

Scottish Statutory Instrument 2001 No. 435

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

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SCOTTISH STATUTORY INSTRUMENTS

2001 No. 435

AGRICULTURE

PESTICIDES

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

Made

21st November 2001

Laid before the Scottish Parliament

26th November 2001

*Coming into force in accordance with
regulation 1(2) and (3)*

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European

Communities Act 1972^[1] and of all other powers enabling them in that behalf hereby make the following Regulations:

Citation and commencement

1. - (1) These Regulations may be cited as the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (Scotland) Amendment (No. 3) Regulations 2001.

(2) Other than as provided for in paragraph (3) below, these Regulations shall come into force on 1st January 2002.

(3) For the purposes of regulation 2(4)(b) and (c) below, these Regulations shall come into force on 1st March 2002.

Amendment to the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (Scotland) Regulations 2000

2. - (1) The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (Scotland) Regulations 2000^[2] are amended in accordance with this regulation.

(2) In regulation 2(1), for the definition of "the Residues Directives" there is substituted the definition in Schedule 1 to these Regulations.

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

(a) for mg/kg of iprodione on spring onions delete "5" and insert "3";

(b) for mg/kg of spiroxamine on meat, fat & preparations of meat delete "0.2⁽³⁷⁾" and insert "0.2⁽³⁷⁾⁽³⁹⁾"; and

(c) for mg/kg of spiroxamine on milk & dairy produce delete "0.02⁽³⁷⁾⁽³⁹⁾" and insert "0.02⁽³⁷⁾".

(4) In Part 2 of Schedule 2-

(a) there are inserted, in the appropriate places to preserve the alphabetical ordering from left to right, the maximum permitted levels for residues of the pesticides azimsulfuron and prohexadione and its salts expressed as prohexadione, specified in Schedule 2 to these Regulations in relation to the products so specified;

(b) there are inserted, in the appropriate places to preserve the alphabetical ordering from left to right, the maximum permitted levels for residues of the pesticide fluroxypyr and its esters expressed as fluroxypyr, specified in Schedule 2 to these Regulations in relation to the products so specified; and

(c) for the existing maximum permitted levels for residues of the pesticides azoxystrobin and kresoxim methyl there are substituted the maximum permitted levels for residues of those pesticides, specified in Schedule 2 to these Regulations in relation to the products so specified.

Consequential Amendment

3. Regulation 2(2) of the Pesticides (Maximum Residue levels in Crops, Food and Feeding Stuff) (Scotland) Amendment (No. 2) Regulations 2001^[3] is omitted.

ROSS FINNIE

A member of the Scottish Executive

Edinburgh

21st November 2001

SCHEDULE 1

Regulation 2(2)

DEFINITION OF RESIDUE DIRECTIVES

"the Residues Directives" means Council Directive 86/362/EEC[4] (as amended by Council Directives 88/298/EEC[5], 90/654/EEC[6], 93/57/EEC[7], 94/29/EC[8], 95/39/EC[9], 96/33/EC[10], 97/41/EC[11] and Commission Directives 97/71/EC[12], 98/82/EC[13], 1999/65/EC[14], 1999/71/EC[15], 2000/24/EC[16], 2000/42/EC[17], 2000/48/EC[18], 2000/58/EC[19], 2000/81/EC[20], 2000/82/EC[21], 2001/39/EC[22], 2001/48/EC[23], 2001/57/EC[24],), together with Council Directive 86/363/EEC[25] (as amended by Council Directives 93/57/EEC, 94/29/EC, 95/39/EC, 96/33/EC, 97/41/EC and Commission Directives 97/71/EC, 98/82/EC, 1999/71/EC, 2000/24/EC, 2000/42/EC, 2000/81/EC, 2000/82/EC, 2001/39/EC and 2001/57/EC) and Council Directive 90/642/EEC[26] (as amended by Council Directives 93/58/EEC[27], 94/30/EC[28], 95/38/EC[29], 95/61/EC[30], 96/32/EC[31], 97/41/EC and Commission Directives 97/71/EC, 98/82/EC, 1999/65/EC, 1999/71/EC, 2000/24, 2000/42/EC, 2000/48/EC, 2000/57/EC[32], 2000/58/EC, 2000/81/EC, 2000/82/EC, 2001/35/EC[33], 2001/39/EC, 2001/48/EC and 2001/57/EC).".

SCHEDULE 2

Regulation 2(4)

<i>Group to which food belongs</i>	<i>Groups include the following products</i>	<i>Azimsulfuron</i>	<i>Azoxystrobin</i>	<i>Fluroxypr and its esters expressed as fluroxypr</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 berries & wild fruit	0.02*	0.05*	0.05*	0.05*	0.05*
	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*
	Chilli 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) Sweetcorn	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					
	Brussel 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) FUNGHI						
	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 seed	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, Camellia sinensis)	0.1*	0.1*	0.1*	0.1*	0.1*
7. 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 of meat(3)		0.05*	0.05* 0.5*(16)	0.02* (14) (15) 0.05* (14) (16)	0.05*
	Milk(4) &		0.01*	0.05*	0.05*(18)	0.01*

	Dairy produce ⁽⁵⁾					
	Eggs ⁽⁶⁾		0.05 ^{*(7)}	0.05 ^{*(7)}	0.05 ^{*(7)}	0.05 ^{*(7)}

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which extend to Scotland only, further amend the provisions of the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (Scotland) Regulations 2000 ("the principal Regulations").

The Regulations update the definition of "Residue Directives" in the principal Regulations to incorporate-

- (a) Commission Directive 2001/39/EC (O.J. No. L 148, 1.6.01, p.70);
- (b) Commission Directive 2001/48/EC (O.J. No. L 180, 3.7.01, p.26); and
- (c) Commission Directive 2001/57/EC (O.J. No. L 208, 1.8.01, p.36) (regulation 2 (2) and Schedule 1).

The maximum level for iprodione on spring onions is amended to reflect Commission Directive 1998/82/EC and the maximum level for spiroxamine on liver and kidney is amended to reflect Commission Directive 2000/81/EC (regulation 2(3)).

The Regulations specify maximum levels of pesticide residues which crops, food and feeding stuffs may contain in implementation of Commission Directives 2001/39/EC, 2001/48/EC, 2001/57/EC (regulation 2 (4) and Schedule 2).

The Regulations make a consequential amendment (regulation 3).

Notes:

[1] 1972 c.68; section 2(2) was amended by the Scotland Act 1998 (c.46), Schedule 8, paragraph 15. The function conferred upon the Minister of the Crown under section 2(2) of the European Communities Act 1972, insofar as within devolved competence, was transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.[back](#)

[2] S.S.I. 2000/22 as amended by S.S.I. 2001/84 and 221.[back](#)

[3] S.S.I. 2001/221.[back](#)

[4] O.J. No. L 221, 7.8.86, p.37.[back](#)

[5] O.J. No. L 126, 20.5.88, p.53.[back](#)

[6] O.J. No. L 353, 17.12.90, p.48.[back](#)

[7] O.J. No. L 211, 23.8.93, p.1.[back](#)

[8] O.J., No. L 189, 23.7.94, p.67.[back](#)

[9] O.J. No. L 197, 22.8.95, p.29.[back](#)

[10] O.J. No L 144, 18.6.96, p.35.[back](#)

[11] O.J. No. L 184, 12.7.97, p.33.[back](#)

[12] O.J. No. L 347, 18.12.97, p.42.[back](#)

[13] O.J. No. L 290, 29,10,98, p.25.[back](#)

[14] O.J. No. L 172, 8.7.99, p.40.[back](#)

[15] O.J. No. L 194, 27.7.99, p.36.[back](#)

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