate in cottonseed is replaced by '10';
- (3) the entries of '0.05' for the dithiocarbamates maneb, mancozeb, metiram, propineb and zineb in olives are replaced by '5';
- (4) a new entry is made for the pesticide residue diphenylamine with the following maximum residue limits:  
  
apples 5 mg/kg,  
pears 10 mg/kg,  
all other commodities 0.05\* mg/kg where this is  
the lower limit of analytical  
determination;
- (5) the entries for vinclozolin of '3' and '2' for tomatoes and peaches are replaced by '0.05\*' and '0.05\*' respectively. These revised values are fixed on a temporary basis.

4. First Schedule, Part 2, Annex II of the Principal Regulations is hereby amended by

- and
- (a) the replacement of the following entries for Azoxystrobin
  - (b) the addition of the following entries for Kresoxim Methyl.

**First Schedule  
Part 2 Annex II**

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum	Pesticide residues and maximum
	residue levels	Residue levels
	(mg/kg)	(mg/kg)
<b>1. Fruit, fresh, dried or uncooked, preserved by freezing, not containing added sugar; nuts</b>	Azoxystrobin	Kresoxim methyl
(i) CITRUS FRUIT	0.05 (p) (*)	0.05 (p) (*)
Grapefruit		
Lemons		
Limes		
Mandarins (including clementines and other hybrids)		
Oranges		
Pomelos		
Others		
(ii) TREE NUTS (SHELLED OR UNSHELLED)	0.1 (p) (*)	0.1 (p) (*)
Almonds		
Brazil nuts		
Cashew nuts		
Chestnuts		
Coconuts		
Hazelnuts		
Macadamia		
Pecans		
Pine nuts		
Pistachios		
Walnuts		
Others		
(iii) POME FRUIT	0.05 (p) (*)	0.2 (p)
Apples		
Pears		
Quinces		
Others		
(iv) STONE FRUIT	0.05 (p) (*)	0.05 (p) (*)
Apricots		
Cherries		
Peaches (including nectarines and similar hybrids)		
Plums		
Others		
(v) BERRIES AND SMALL FRUIT		
(a) Table and wine grapes	2	1 (p)
Table grapes		
Wine grapes		
(b) Strawberries (other than wild)	0.05 (p) (*)	0.05 (p) (*)

Groups and examples of individual Products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)	Pesticide residues and maximum Residue levels (mg/kg)
<b>1. Fruit, fresh, dried or uncooked, preserved by freezing, not containing added sugar; nuts</b>	Azoxystrobin	Kresoxim methyl
(c) Cane fruit (other than wild)	0.05 (p) (*)	0.05 (p) (*)
Blackberries		
Dewberries		
Loganberries		
Raspberries		
Others		
(d) Other small fruit and berries (other than wild)	0.05 (p) (*)	0.05 (p) (*)
Bilberries		
Cranberries		
Currants (red, black and white)		
Gooseberries		
Others		
(e) Wild berries and wild fruit	0.05 (p) (*)	0.05 (p) (*)
(iv) MISCELLANEOUS		
Avocados		
Bananas	2.0	
Dates		
Figs		
Kiwi		
Kumquats		
Litchis		
Mangoes		
Olives		0.2.(p)
Passion fruit		
Pineapples		
Pomegranates		
Others	0.05 (p) (*)	0.05 (p) (*)
<b>2. Vegetables, fresh or uncooked, frozen or dry</b>		
(I) ROOT AND TUBER VEGETABLES	0.05 (p) (*)	0.05 (p) (*)
Beetroot		
Carrots		
Celeriac		
Horseradish		
Jerusalem Artichokes		
Parsnips		
Parsley root		
Radishes		
Salsify		

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum	Pesticide residues and maximum
	Residue levels	Residue levels
	(mg/kg)	(mg/kg)
1. <b>Fruit, fresh, dried or uncooked, preserved</b>		
<b>by freezing, not containing added sugar; nuts</b>	Azoxystrobin	Kresoxim methyl

Sweet potatoes		
Swedes		
Turnips		
Yam		
Others		
(ii) BULB VEGETABLES	0.05 (p) (*)	0.05 (p) (*)
Garlic		
Onions		
Shallots		
Spring onions		
Others		
(iii) FRUITING VEGETABLES		
(a) Solanacea		
Tomatoes	2.0 (p)	0.5 (p)
Peppers		1 (p)
Aubergines		0.5 (p)
Others	0.05 (p) (*)	0.05 (p) (*)
(b) Cucurbits – edible peel	1.0 (p)	0.05 (p) (*)
Cucumbers		
Gherkins		
Courgettes		
Others		
(c) Cucurbits – inedible peel	0.5 (p)	0.2 (p)
Melons		
Squashes		
Watermelons		
Others		
(d) Sweetcorn	0.05 (p) (*)	0.05 (p) (*)
(iv) BRASSICA VEGETABLES	0.05 (p) (*)	0.05 (p) (*)
(a) Flowering brassica		
Broccoli		
Cauliflower		
Others		
(b) Head brassica		
Brussels sprouts		
Head cabbage		
Others		
(c) Leafy brassica		
Chinese cabbage		
Kale		
Others		
(d) Kohlrabi		

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum	Pesticide residues and maximum
	residue levels	Residue levels
	(mg/kg)	(mg/kg)

<b>1. Fruit, fresh, dried or uncooked, preserved by freezing, not containing added sugar; nuts</b>		
(v) LEAF VEGETABLES AND FRESH HERBS	Azoxystrobin	Kresoxim methyl
	0.05 (p) (*)	0.05 (p) (*)
(a) Lettuce and similar		
Cress		
Lamb's lettuce		
Lettuce		
Scarole		
Others		
(b) Spinach and similar		
Spinach		
Beet leaves (chard)		
Others		
(c) Watercress		
(d) Witloof		
(e) Herbs		
Chervil		
Chives		
Parsley		
Celery leaves		
Others		
(vi) LEGUME VEGETABLES (fresh)	0.05 (p) (*)	0.05 (p) (*)
Beans (with pods)		
Beans (without pods)		
Peas (with pods)		
Peas (without pods)		
Others		
(vii) STEM VEGETABLES (fresh)	0.05 (p) (*)	0.05 (p) (*)
Asparagus		
Cardoons		
Celery		
Fennel		
Globe artichokes		
Leeks		
Rhubarb		
Others		
(viii) FUNGI	0.05 (p) (*)	0.05 (p) (*)
(a) Cultivated mushrooms		
(b) Wild mushrooms		
<b>3. Pulses</b>	0.05 (p) (*)	0.05 (p) (*)
Beans		

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)	Pesticide residues and maximum Residue levels (mg/kg)
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<b>1. Fruit, fresh, dried or uncooked, preserved by freezing, not containing added sugar; nuts</b>	Azoxystrobin	Kresoxim methyl
Lentils		
Peas		
Others		
<b>4. Oil seeds</b>	0.05 (p) (*)	0.1 (p) (*)
Linseed		
Peanuts		
Poppy seeds		
Sesame seeds		
Sunflower seed		
Rape seeds		
Soya bean		
Mustard seed		
Cotton seed		
Others		
<b>5. Potatoes</b>	0.05 (p) (*)	0.05 (p) (*)
Early potatoes		
Ware potatoes		
<b>6. Tea</b> (leaves and stems dried, fermented or otherwise, from the leaves of <i>Camellia sinensis</i> )	0.1 (p) (*)	0.1 (p) (*)
	0.1 (p) (*)	0.1 (p) (*)
<b>7. Hops</b> (dried), including hop pellets and unconcentrated powder		

(\*) Indicates lower limit of analytical determination

(p) Indicates provisional maximum residue level. These will cease to be provisional and become definitive on 19 October 2004.

GIVEN under my Official Seal,  
this 30th day of March 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 or add to existing regulations on the fixing of maximum residue levels for pesticide residues in and on products of plant origin, including fruit and vegetables.

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