

Statutory Instrument 2004 No. 676

The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales)(Amendment) Regulations 2004

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STATUTORY INSTRUMENTS

2004 No. 676

AGRICULTURE, ENGLAND AND WALES

PESTICIDES, ENGLAND AND WALES

The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales)(Amendment) Regulations 2004

Made

9th March 2004

Laid before Parliament

10th March 2004

Coming into force

31st March 2004

The Secretary of State for Environment, Food and Rural Affairs and the National Assembly for Wales 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, acting jointly (the National Assembly for Wales acting in relation to Wales only), in exercise of the powers conferred upon them by that section, hereby make the following Regulations:

Title, extent and commencement

1. These Regulations may be cited as the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) (Amendment) Regulations 2004, extend to England and Wales and come into force on 31st March 2004.

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 2004."

(3) In Schedule 1, in column 2, for the residue entries for Metalaxyl-M there shall be substituted "metalaxyl-M".

(4) In Part 2 of Schedule 2 -

(a) in the column headed Prochloraz, for the entry for food group 3, Pulses, Peas there shall be substituted "0.3";

(b) for the columns relating to the pesticides Abamectin, 2,4-D, and Diquat there shall be substituted the columns of maximum permitted levels for residue of those pesticides as specified in the Schedule to these Regulations.

(5) On 1st December 2004 -

(a) in Schedule 1, in column 2, for the residue of Parathion-methyl there shall be substituted "Parathion-methyl (sum of Parathion-methyl and para-oxon-methyl expressed as Parathion-methyl)";

(b) in Part 1 of Schedule 2, the column for the pesticide Parathion-methyl shall be deleted;

(c) in Part 2 of Schedule 2 -

(i) there shall be inserted, in the appropriate place to preserve the alphabetical ordering, the column of maximum permitted levels for

residue of the pesticide Parathion-methyl as specified in the Schedule to these Regulations;

(ii) for the column relating to the pesticide Acephate there shall be substituted the column of maximum permitted levels for residue of the pesticide Acephate as specified in the Schedule to these Regulations.

Signed on behalf of the National Assembly for Wales

John Marek
Deputy Presiding Officer, National Assembly for Wales

9th March 2004

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

6th March 2004

SCHEDULE

Regulation 2

<i>Group to which food belongs</i>	<i>Groups include the following products</i>	<i>Abamectin</i>	<i>Acephate</i>	<i>Diquat</i>	<i>Parathion-methyl</i>	<i>2,4-D</i>
			<i>Applying from 1 December 2004</i>		<i>Applying from 1 December 2004</i>	
1. Fruit, fresh, dried or uncooked, preserved by freezing not containing added sugar: nuts						
(i) CITRUS FRUIT						
	Grapefruit	0.01*	0.02*	0.05*	0.02*	1
	Lemons	0.01*	0.02*	0.05*	0.02*	1
	Limes	0.01*	0.02*	0.05*	0.02*	1
	Mandarins (inc clementines and similar hybrids)	0.01*	0.02*	0.05*	0.02*	1
	similar hybrids					

	Oranges	0.01*	0.02*	0.05*	0.02*	1
	Pomelos	0.01*	0.02*	0.05*	0.02*	1
	Others	0.01*	0.02*	0.05*	0.02*	1
(ii) TREE NUTS (shelled or unshelled)						
	Almonds	0.02*	0.02*	0.05*	0.02*	0.05*
	Brazil nuts	0.02*	0.02*	0.05*	0.02*	0.05*
	Cashew nuts	0.02*	0.02*	0.05*	0.02*	0.05*
	Chestnuts	0.02*	0.02*	0.05*	0.02*	0.05*
	Coconuts	0.02*	0.02*	0.05*	0.02*	0.05*
	Hazelnuts	0.02*	0.02*	0.05*	0.02*	0.05*
	Macadamia nuts	0.02*	0.02*	0.05*	0.02*	0.05*
	Pecans	0.02*	0.02*	0.05*	0.02*	0.05*
	Pine nuts	0.02*	0.02*	0.05*	0.02*	0.05*
	Pistachios	0.02*	0.02*	0.05*	0.02*	0.05*
	Walnuts	0.02*	0.02*	0.05*	0.02*	0.05*
	Others	0.02*	0.02*	0.05*	0.02*	0.05*
(iii) POME FRUIT						
	Apples	0.01*	0.02*	0.05*	0.02*	0.05*
	Pears	0.01*	0.02*	0.05*	0.02*	0.05*
	Quinces	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
(iv) STONE FRUIT						
	Apricots	0.01*	0.02*	0.05*	0.02*	0.05*
	Cherries	0.01*	0.02*	0.05*	0.02*	0.05*
	Peaches (inc nectarines & similar hybrids)	0.01*	0.02*	0.05*	0.02*	0.05*
	Plums	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
(v) BERRIES AND SMALL FRUIT						
(a)	Table & wine grapes					

	Table grapes	0.01*	0.02*	0.05*	0.02*	0.05*
	Wine grapes	0.01*	0.02*	0.05*	0.02*	0.05*
(b)	Strawberries (other than wild)	0.1	0.02*	0.05*	0.02*	0.05*
(c)	Cane Fruit (other than wild)					
	Blackberries	0.01*	0.02*	0.05*	0.02*	0.05*
	Dewberries	0.01*	0.02*	0.05*	0.02*	0.05*
	Loganberries	0.01*	0.02*	0.05*	0.02*	0.05*
	Raspberries	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
(d)	Other small fruit & berries (other than wild)					
	Bilberries	0.01*	0.02*	0.05*	0.02*	0.05*
	Cranberries	0.01*	0.02*	0.05*	0.02*	0.05*
	Currants (red, black & white)	0.01*	0.02*	0.05*	0.02*	0.05*
	Gooseberries	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
(e)	Wild berries & wild fruit	0.01*	0.02*	0.05*	0.02*	0.05*
(vi) MISCELLANEOUS FRUIT						
	Avocados	0.01*	0.02*	0.05*	0.02*	0.05*
	Bananas	0.01*	0.02*	0.05*	0.02*	0.05*
	Dates	0.01*	0.02*	0.05*	0.02*	0.05*
	Figs	0.01*	0.02*	0.05*	0.02*	0.05*
	Kiwi fruit	0.01*	0.02*	0.05*	0.02*	0.05*
	Kumquats	0.01*	0.02*	0.05*	0.02*	0.05*
	Litchis	0.01*	0.02*	0.05*	0.02*	0.05*
	Mangoes	0.01*	0.02*	0.05*	0.02*	0.05*
	Olives (table consumption)	0.01*	0.02*	0.05*	0.02*	0.05*
	Olives (oil extract)	0.01*	0.02*	0.05*	0.02*	0.05*

	Papaya	0.01*	0.02*	0.05*	0.02*	0.05*
	Passion fruit	0.01*	0.02*	0.05*	0.02*	0.05*
	Pineapples	0.01*	0.02*	0.05*	0.02*	0.05*
	Pomegranates	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
2. Vegetables, fresh or uncooked, frozen or dry						
(i) ROOT AND TUBER VEGETABLES						
	Beetroot	0.01*	0.02*	0.05*	0.02*	0.05*
	Carrots	0.01*	0.02*	0.05*	0.02*	0.05*
	Celeriac	0.01*	0.02*	0.05*	0.02*	0.05*
	Horseradish	0.01*	0.02*	0.05*	0.02*	0.05*
	Jerusalem artichokes	0.01*	0.02*	0.05*	0.02*	0.05*
	Parsnips	0.01*	0.02*	0.05*	0.02*	0.05*
	Parsley root	0.01*	0.02*	0.05*	0.02*	0.05*
	Radishes	0.01*	0.02*	0.05*	0.02*	0.05*
	Salsify	0.01*	0.02*	0.05*	0.02*	0.05*
	Sweet potatoes	0.01*	0.02*	0.05*	0.02*	0.05*
	Swedes	0.01*	0.02*	0.05*	0.02*	0.05*
	Turnips	0.01*	0.02*	0.05*	0.02*	0.05*
	Yams	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
(ii) BULB VEGETABLES						
	Garlic	0.01*	0.02*	0.05*	0.02*	0.05*
	Onions	0.01*	0.02*	0.05*	0.02*	0.05*
	Shallots	0.01*	0.02*	0.05*	0.02*	0.05*
	Spring onions	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
(iii) FRUITING VEGETABLES						
(a)	Solanacea					
	Tomatoes	0.02	0.02*	0.05*	0.02*	0.05*
	Peppers	0.05	0.02*	0.05*	0.02*	0.05*

	Chili peppers	0.05	0.02*	0.05*	0.02*	0.05*
	Aubergines	0.02	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
(b)	Cucurbits- edible peel					
	Cucumbers	0.01*	0.02*	0.05*	0.02*	0.05*
	Gherkins	0.01*	0.02*	0.05*	0.02*	0.05*
	Courgettes	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
(c)	Cucurbits- inedible peel					
	Melons	0.01*	0.02*	0.05*	0.02*	0.05*
	Squashes	0.01*	0.02*	0.05*	0.02*	0.05*
	Watermelons	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
(d)	Sweet corn	0.01*	0.02*	0.05*	0.02*	0.05*
(iv) BRASSICA VEGETABLES						
(a)	Flowering Brassicas					
	Broccoli	0.01*	0.02*	0.05*	0.02*	0.05*
	Cauliflower	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
(b)	Head Brassicas					
	Brussels sprouts	0.01*	0.02*	0.05*	0.02*	0.05*
	Head cabbage	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
(c)	Leafy Brassicas					
	Chinese cabbage	0.01*	0.02*	0.05*	0.02*	0.05*
	Kale	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
(d)	Kohlrabi	0.01*	0.02*	0.05*	0.02*	0.05*
(v) LEAF VEGETABLES AND FRESH HERBS						

(a)	Lettuce & similar					
	Cress	0.1	0.02*	0.05*	0.02*	0.05*
	Lamb's lettuce	0.1	0.02*	0.05*	0.02*	0.05*
	Lettuce	0.1	0.02*	0.05*	0.02*	0.05*
	Scarole	0.1	0.02*	0.05*	0.02*	0.05*
	Others	0.1	0.02*	0.05*	0.02*	0.05*
(b)	Spinach & similar					
	Spinach	0.01*	0.02*	0.05*	0.02*	0.05*
	Beet leaves (chard)	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
(c)	Watercress	0.01*	0.02*	0.05*	0.02*	0.05*
(d)	Witloof	0.01*	0.02*	0.05*	0.02*	0.05*
(e)	Herbs					
	Chervil	0.01*	0.02*	0.05*	0.02*	0.05*
	Chives	0.01*	0.02*	0.05*	0.02*	0.05*
	Parsley	0.01*	0.02*	0.05*	0.02*	0.05*
	Celery leaves	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
(vi) LEGUME VEGETABLES (fresh)						
	Beans (with pods)	0.01*	0.02*	0.05*	0.02*	0.05*
	Beans (without pods)	0.01*	0.02*	0.05*	0.02*	0.05*
	Peas (with pods)	0.01*	0.02*	0.05*	0.02*	0.05*
	Peas (without pods)	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
(vii) STEM VEGETABLES						
	Asparagus	0.01*	0.02*	0.05*	0.02*	0.05*

	Cardoons	0.01*	0.02*	0.05*	0.02*	0.05*
	Celery	0.01*	0.02*	0.05*	0.02*	0.05*
	Fennel	0.01*	0.02*	0.05*	0.02*	0.05*
	Globe artichokes	0.01*	0.02*	0.05*	0.02*	0.05*
	Leeks	0.01*	0.02*	0.05*	0.02*	0.05*
	Rhubarb	0.01*	0.02*	0.05*	0.02*	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
(viii) FUNGI						
(a)	Cultivated mushrooms	0.01*	0.02*	0.05*	0.02*	0.05*
(b)	Wild mushrooms	0.01*	0.02*	0.05*	0.02*	0.05*
3. PULSES						
	Beans	0.01*	0.02*	0.2	0.02*	0.05*
	Lentils	0.01*	0.02*	0.05*	0.02*	0.05*
	Peas	0.01*	0.02*	0.2	0.2	0.05*
	Others	0.01*	0.02*	0.05*	0.02*	0.05*
4. OILSEEDS						
	Linseed	0.02*	0.05*	5	0.05*	0.1*
	Peanuts	0.02*	0.05*	0.1*	0.05*	0.1*
	Poppy seed	0.02*	0.05*	0.1*	0.05*	0.1*
	Sesame seed	0.02*	0.05*	0.1*	0.05*	0.1*
	Sunflower seed	0.02*	0.05*	0.1*	0.05*	0.1*
	Rape seed	0.02*	0.05*	0.5	0.05*	0.1*
	Soya bean	0.02*	0.05*	0.1*	0.05*	0.1*
	Mustard seed	0.02*	0.05*	0.1*	0.05*	0.1*
	Cotton seed	0.02*	0.05*	0.1*	0.05*	0.1*
	Others	0.02*	0.05*	0.1*	0.05*	0.1*
5. POTATOES						
	Early potatoes	0.01*	0.02*	0.05*	0.02*	0.05*
	Ware potatoes	0.01*	0.02*	0.05*	0.02*	0.05*
6.	(dried leaves	0.02*	0.05*	0.1*	0.05*	0.1*

TEA	and stalks, fermented or otherwise, Camellia sinensis)					
7. HOPS (dried)	including hop pellets & unconcentrated powder	0.05	0.05*	0.1*	0.05*	0.1*
8. CEREAL						
	Wheat	0.01*	0.02*	0.05*	0.02*	0.05*
	Rye	0.01*	0.02*	0.05*	0.02*	0.05*
	Barley	0.01*	0.02*	10	0.02*	0.05*
	Sorghum	0.01*	0.02*	0.05*	0.02*	0.05*
	Oats	0.01*	0.02*	2	0.02*	0.05*
	Triticale	0.01*	0.02*	0.05*	0.02*	0.05*
	Maize	0.01*	0.02*	1	0.02*	0.05*
	Buckwheat	0.01*	0.02*	0.05*	0.02*	0.05*
	Millet	0.01*	0.02*	1	0.02*	0.05*
	Rice (1)	0.01*	0.02*	0.05*	0.02*	0.05*
	Other cereals (2)	0.01*	0.02*	0.05*	0.02*	0.05*
9. PRODUCTS OF ANIMAL ORIGIN						
	Meat, fat & preparations of	0.02(12)	0.02	0.05*	0.02*	1(31)
meat (&3;)	0.01*(17)				0.05*(17)	
Milk(4) & Dairy produce(5)	0.005*	0.02*	0.05*	0.02*	0.01*	
	Eggs(6)	0.01*	0.02*	0.05*	0.02*	0.01*

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations which extend to England and Wales, 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 implement Commission Directive 2003/118/EC and corrigenda (OJ No. L342, 30.12.2003, p.58, OJ No. L14, 21.1.2004, p. 55) to Commission Directives 2002/79/EC (OJ No. L291, 28.10.2002, p.1) and 2003/60/EC (OJ No. L155, 24.6.2003, p.15).

The definition of "the Residues Directives" is updated (regulation 2(2)).

In Schedule 1, the residue entries for Metalaxyl-M are corrected (regulation 2(3)).

In Part 2 of Schedule 2 the maximum permitted levels of residue for the pesticides Abamectin and Diquat are corrected and the maximum residue levels for 2,4-D on citrus fruits are amended (regulation 2(4)).

On 1st December 2004 the entry for the residue of Parathion-methyl is amended. In addition, the entry for Parathion-methyl which sets national maximum residue levels for the pesticide is deleted from Part 1 of Schedule 2 and replaced by a new entry in Part 2 of Schedule 2 establishing the Community maximum residue levels for the pesticide (regulation 2(5)).

On the same date the existing maximum residue levels for Acephate which are set out in Part 2 of Schedule 2 are replaced with new maximum residue levels (regulation 2(5)).

Notes:

[1] S.I. 1972/1811 and, in the case of the National Assembly for Wales, S.I. 1999/2788.[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, S.I. 2003/661 and S.I. 2003/2591.[back](#)

[4] OJ No. L221, 7.8.86, p.37. The last amending instrument is Commission Directive 2004/2/EC (OJ No. L14, 21.1.2004, p.10).[back](#)

[5] OJ No. L221, 7.8.86, p.43. The last amending instrument is Commission Directive 2004/2/EC (OJ No. L14, 21.1.2004, p.10).[back](#)

[6] OJ No. L350, 14.12.90, p. 71. The last amending instrument is Commission Directive 2004/2/EC (OJ No. L14, 21.1.2004, p.10).[back](#)

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