

Statutory Instrument 2002 No. 1767

The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) (Amendment) Regulations 2002

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STATUTORY INSTRUMENTS

2002 No. 1767

AGRICULTURE

PESTICIDES, ENGLAND AND WALES

The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) (Amendment) Regulations 2002

<i>Made</i>	<i>10th July 2002</i>
<i>Laid before Parliament</i>	<i>11th July 2002</i>
<i>Coming into force</i>	<i>1st September 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 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) (England and Wales) (Amendment) Regulations 2002; they extend to England and Wales only, and shall come into force on 1st September 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) Regulations 2002."

(3) In Schedule 1 there shall be inserted at the appropriate place to preserve the alphabetical ordering in columns 1 and 2 the following:

<i>Column 1</i>	<i>Column 2</i>
<i>Pesticide</i>	<i>Residues</i>
Azimsulfuron	azimsulfuron
Fluroxypyr	fluroxypyr and its esters expressed as fluroxypyr
Prohexadione	prohexadione and its salts expressed as prohexadione
Flupyrsulfuron-methyl	flupyrsulfuron-methyl
Pymetrozine	pymetrozine

(4) In Part 1 of Schedule 2, the column for the pesticide Tecnazene shall be deleted on 1st January 2003.

(5) In Part 2 of Schedule 2, in the relevant columns for the pesticides mentioned below, the maximum residue levels shall be substituted as follows -

- (a) for mg/kg of Acephate on peaches delete "0.02*" and insert "0.2";
- (b) for mg/kg of Chlorothalonil on celeriac delete "0.5" and insert "1";
- (c) for mg/kg of Cypermethrin on asparagus delete "0.05*" and insert "0.1";
- (d) for mg/kg of Ethephon on pineapples delete "0.5" and insert "2";
- (e) for mg/kg of Fenbutatin Oxide on peppers delete "0.05*" and insert "1";
- (f) for mg/kg of Kresoxim-methyl on chilli peppers delete "0.05*" and insert "1", and on strawberries delete "0.05*" and insert "0.2";
- (g) for mg/kg of Metalaxyl on spring onions delete "0.05*" and insert "0.2", and on scarole (broad-leaf endive), chervil, chives, parsley, celery leaves and other herbs delete "0.05*" and insert "1".

(6) In Part 2 of Schedule 2 -

(a) there shall be inserted, in the appropriate place to preserve the alphabetical ordering, columns of maximum permitted levels for residues of the pesticides Flupyrsulfuron-methyl and Pymetrozine as specified in the Schedule to these Regulations; and

(b) for the columns relating to the pesticides Amitraz, Azoxystrobin and Lambda-cyhalothrin, there shall be substituted the columns of maximum permitted levels for residues of those pesticides as specified in the Schedule to these Regulations.

Signed on behalf of the National Assembly for Wales

D. Elis Thomas

Presiding Officer National Assembly for Wales

24th June 2002

Whitty

Parliamentary Under Secretary of State Department for Environment, Food and Rural Affairs

10th July 2002

SCHEDULE

Regulation 2 (6)

<i>Group to which food belongs</i>	<i>Groups include the following products</i>	<i>Amitraz</i>	<i>Azoxystrobin</i>	<i>Flupyrsulfuron-methyl</i>	<i>Lambda-cyhalothrin</i>	<i>Pymetrozine</i>
1. Fruit, fresh, dried or uncooked, preserved by freezing not containing added sugar: nuts						
i) CITRUS FRUIT						
	Grapefruit	0.05*	1	0.02*	0.1	0.3
	Lemons	0.05*	1	0.02*	0.02*	0.3
	Limes	0.05*	1	0.02*	0.02*	0.3
	Mandarins (inc clementines & similar hybrids)	0.05*	1	0.02*	0.02*	0.3
	Oranges	0.05*	1	0.02*	0.1	0.3
	Pomelos	0.05*	1	0.02*	0.1	0.3
	Others	0.05*	1	0.02*	0.02*	0.3
ii) TREE NUTS (shelled or unshelled)						

	Almonds	0.05*	0.1*	0.02*	0.05*	0.02*
	Brazil nuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Cashew nuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Chestnuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Coconuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Hazelnuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Macadamia nuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Pecans	0.05*	0.1*	0.02*	0.05*	0.02*
	Pine nuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Pistachios	0.05*	0.1*	0.02*	0.05*	0.02*
	Walnuts	0.05*	0.1*	0.02*	0.05*	0.02*
	Others	0.05*	0.1*	0.02*	0.05*	0.02*
iii) POME FRUIT						
	Apples	0.5	0.05*	0.02*	0.1	0.02*
	Pears	0.5	0.05*	0.02*	0.1	0.02*
	Quinces	0.5	0.05*	0.02*	0.1	0.02*
	Others	0.5	0.05*	0.02*	0.1	0.02*
iv) STONE FRUIT						
	Apricots	0.05*	0.05*	0.02*	0.2	0.05
	Cherries	0.05*	0.05*	0.02*	0.1	0.02*
	Peaches (incl nectarines & similar hybrids)	0.05*	0.05*	0.02*	0.2	0.05
	Plums	0.05*	0.05*	0.02*	0.1	0.02*
	Others	0.05*	0.05*	0.02*	0.1	0.02*
v) BERRIES AND SMALL FRUIT						
	a) Table & wine grapes					
	Table grapes	0.05*	2	0.02*	0.2	0.02*
	Wine grapes	0.05*	2	0.02*	0.2	0.02*
	b) Strawberries (other than	0.05*	2	0.02*	0.5	0.02*

	wild)					
	c) Cane Fruit (other than wild)					
	Blackberries	0.05*	0.05*	0.02*	0.02*	0.02*
	Dewberries	0.05*	0.05*	0.02*	0.02*	0.02*
	Loganberries	0.05*	0.05*	0.02*	0.02*	0.02*
	Raspberries	0.05*	0.05*	0.02*	0.02*	0.02*
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
	d) Other small fruit & berries (other than wild)					
	Bilberries	0.05*	0.05*	0.02*	0.02*	0.02*
	Cranberries	0.05*	0.05*	0.02*	0.02*	0.02*
	Currants (red, black & white)	0.05*	0.05*	0.02*	0.1	0.02*
	Gooseberries	0.05*	0.05*	0.02*	0.1	0.02*
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
	e) Wild berries & wild fruit	0.05*	0.05*	0.02*	0.2	0.02*
vi) MISCELLANEOUS FRUIT						
	Avocados	0.05*	0.05*	0.02*	0.02*	0.02*
	Bananas	0.05*	2	0.02*	0.02*	0.02*
	Dates	0.05*	0.05*	0.02*	0.02*	0.02*
	Figs	0.05*	0.05*	0.02*	0.02*	0.02*
	Kiwi fruit	0.05*	0.05*	0.02*	0.02*	0.02*
	Kumquats	0.05*	0.05*	0.02*	0.02*	0.02*
	Litchis	0.05*	0.05*	0.02*	0.02*	0.02*
	Mangoes	0.05*	0.05*	0.02*	0.02*	0.02*
	Olives	0.05*	0.05*	0.02*	0.02*	0.02*
	Passion fruit	0.05*	0.05*	0.02*	0.02*	0.02*
	Pineapple	0.05*	0.05*	0.02*	0.02*	0.02*
	Pomegranates	0.05*	0.05*	0.02*	0.02*	0.02*

	Others	0.05*	0.05*	0.02*	0.02*	0.02*
2. Vegetables, fresh or uncooked, frozen or dry						
i) ROOT AND TUBER VEGETABLES						
	Beetroot	0.05*	0.05*	0.02*	0.02*	0.02*
	Carrots	0.05*	0.2	0.02*	0.02*	0.02*
	Celeriac	0.05*	0.05*	0.02*	0.1	0.02*
	Horseradish	0.05*	0.2	0.02*	0.02*	0.02*
	Jerusalem artichokes	0.05*	0.05*	0.02*	0.02*	0.02*
	Parsnips	0.05*	0.2	0.02*	0.02*	0.02*
	Parsley root	0.05*	0.2	0.02*	0.02*	0.02*
	Radishes	0.05*	0.05*	0.02*	0.1	0.02*
	Salsify	0.05*	0.2	0.02*	0.02*	0.02*
	Sweet potatoes	0.05*	0.05*	0.02*	0.02*	0.02*
	Swedes	0.05*	0.05*	0.02*	0.02*	0.02*
	Turnips	0.05*	0.05*	0.02*	0.02*	0.02*
	Yams	0.05*	0.05*	0.02*	0.02*	0.02*
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
ii) BULB VEGETABLES						
	Garlic	0.05*	0.05*	0.02*	0.02*	0.02*
	Onions	0.05*	0.05*	0.02*	0.02*	0.02*
	Shallots	0.05*	0.05*	0.02*	0.02*	0.02*
	Spring onions	0.05*	0.05*	0.02*	0.02*	0.02*
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
iii) FRUITING VEGETABLES						
	a) Solanacea					
	Tomatoes	0.5	2	0.02*	0.1	0.5
	Peppers	0.05*	2	0.02*	0.1	1
	Aubergines	0.5	2	0.02*	0.5	0.5
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
	b) Cucurbits-edible peel					

	Cucumbers	0.05*	1	0.02*	0.1	0.5
	Gherkins	0.05*	1	0.02*	0.1	0.5
	Courgettes	0.05*	1	0.02*	0.1	0.5
	Others	0.05*	1	0.02*	0.1	0.5
	c) Cucurbits- inedible peel					
	Melons	0.05*	0.5	0.02*	0.05	0.2
	Squashes	0.05*	0.5	0.02*	0.05	0.2
	Watermelons	0.05*	0.5	0.02*	0.05	0.2
	Others	0.05*	0.5	0.02*	0.05	0.2
	d) Sweet corn	0.05*	0.05*	0.02*	0.02*	0.02*
iv) BRASSICA VEGETABLES						
	a) Flowering Brassicas					
	Broccoli (including Calabrese)	0.05*	0.05*	0.02*	0.1	0.02*
	Cauliflower	0.05*	0.05*	0.02*	0.1	0.02*
	Others	0.05*	0.05*	0.02*	0.1	0.02*
	b) Head Brassicas					
	Brussels sprouts	0.05*	0.05*	0.02*	0.05	0.02*
	Head cabbage	0.05*	0.05*	0.02*	0.2	0.05
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
	c) Leafy Brassicas					
	Chinese cabbage	0.05*	0.05*	0.02*	0.02*	0.02*
	Kale	0.05*	0.05*	0.02*	0.02*	0.02*
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
d) Kohlrabi	0.05*	0.05*	0.02*	0.02*	0.02*	

v) LEAF VEGETABLES AND FRESH HERBS

	a) Lettuce & similar					
	Cress	0.05*	3	0.02*	1	1
	Lamb's lettuce	0.05*	3	0.02*	1	1
	Lettuce	0.05*	3	0.02*	1	1
	Scarole (broad-leaf endive)	0.05*	3	0.02*	1	1
	Others	0.05*	3	0.02*	1	1
	b) Spinach & similar					
	Spinach	0.05*	0.05*	0.02*	0.5	0.02*
	Beet leaves (chard)	0.05*	0.05*	0.02*	0.02*	0.02*
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
	c) Watercress	0.05*	0.05*	0.02*	0.02*	0.02*
	d) Witloof	0.05*	0.2	0.02*	0.02*	0.02*
	e) Herbs					
	Chervil	0.05*	0.05*	0.02*	1	1
	Chives	0.05*	0.05*	0.02*	1	1
	Parsley	0.05*	0.05*	0.02*	1	1
	Celery leaves	0.05*	0.05*	0.02*	1	1
	Others	0.05*	0.05*	0.02*	1	1

vi) LEGUME VEGETABLES (fresh)

	Beans (with pods)	0.05*	1	0.02*	0.2	0.02*
	Beans (without pods)	0.05*	0.05*	0.02*	0.02*	0.02*
	Peas (with pods)	0.05*	0.5	0.02*	0.2	0.02*
	Peas (without pods)	0.05*	0.2	0.02*	0.2	0.02*
	Others	0.05*	0.05*	0.02*	0.02*	0.02*

vii) STEM VEGETABLES

	Asparagus	0.05*	0.05*	0.02*	0.02*	0.02*
	Cardoons	0.05*	0.05*	0.02*	0.02*	0.02*
	Celery	0.05*	5	0.02*	0.3	0.02*
	Fennel	0.05*	0.05*	0.02*	0.02*	0.02*
	Globe artichokes	0.05*	1	0.02*	0.02*	0.02*
	Leeks	0.05*	0.1	0.02*	0.02*	0.02*
	Rhubarb	0.05*	0.05*	0.02*	0.02*	0.02*
	Others	0.05*	0.05*	0.02*	0.02*	0.02*
viii) FUNGI						
	a) Cultivated mushrooms	0.05*	0.05*	0.02*	0.02*	0.02*
	b) Wild mushrooms	0.05*	0.05*	0.02*	0.5	0.02*
3. Pulses						
	Beans	0.05*	0.1	0.02*	0.02*	0.02*
	Lentils	0.05*	0.1	0.02*	0.02*	0.02*
	Peas	0.05*	0.1	0.02*	0.02*	0.02*
	Others	0.05*	0.1	0.02*	0.02*	0.02*
4. Oilseeds						
	Linseed	0.05*	0.05*	0.05*	0.02*	0.02*
	Peanuts	0.05*	0.05*	0.05*	0.02*	0.02*
	Poppy seed	0.05*	0.05*	0.05*	0.02*	0.02*
	Sesame seed	0.05*	0.05*	0.05*	0.02*	0.02*
	Sunflower seed	0.05*	0.05*	0.05*	0.02*	0.02*
	Rape seed	0.05*	0.05*	0.05*	0.02*	0.02*
	Soya bean	0.05*	0.05*	0.05*	0.02*	0.02*
	Mustard seed	0.05*	0.05*	0.05*	0.02*	0.02*
	Cotton seed	1	0.05*	0.05*	0.02*	0.05
	Others	0.05*	0.05*	0.05*	0.02*	0.02*
5. Potatoes						

	Early potatoes	0.05*	0.05*	0.02*	0.02*	0.02*
	Ware potatoes	0.05*	0.05*	0.02*	0.02*	0.02*
6. Tea						
	(dried leaves and stalks, fermented or otherwise, <i>Camellia sinensis</i>)	0.1*	0.1*	0.05*	1	0.1*
7. Hops (dried)						
	including hop pellets & unconcentrated powder	20	20	0.05*	10	5

<i>Group to which food belongs</i>	<i>Groups include the following products</i>	<i>Flupyr-sulfuron-methyl</i>	<i>Pymetrozine</i>
8. Cereals			
	Wheat	0.02*	0.02*
	Rye	0.02*	0.02*
	Barley	0.02*	0.02*
	Sorghum	0.02*	0.02*
	Oats	0.02*	0.02*
	Triticale	0.02*	0.02*
	Maize	0.02*	0.02*
	Buckwheat	0.02*	0.02*
	Millet	0.02*	0.02*
	Rice (1)	0.02*	0.02*
	Other Cereals (2)	0.02*	0.02*
9. Products of animal origin			
	Meat, fat & preparations of meat (3)		0.01*
	Milk (4) & Dairy produce (5)		0.01*
	Eggs (6) (7)		0.01*

EXPLANATORY NOTE

(This note is not part of the Order)

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 2002/5/EC and 2002/23/EC. New columns of pesticide are added to Part 2 Schedule 2 of the 1999 Regulations for the residues of Flupyrsulfuron-methyl and Pymetrozine (regulation 2(6)(a)). Complete revised columns for the residues of pesticides Amitraz, Azoxystrobin and Lambda-cyhalothrin have been substituted for existing columns in Part 2 Schedule 2 (regulation 2(6)(b)).

Regulation 2(3) adds the names of further pesticide residue substances to Schedule 1.

Other minor alterations to implement changes of pesticide residue for other pesticides, namely Acephate, Chlorothalonil, Cypermethrin, Ethephon, Fenbutatin Oxide, Kresoxim-methyl and Metalaxyl, are made to specified products in regulation 2(5).

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, S.I. 2001/2420 and S.I. 2001/3834.[back](#)

[4] OJ No. L221, 7.8.86, p. 37. The last amending instrument is Commission Directive 2002/23/EC (OJ No. L64, 7.03.02, p. 13).[back](#)

[5] OJ No. L221, 7.8.86, p. 43. The last amending instrument is Commission Directive 2002/23/EC.[back](#)

[6] OJ No. L350, 14.12.90, p. 71. The last amending instrument is Commission Directive 2002/23/EC.[back](#)

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