

Statutory Instrument 2001 No. 3834

The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff)s (England and Wales) (Amendment) (No. 3) Regulations 2001

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STATUTORY INSTRUMENTS

2001 No. 3834

AGRICULTURE, ENGLAND AND WALES

PESTICIDES, ENGLAND AND WALES

The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff)s (England and Wales) (Amendment) (No. 3) Regulations 2001

<i>Made</i>	<i>3rd December 2001</i>
<i>Laid before Parliament</i>	<i>3rd December 2001</i>
<i>Coming into force</i>	<i>1st January 2002</i>

The Secretary of State for Environment, Food and Rural Affairs and the National Assembly for Wales, acting jointly (the National Assembly for Wales acting in relation to Wales only), being designated[1] for the purposes of section 2(2) of the European Communities Act 1972[2] in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on them by that section, and of all other powers enabling them in that behalf, make the following Regulations:

Title, commencement and extent

1. These Regulations may be cited as the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff)s (England and Wales) (Amendment) (No. 3) Regulations 2001; they extend to England and Wales only, and shall come into force on 1st January 2002.

Amendment to the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) Regulations 1999

2. - (1) The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) Regulations 1999[3] shall be amended in accordance with this regulation.

(2) In regulation 2(1), for the definition of the Residues Directives there shall be substituted the following definition:

" "the Residues Directives" means Council Directive 86/362/EEC[4], Council Directive 86/363/EEC[5] and Council Directive 90/642/EEC[6], in each case amended as at the date of the making of the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) (Amendment) (No. 3) Regulations 2001."

(3) In Part 2 of Schedule 2 maximum residue levels shall be substituted as follows -

- (a) for mg/kg of chlorothalonil on bananas delete "2" and insert "0.2";**
- (b) for mg/kg of iprodione on spring onion delete "5" and insert "3";**
- (c) for mg/kg of methamidophos on cottonseed delete "0.01*" and insert "0.1".**

(4) In Part 2 of Schedule 2, there shall be inserted, in the appropriate place to preserve the alphabetical ordering from left to right, columns of maximum permitted levels for residues of the pesticides azimsulfuron, azoxystrobin, fluroxpyr and its esters expressed as fluroxpyr (as from 1st March 2002), kresoxim methyl and prohexadione and its salts expressed as prohexadione, as specified in the Schedule to these Regulations in relation to the products so specified, the columns relating to azoxystrobin and kresoxim methyl being substituted for the existing columns respectively relating to them as from 1st March 2002.

Whitty

Parliamentary Under-Secretary, Department of Environment, Food and Rural Affairs

3rd December 2001

Signed on behalf of the National Assembly for Wales

D. Elis Thomas

Presiding Officer, National Assembly for Wales

29th November 2001

SCHEDULE

Regulation 2(4)

LEVELS TO BE INCLUDED IN SCHEDULE 2 PART 2

<i>Group to which food belongs</i>	<i>Groups include the following products</i>	<i>Azimsulfuron</i>	<i>Azoxystrobin</i>	<i>Fluroxypyr and its esters expressed as fluroxypyr</i>	<i>Kresoxim methyl</i>	<i>Prohexadione and its salts expressed as prohexadione</i>
1. Fruit, fresh, dried or uncooked, preserved by freezing not containing added sugar: nuts						
(i) CITRUS FRUIT						
	Grapefruit	0.02*	0.05*	0.05*	0.05*	0.05*
	Lemons	0.02*	0.05*	0.05*	0.05*	0.05*
	Limes	0.02*	0.05*	0.05*	0.05*	0.05*
	Mandarins (inc clementines & similar hybrids)	0.02*	0.05*	0.05*	0.05*	0.05*
	Oranges	0.02*	0.05*	0.05*	0.05*	0.05*
	Pomelos	0.02*	0.05*	0.05*	0.05*	0.05*
	Others	0.02*	0.05*	0.05*	0.05*	0.05*
(ii) TREE NUTS (shelled or unshelled)						
	Almonds	0.02*	0.1*	0.05*	0.1*	0.05*
	Brazil nuts	0.02*	0.1*	0.05*	0.1*	0.05*
	Cashew nuts	0.02*	0.1*	0.05*	0.1*	0.05*
	Chestnuts	0.02*	0.1*	0.05*	0.1*	0.05*
	Coconuts	0.02*	0.1*	0.05*	0.1*	0.05*
	Hazelnuts	0.02*	0.1*	0.05*	0.1*	0.05*
	Macadamia nuts	0.02*	0.1*	0.05*	0.1*	0.05*
	Pecans	0.02*	0.1*	0.05*	0.1*	0.05*
	Pine nuts	0.02*	0.1*	0.05*	0.1*	0.05*
	Pistachios	0.02*	0.1*	0.05*	0.1*	0.05*
	Walnuts	0.02*	0.1*	0.05*	0.1*	0.05*
	Others	0.02*	0.1*	0.05*	0.1*	0.05*
(iii) POME FRUIT						
	Apples	0.02*	0.05*	0.05*	0.2	0.05*
	Pears	0.02*	0.05*	0.05*	0.2	0.05*

	Quinces	0.02*	0.05*	0.05*	0.2	0.05*
	Others	0.02*	0.05*	0.05*	0.2	0.05*
(iv) STONE FRUIT						
	Apricots	0.02*	0.05*	0.05*	0.05*	0.05*
	Cherries	0.02*	0.05*	0.05*	0.05*	0.05*
	Peaches (incl nectarines & similar hybrids)	0.02*	0.05*	0.05*	0.05*	0.05*
	Plums	0.02*	0.05*	0.05*	0.05*	0.05*
	Others	0.02*	0.05*	0.05*	0.05*	0.05*
(v) BERRIES AND SMALL FRUIT						
	a) Table & wine grapes					
	Table grapes	0.02*	2	0.05*	1	0.05*
	Wine grapes	0.02*	2	0.05*	1	0.05*
	(b) Strawberries (other than wild)	0.02*	0.05*	0.05*	0.05*	0.05*
	(c) Cane fruit (other than wild)					
	Blackberries	0.02*	0.05*	0.05*	0.05*	0.05*
	Dewberries	0.02*	0.05*	0.05*	0.05*	0.05*
	Loganberries	0.02*	0.05*	0.05*	0.05*	0.05*
	Raspberries	0.02*	0.05*	0.05*	0.05*	0.05*
	Others	0.02*	0.05*	0.05*	0.05*	0.05*
	(d) Other small fruit & berries (other than wild)					
	Bilberries	0.02*	0.05*	0.05*	0.05*	0.05*
	Cranberries	0.02*	0.05*	0.05*	0.05*	0.05*
	Currants (red, black & white)	0.02*	0.05*	0.05*	1	0.05*
	Gooseberries	0.02*	0.05*	0.05*	1	0.05*
	Others	0.02*	0.05*	0.05*	0.05*	0.05*
	(e) Wild	0.02*	0.05*	0.05*	0.05*	0.05*

	berries & wild fruit					
(vi) MISCELLANEOUS FRUIT						
	Avocados	0.02*	0.05*	0.05*	0.05*	0.05*
	Bananas	0.02*	2	0.05*	0.05*	0.05*
	Dates	0.02*	0.05*	0.05*	0.05*	0.05*
	Figs	0.02*	0.05*	0.05*	0.05*	0.05*
	Kiwi fruit	0.02*	0.05*	0.05*	0.05*	0.05*
	Kumquats	0.02*	0.05*	0.05*	0.05*	0.05*
	Litchis	0.02*	0.05*	0.05*	0.05*	0.05*
	Mangoes	0.02*	0.05*	0.05*	0.05*	0.05*
	Olives (table consumption)	0.02*	0.05*	0.05*	0.2	0.05*
	Olives (oil extract)	0.02*	0.05*	0.05*	0.2	0.05*
	Passion fruit	0.02*	0.05*	0.05*	0.05*	0.05*
	Papaya	0.02*	0.05*	0.05*	0.05*	0.05*
	Pineapple	0.02*	0.05*	0.05*	0.05*	0.05*
	Pomegranates	0.02*	0.05*	0.05*	0.05*	0.05*
	Others	0.02*	0.05*	0.05*	0.05*	0.05*
2. Vegetables, fresh or uncooked, frozen or dry						
(i) ROOT AND TUBER VEGETABLES						
	Beetroot	0.02*	0.05*	0.05*	0.05*	0.05*
	Carrots	0.02*	0.05*	0.05*	0.05*	0.05*
	Celeriac	0.02*	0.05*	0.05*	0.05*	0.05*
	Horseradish	0.02*	0.05*	0.05*	0.05*	0.05*
	Jerusalem artichokes	0.02*	0.05*	0.05*	0.05*	0.05*
	Parsnips	0.02*	0.05*	0.05*	0.05*	0.05*
	Parsley root	0.02*	0.05*	0.05*	0.05*	0.05*
	Radishes	0.02*	0.05*	0.05*	0.05*	0.05*
	Salsify	0.02*	0.05*	0.05*	0.05*	0.05*
	Sweet potatoes	0.02*	0.05*	0.05*	0.05*	0.05*
	Swedes	0.02*	0.05*	0.05*	0.05*	0.05*

	Turnips	0.02*	0.05*	0.05*	0.05*	0.05*
	Yams	0.02*	0.05*	0.05*	0.05*	0.05*
	Others	0.02*	0.05*	0.05*	0.05*	0.05*
(ii) BULB VEGETABLES						
	Garlic	0.02*	0.05*	0.05*	0.05*	0.05*
	Onions	0.02*	0.05*	0.05*	0.05*	0.05*
	Shallots	0.02*	0.05*	0.05*	0.05*	0.05*
	Spring onions	0.02*	0.05*	0.05*	0.05*	0.05*
	Others	0.02*	0.05*	0.05*	0.05*	0.05*
(iii) FRUITING VEGETABLES						
	(a) Solanacea					
	Tomatoes	0.02*	2	0.05*	0.5	0.05*
	Peppers	0.02*	2	0.05*	1	0.05*
	Chili peppers	0.02*	0.05*	0.05*	0.05*	0.05*
	Aubergines	0.02*	2	0.05*	0.5	0.05*
	Others	0.02*	0.05*	0.05*	0.05*	0.05*
	(b) Cucurbits- edible peel					
	Cucumbers	0.02*	1	0.05*	0.05*	0.05*
	Gherkins	0.02*	1	0.05*	0.05*	0.05*
	Courgettes	0.02*	1	0.05*	0.05*	0.05*
	Others	0.02*	1	0.05*	0.05*	0.05*
	(c) Cucurbits- inedible peel					
	Melons	0.02*	0.5	0.05*	0.2	0.05*
	Squashes	0.02*	0.5	0.05*	0.2	0.05*
	Watermelons	0.02*	0.5	0.05*	0.2	0.05*
	Others	0.02*	0.5*	0.05*	0.2*	0.05*
	(d) Sweet corn	0.02*	0.05*	0.05*	0.05*	0.05*
(iv) BRASSICA VEGETABLES						
	(a) Flowering Brassicas					
	Broccoli (including Calabrese)	0.02*	0.05*	0.05*	0.05*	0.05*

	Cauliflower	0.02*	0.05*	0.05*	0.05*	0.05*
	Others	0.02*	0.05*	0.05*	0.05*	0.05*
	(b) Head Brassicas					
	Brussels sprouts	0.02*	0.05*	0.05*	0.05*	0.05*
	Head Cabbage	0.02*	0.05*	0.05*	0.05*	0.05*
	Others	0.02*	0.05*	0.05*	0.05*	0.05*
	(c) Leafy Brassicas					
	Chinese cabbage	0.02*	0.05*	0.05*	0.05*	0.05*
	Kale	0.02*	0.05*	0.05*	0.05*	0.05*
	Others	0.02*	0.05*	0.05*	0.05*	0.05*
	(d) Kohlrabi	0.02*	0.05*	0.05*	0.05*	0.05*
(v) LEAF VEGETABLES AND FRESH HERBS						
	(a) Lettuce & similar					
	Cress	0.02*	0.05*	0.05*	0.05*	0.05*
	Lamb's lettuce	0.02*	0.05*	0.05*	0.05*	0.05*
	Lettuce	0.02*	0.05*	0.05*	0.05*	0.05*
	Scarole (broad-leaf endive)	0.02*	0.05*	0.05*	0.05*	0.05*
	Others	0.02*	0.05*	0.05*	0.05*	0.05*
	(b) Spinach & similar					
	Spinach	0.02*	0.05*	0.05*	0.05*	0.05*
	Beet leaves (chard)	0.02*	0.05*	0.05*	0.05*	0.05*
	Others	0.02*	0.05*	0.05*	0.05*	0.05*
	(c) Watercress	0.02*	0.05*	0.05*	0.05*	0.05*
	(d) Witloof	0.02*	0.05*	0.05*	0.05*	0.05*
	(e) Herbs					
	Chervil	0.02*	0.05*	0.05*	0.05*	0.05*
	Chives	0.02*	0.05*	0.05*	0.05*	0.05*
	Parsley	0.02*	0.05*	0.05*	0.05*	0.05*

	Celery leaves	0.02*	0.05*	0.05*	0.05*	0.05*
	Others	0.02*	0.05*	0.05*	0.05*	0.05*
(vi) LEGUME VEGETABLES (fresh)						
	Beans (with pods)	0.02*	0.05*	0.05*	0.05*	0.05*
	Beans (without pods)	0.02*	0.05*	0.05*	0.05*	0.05*
	Peas (with pods)	0.02*	0.5	0.05*	0.05*	0.05*
	Peas (without pods)	0.02*	0.2	0.05*	0.05*	0.05*
	Others	0.02*	0.05*	0.05*	0.05*	0.05*
(vii) STEM VEGETABLES						
	Asparagus	0.02*	0.05*	0.05*	0.05*	0.05*
	Cardoons	0.02*	0.05*	0.05*	0.05*	0.05*
	Celery	0.02*	0.05*	0.05*	0.05*	0.05*
	Fennel	0.02*	0.05*	0.05*	0.05*	0.05*
	Globe artichokes	0.02*	0.05*	0.05*	0.05*	0.05*
	Leeks	0.02*	0.05*	0.05*	0.05*	0.05*
	Rhubarb	0.02*	0.05*	0.05*	0.05*	0.05*
	Others	0.02*	0.05*	0.05*	0.05*	0.05*
(viii) FUNGI						
	(a) Cultivated mushrooms	0.02*	0.05*	0.05*	0.05*	0.05*
	(b) Wild mushrooms	0.02*	0.05*	0.05*	0.05*	0.05*
3. Pulses						
	Beans	0.02*	0.05*	0.05*	0.05*	0.05*
	Lentils	0.02*	0.05*	0.05*	0.05*	0.05*
	Peas	0.02*	0.1	0.05*	0.05*	0.05*
	Others	0.02*	0.05*	0.05*	0.05*	0.05*
4. Oilseeds						
	Linseed	0.1*	0.05*	0.05*	0.1*	0.1*

	Peanuts	0.1*	0.05*	0.05*	0.1*	0.1*
	Poppy seeds	0.1*	0.05*	0.05*	0.1*	0.1*
	Sesame seed	0.1*	0.05*	0.05*	0.1*	0.1*
	Sunflower seed	0.1*	0.05*	0.05*	0.1*	0.1*
	Rape seed	0.1*	0.05*	0.05*	0.1*	0.1*
	Soya bean	0.1*	0.05*	0.05*	0.1*	0.1*
	Mustard seed	0.1*	0.05*	0.05*	0.1*	0.1*
	Cotton seed	0.1*	0.05*	0.05*	0.1*	0.1*
	Others	0.1*	0.05*	0.05*	0.1*	0.1*
5. Potatoes						
	Early potatoes	0.02*	0.05*	0.05*	0.05*	0.05*
	Ware potatoes	0.02*	0.05*	0.05*	0.05*	0.05*
6. Tea	(dried leaves and stalks, fermented or otherwise, Camillia sinensis)	0.1*	0.1*	0.1*	0.1*	0.1*
Hops (dried)	including hop pellets & unconcentrated powder	0.1*	20	0.1*	0.1*	0.1*
8. Cereals						
	Wheat	0.02*	0.3	0.1	0.05*	0.2
	Rye	0.02*	0.3	0.1	0.05*	0.05*
	Barley	0.02*	0.3	0.1	0.05*	0.2
	Sorghum	0.02*	0.05*	0.05*	0.05*	0.05*
	Oats	0.02*	0.3	0.1	0.05*	0.05*
	Triticale	0.02*	0.3	0.1	0.05*	0.05*
	Maize	0.02*	0.05*	0.05*	0.05*	0.05*
	Buckwheat	0.02*	0.05*	0.05*	0.05*	0.05*
	Millet	0.02*	0.05*	0.05*	0.05*	0.05*
	Rice (1)	0.02*	5	0.05*	0.05*	0.05*
	Other cereals (2)	0.02*	0.05*	0.05*	0.05*	0.05*
9. Products of animal origin						

	Meat, fat & preparations		0.05*	0.05*	0.02* (14)(15)	0.05*
	of meat(3)			0.5(16)	0.05(14) ((16)	
	Milk (4) & Dairy produce (5)		0.01*	0.05*	0.05* (18)	0.01*
	Eggs (6)		0.05*(7)	0.05*(7)	0.02*(7)	0.05*(7)

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which extend to England and Wales only, are made under section 2(2) of the European Communities Act 1972 and further amend the provisions of the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) Regulations 1999 (S.I.1999/3483).

The Regulations specify maximum levels which crops, food and feeding stuffs may contain in implementation of Commission Directives 2001/39/EC (OJ No. L148, 1.6.01, p.70), 2001/48/EC (OJ No. L180, 3.7.01, p.26), 2001/57/EC (OJ. L208, 1.8.01, p.36) (regulation 2 (4) and the Schedule).

The maximum level for chlorothalonil on bananas is amended to reflect Commission Directive 2001/35/EC (OJ No. L136, 18.5.01, p.42), the maximum level for iprodione on spring onions is amended to reflect Commission Directive 98/82/EC (OJ No. L290, 29.10.98, p.25), and the maximum level for methamidophos on cottonseed is corrected to that set out in Council Directive 93/58/EEC (OJ No. L211, 23.8.93, p.6) (regulation 2(3)).

The definition of "the Residues Directives" is updated to take account of the Directives being implemented (regulation 2(2)).

Notes:

[1] S.I. 1972/1811 in the case of the Secretary of State and S.I. 1999/2788 in the case of the National Assembly for Wales.back

[2] 1972 c. 68.back

[3] S.I. 1999/3483 as amended by S.I 2001/1113 and S.I. 2001/2420.back

[4] OJ No. L221, 7.8.86, p.37. The last amending instrument is Commission Directive 2001/57/EC (OJ No. L208, 1.8.2001, p.36).back

[5] OJ No. L221, 7.8.86, p.43. The last amending instrument is Commission Directive 2001/57/EC.back

[6] OJ No. L350, 14.12.90, p.71. The last amending instrument is Commission Directive 2001/57/EC.back

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