

STATUTORY INSTRUMENTS.

S.I. No. 458 of 1999.

**EUROPEAN COMMUNITIES (PESTICIDE RESIDUES)
(PRODUCTS OF PLANT ORIGIN, INCLUDING FRUIT AND VEGETABLES)
(AMENDMENT) REGULATIONS, 1999.**

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 1990¹, as amended by Council Directive 93/58/EEC of 29 June 1993² and the corrigenda to Council Directive 93/58/EEC³, Council Directive 94/30/EC of 23 June 1994⁴, Council Directive 95/38/EC of 17 July 1995⁵ and the corrigenda to Council Directive 95/38/EC⁶, Council Directive 95/61/EC of 29 November 1995⁷, Council Directive 96/32/EC of 21 May 1996⁸, Council Directive 97/41/EC of 25 June 1997⁹, Commission Directive 97/71/EC of 15 December 1997¹⁰, Commission Directive 98/82/EC of 27 October 1998¹¹, Commission Directive 1999/65/EC of 24 June 1999¹² and Commission Directive 1999/71/EC of 14 July 1999¹³, hereby make the following Regulations:

13 O.J. No. L194 of 27/7/1999.

12 O.J. No. L172 of 8/7/1999.

11 O.J. No. L290 of 29/10/1998.

10 O.J. No. L347 of 18/12/1997.

9 O.J. No. L184 of 12/7/1997.

8 O.J. No. L144 of 18/6/1996.

7 O.J. No. L292 of 07/12/1995.

6 O.J. No. L155 of 28/6/1996.

5 O.J. No. L197 of 22/8/1995.

4 O.J. No. L189 of 23/7/1994.

3 O.J. No. L219 of 24/8/1994.

2 O.J. No. L211 of 23/8/1993.

¹O.J. No. L350 of 14/12/1990.

1. (1) These Regulations may be cited as the European Communities (Pesticide Residues) (Products of Plant Origin, including Fruit and Vegetables) (Amendment) Regulations, 1999.

(2) These Regulations shall come into operation on the 1st day of February, 2000.

2. (1) 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 1990¹, as amended by Council Directive 93/58/EEC of 29 June 1993² and the corrigenda to Council Directive 93/58/EEC³, Council Directive 94/30/EC of 23 June 1994⁴, Council Directive 95/38/EC of 17 July 1995⁵ and the corrigenda to Council Directive 95/38/EC⁶, Council Directive 95/61/EC of 29 November 1995⁷, Council Directive 96/32/EC of 21 May 1996⁸, Council Directive 97/41/EC of 25 June 1997⁹, Commission Directive 97/71/EC of 15 December 1997¹⁰, Commission Directive 98/82/EC of 27 October 1998¹¹, Commission Directive 1999/65/EC of 24 June 1999¹² and Commission Directive 1999/71/EC of 14 July 1999¹³.

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1 O.J. No. L350 of 14/12/1990.

3. >Annex II of the Principal Regulations is hereby amended by the addition of the following entry to Annex II:

"First Schedule Part 2 Annex II

Pesticide residues and maximum residue levels (mg/kg)

Groups and examples of individual products to which the MRLs apply

Azoxystrobin

1. Fruit, fresh, dried or uncooked preserved by freezing, not containing added sugar; nuts

(1)

(6a)

I) CITRUS FRUIT

0.05(p)(*)

Grapefruit

Lemons

Limes

Mandarins (including clementines and other hybrids)

Oranges

Pomelos

Others

II) TREE NUTS

0.1(p)(*)

(shelled or unshelled)

Almonds

Brazil nuts

Cashew nuts

Chestnuts

Coconuts

Hazelnuts

Macadamia

Pecans

Pine nuts

Pistachios

Walnuts

Others

III) POME FRUIT

0.05(p)(*)

Apples

Pears

Quinces

Others

IV) STONE FRUIT

0.05(p)(*)

Apricots

Cherries

Peaches (including nectarines and similar hybrids)

Plums

Others

V) BERRIES AND SMALL FRUIT

a) *Table and wine grapes*

2

b) *Strawberries* (other than wild)

0.05(p)(*)

c) *Cane fruit* (other than wild)

0.05(p)(*)

Blackberries

Dewberries

Loganberries

Raspberries

Others

d) *Other small fruit and berries (other than wild)*

0.05(p)(*)

Bilberries (fruit of species *Vaccinium myrtilus*)

Cranberries

Currants (red, black and white)

Gooseberries

Others

e) *Wild berries and wild fruit*

0.05(p)(*)

VI) MISCELLANEOUS FRUIT

Avocados

Bananas

0.1

Dates

Figs

Kiwis

Kumquats

Litchis

Mangoes

Olives

Passion fruit

Pineapples

Pomegranates

Others

0.05(p)(*)

2. Vegetables, fresh or uncooked, frozen or dry

0.05(p)(*)

1) ROOT AND TUBER VEGETABLES

Beetroot

Carrots

Celeriac

Horseradish

Jerusalem artichokes

Parsnips

Parsley root

Radishes

Salsify

Sweet potatoes

Swedes

Turnips

Yams

Others

II) BULB VEGETABLES

Garlic

Onions

Shallots

Spring onions

Others

III) FRUITING VEGETABLES

a) *Solanacea*

Tomatoes

Peppers

Aubergines

Others

b) *Cucurbits — edible peel*

Cucumbers

Gherkins

Courgettes

Others

c) *Cucurbits — inedible peel*

Melons

Squashes

Watermelons

Others

d) *Sweet corn*

IV) BRASSICA VEGETABLES

a) *Flowering brassica*

Broccoli

Cauliflower

Others

b) *Head brassica*

Brussels sprouts

Head cabbage

Others

c) *Leafy brassica*

Chinese cabbage

Kale

Others

d) *Kohlrabi*

V) LEAF VEGETABLES AND FRESH HERBS

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)

Beans (with pods)

Beans (without pods)

Peas (with pods)

Peas (without pods)

Others

VII) STEM VEGETABLES

(fresh)

Asparagus

Cardoons

Celery

Fennel

Globe artichokes

Leek

Rhubarb

Others

VIII) FUNGI

a) *Cultivated mushrooms*

b) *Wild mushrooms*

3. Pulses

0.05(p)(*)

Beans

Lentils

Peas

Others

4. Oil seed

0.05(p)(*)

Linseed

Peanuts

Poppy seeds

Sesame seed

Sunflower seed

Rape seed

Soya bean

Mustard seed

Cotton seed

Others

5. Potatoes

0.05(p)(*)

Early and ware potatoes

6. Tea (Black tea processed from the leaves of *Camellia sinensis*)

0.1(p)(*)

7. Hops (dried), including hop pellets and unconcentrated powder

0.1(p)(*)

(*) Indicates lower limit of analytical determination "

(p) The maximum residue level for azoxystrobin is fixed for a provisional period of four years, up to 1 February 2004, after which it shall cease to be provisional and become definitive.

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(L.S.)

GIVEN under my Official Seal, this 22nd day of December, 1999.

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 insert an additional pesticide residue
"Azoxystrobin" to Annex II and also a provisional maximum residue level for this substance.