

Statutory Instrument 2003 No. 2591

The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) (Amendment) (No.2) Regulations 2003

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STATUTORY INSTRUMENTS

2003 No. 2591

AGRICULTURE, ENGLAND AND WALES

PESTICIDES, ENGLAND AND WALES

The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) (Amendment) (No.2) Regulations 2003

Made

7th October 2003

*Laid before Parliament**8th October 2003**Coming into force**24th October 2003*

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) (No.2) Regulations 2003; they extend to England and Wales only, and shall come into force on 24th October 2003.

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. 2) Regulations 2003."

(3) In Schedule 1 the following entries shall be inserted at the appropriate places in columns 1 and 2 to preserve the alphabetical ordering in column 1 (with the entries for Amitrole replacing those in relation to which the term 'Aminotriazole' appears in column 1):

<i>Column 1</i>	<i>Column 2</i>
<i>Pesticide</i>	<i>Residues</i>
Acibenzolar-S-methyl	Acibenzolar-S-methyl
Amitrole	Amitrole
Chlorfenapyr	Chlorfenapyr
Cinidon-ethyl	Cinidon-ethyl (sum of cinidon-ethyl and its E-isomer)
Cyclanilide	Cyclanilide
Cyhalofop butyl	Cyhalofop butyl (sum of cyhalofop butyl and its free acids)
Diquat	Diquat
Ethofumesate	Ethofumesate (sum of ethofumesate and the

	metabolite 2, 3-dihydro-3,3-dimethyl-2-oxo-benzofuran-5-yl methane sulphonate expressed as ethofumesate)
Famoxadone	Famoxadone
Fenhexamid	Fenhexamid
Fentin acetate	Fentin acetate
Fentin hydroxide	Fentin hydroxide
Florasulam	Florasulam
Flumioxazine	Flumioxazine
Iprovalicarb	Iprovalicarb
Isoproturon	Isoproturon
Metalaxyl-M	(1) For cereals - metalaxyl-M (2) For other products - metalaxyl-M including other mixtures of constituent isomers (sum of isomers)
Picolinafen	Picolinafen
Prosulfuron	Prosulfuron
Pyraflufen-ethyl	Pyraflufen-ethyl
Sulfosulfuron	Sulfosulfuron

(4) In Part 1 of Schedule 2, the column for the pesticide Omethoate shall be deleted.

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

- (a) for mg/kg of Chlormequat on pears delete "0.5" and insert "0.3";
- (b) for mg/kg of Dimethoate on tea (dried leaves and stalks, fermented or otherwise, *Camellia sinensis*) delete "0.2";
- (c) for mg/kg of Kresoxim-methyl on strawberries (other than wild) delete "0.2" and insert "1";
- (d) for mg/kg of Maneb Mancozeb Metiram Propineb Zineb on radishes delete "0.2" and insert "2", and on spring onions 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 Acibenzolar-S-methyl, Chlorfenapyr, Cinidon-ethyl, Cyclanilide, Cyhalofop butyl, Diquat, Ethofumesate, Famoxadone, Fenhexamid, Fentin acetate, Fentin hydroxide, Florasulam, Flumioxazine, Iprovalicarb, Isoproturon, Metalaxyl-M, Picolinafen, Prosulfuron, Pyraflufen-ethyl and Sulfosulfuron as specified in the Schedule to these Regulations;

(b) for the columns relating to the pesticides Aminotriazole (Amitrole), Azoxystrobin, Clofentezine, Hexaconazole, Lambda-cyhalothrin, Myclobutanil and Prochloraz, there shall be substituted the columns of maximum permitted levels for residues of those pesticides as specified in the Schedule to these Regulations (with the heading 'Aminotriazole (Amitrole)' being replaced by the heading 'Amitrole'); and

(c) the column the heading of which is so replaced shall be moved to preserve the alphabetical ordering.

Signed on behalf of the National Assembly for Wales

D. Elis-Thomas

Presiding Officer, National Assembly for Wales

7th October 2003

Alun Michael

Minister of State, Department for Environment, Food and Rural Affairs

15th September 2003

[Click here to view Schedule](#)

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 of pesticide residues which crops, food and feeding stuffs may contain in implementation of Commission Directives 2003/60/EC, 2003/62/EC and 2003/69/EC. New columns of pesticides are added to Part 2 of Schedule 2 to the 1999 Regulations for the residues of Acibenzolar-S-methyl, Chlorfenapyr, Cinidon-ethyl, Cyclanilide, Cyhalofop butyl, Diquat, Ethofumesate, Famoxadone, Fenhexamid, Fentin acetate, Fentin hydroxide, Florasulam, Flumioxazine, Iprovalicarb, Isoproturon,

Metalaxyl-M, Picolinafen, Prosulfuron, Pyraflufen-ethyl and Sulfosulfuron. Complete revised columns for the residues of pesticides Aminotriazole (Amitrole), Azoxystrobin, Clofentezine, Hexaconazole, Lambda-cyhalothrin, Myclobutanil and Prochloraz have been substituted for existing columns in Part 2 of Schedule 2. The previous column headed 'Aminotriazole (Amitrole)' is replaced by 'Amitrole' (regulation 2(6)).

Regulation 2(3) adds the names of further pesticide residue substances to Schedule 1, which specifies the substances used to assess residues.

In completion of the implementation of Commission Directive 2002/71/EC, these Regulations remove pesticide residue levels for Omethoate, that had previously been set nationally by virtue of powers contained in the Food and Environment Protection Act 1985, from the list contained in Part 1 of Schedule 2 to the 1999 Regulations as they have been replaced by Community levels for Dimethoate (regulation 2(4)).

Other minor alterations to implement changes of pesticide residue for other pesticides, namely Chlormequat, Dimethoate, Kresoxim-methyl and Maneb Mancozeb Metiram Propineb Zineb, 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, amended by S.I. 2001/1113, S.I. 2001/2420, S.I. 2001/3834, S.I. 2002/1767, S.I. 2002/2723 and S.I. 2003/661.[back](#)

[4] OJ No. L221, 7.8.86, p. 37. The last amending instrument is Commission Directive 2003/62/EC (OJ No. L154, 21.6.2003, p. 70).[back](#)

[5] OJ No. L221, 7.8.86, p. 43. The last amending instrument is Commission Directive 2003/60/EC (OJ No. L155, 24.6.2003, p. 15).[back](#)

[6] OJ No. L350, 14.12.90, p. 71. The last amending instrument is Commission Directive 2003/69/EC (OJ No. L175, 15.7.2003, p. 37).[back](#)

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