

Statutory Instrument 2004 No. 2559

The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) (Amendment) (No. 3) Regulations 2004

© Crown Copyright 2004

Statutory Instruments printed from this website are printed under the superintendence and authority of the Controller of HMSO being the Queen's Printer of Acts of Parliament.

The legislation contained on this web site is subject to Crown Copyright protection. It may be reproduced free of charge provided that it is reproduced accurately and that the source and copyright status of the material is made evident to users.

It should be noted that the right to reproduce the text of Statutory Instruments does not extend to the Queen's Printer imprints which should be removed from any copies of the Statutory Instrument which are issued or made available to the public. This includes reproduction of the Statutory Instrument on the Internet and on intranet sites. The Royal Arms may be reproduced only where they are an integral part of the original document.

The text of this Internet version of the Statutory Instrument which is published by the Queen's Printer of Acts of Parliament has been prepared to reflect the text as it was Made. A print version is also available and is published by The Stationery Office Limited as the **The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) (Amendment) (No. 3) Regulations 2004**, ISBN 0110498941. The print version may be purchased by clicking [here](#). Braille copies of this Statutory Instrument can also be purchased at the same price as the print edition by contacting TSO Customer Services on 0870 600 5522 or e-mail: customer.services@tso.co.uk.

Further information about the publication of legislation on this website can be found by referring to the [Frequently Asked Questions](#).

To ensure fast access over slow connections, large documents have been segmented into "chunks". Where you see a "continue" button at the bottom of the page of text, this indicates that there is another chunk of text available.

STATUTORY INSTRUMENTS

2004 No. 2559

AGRICULTURE, ENGLAND AND WALES

PESTICIDES, ENGLAND AND WALES

The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) (Amendment) (No. 3) Regulations 2004

Made

28th September 2004

Laid before Parliament

30th September 2004

Coming into force

25th October 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) (No. 3) Regulations 2004, extend to England and Wales and come into force on 25th October 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) (No. 3) Regulations 2004."

(3) In Schedule 1 the entry for Omethoate shall be omitted.

(4) In Part 2 of Schedule 2:

(a) for the entry for food group 1(vi) , Miscellaneous Fruit, Papaya:

(i) in the column headed Aramite, there shall be substituted "0.01*";

(ii) in the column headed Diphenylamine, there shall be substituted "0.05*";

(b) the column relating to the pesticide Omethoate shall be omitted;

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

(5) On 26th January 2005:

(a) in Schedule 1:

(i) the entry for Hexachlorocyclohexane (HCH) shall be omitted;

(ii) the following entries shall be inserted at the appropriate places in columns 1 and 2 to preserve the alphabetical ordering in column 1:

| <i>Column 1</i> | <i>Column 2</i> |
|--------------------------------|---|
| <i>Pesticide</i> | <i>Residues</i> |
| 1,2-Dichloroethane | 1,2-Dichloroethane |
| Ethylene oxide | Ethylene oxide (sum of ethylene oxide and 2-chloro-ethanol expressed as ethylene oxide) |
| HCH (Hexachlorocyclohexane) | HCH, sum of isomers except the gamma isomer |
| Nitrofen | Nitrofen |

(iii) the following entries shall be substituted for the corresponding existing entries:

| <i>Column 1</i> | <i>Column 2</i> |
|----------------------------|---|
| <i>Pesticide</i> | <i>Residues</i> |
| Aldrin and Dieldrin | <p>(1) For products of plant origin other than cereals: Aldrin and Dieldrin combined expressed as Dieldrin</p> <p>(2) For cereals and foodstuffs of animal origin: Aldrin and Dieldrin singly or combined, expressed as Dieldrin (HEOD)</p> |
| Camphechlor (Toxaphene) | <p>(1) For products of plant origin other than cereals: Camphechlor (Toxaphene)</p> <p>(2) For cereals: Camphechlor (chlorinated camphen with 67-69% chlorine)</p> <p>(3) For foodstuffs of animal origin: Camphechlor (sum of the three indicator compounds Parlar No. 26 (2-endo, 3-exo, 5-endo, 6-exo, 8, 8, 10, 10-octachlorobornane), Parlar No. 50 (2-endo, 3-exo, 5-endo, 6-exo, 8, 8,</p> |

| | |
|-------------------|--|
| | 9, 10, 10-nonachlorobornane) and Parlar No. 62 (2, 2, 5, 5, 8, 9, 9, 10, 10-nonachlorobornane) |
| Chlordane | (1) For products of plant origin other than cereals: Chlordane (sum of cis- and trans-chlordane) (2) For cereals: Chlordane (sum of cis- and trans-isomers) (3) For foodstuffs of animal origin: (sum of cis- and trans-isomers and oxychlordane expressed as chlordane) |
| Mercury compounds | Sum of mercury compounds expressed as mercury |

(b) in Part 1 of Schedule 2 the columns relating to Aldrin and Dieldrin, Chlordane and Mercury compounds shall be omitted;

(c) in Part 2 of Schedule 2:

(i) the columns relating to Hexachlorobenzene (HCB) and Hexachlorocyclohexane (HCH) shall be omitted;

(ii) there shall be inserted, in the appropriate place to preserve the alphabetical ordering, the columns of maximum permitted levels for residues of the pesticides 1,2-Dichloroethane, Ethylene oxide, HCH (Hexachlorocyclohexane), Hexachlorobenzene, Mercury compounds and Nitrofen as specified in the Schedule to these Regulations;

(iii) for the columns relating to the pesticides Aldrin and Dieldrin, Binapacryl, Camphechlor (Toxaphene), Captafol, Chlordane, 1,2-Dibromoethane and Dinoseb there shall be substituted the columns of maximum permitted levels for residues of those pesticides as specified in the Schedule to these Regulations;

(iv) for footnote 40 there shall be substituted:

" 40. Where there are two columns the MRLs relate to the sum of alpha isomers (left hand column) and the sum of beta isomers (right hand column).".

D. Elis-Thomas
Presiding Officer National Assembly for Wales

28th September 2004

Alun Michael

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

23rd September 2004

[Click here to view Schedule](#)

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 2004/59/EC (OJ No. L120, 24.4.2004, p. 30) and Commission Directive 2004/61/EC (OJ No. L127, 29.4.2004, p.81).

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

New maximum residue levels are substituted in Part 2 of Schedule 2 for residues of the pesticide Bromopropylate (regulation 2(4)(c)).

On 26th January 2005, in Part 2 of Schedule 2:

new maximum residue levels are inserted for residues of the pesticides 1,2-Dichloroethane, Ethylene oxide, Mercury compounds and Nitrofen (regulation 2(5)(c)(ii));

new maximum residue levels are substituted for residues of the pesticides Aldrin and Dieldrin, Binapacryl, Camphechlor (Toxaphene), Captafol, Chlordane, 1,2-Dibromoethane, Dinoseb, HCH (Hexachlorocyclohexane) and Hexachlorobenzene (regulation 2(5)(c)(iii)). The last two were previously designated as Hexachlorocyclohexane (HCH) and Hexachlorobenzene (HCB); and

Schedule 1, which identifies the substances residues of which are taken into account in the measuring of residue levels for each pesticide, is amended to include new entries for the pesticides 1,2-Dichloroethane, Ethylene oxide and Nitrofen. The residues for the pesticides Aldrin and Dieldrin, Camphechlor (Toxaphene), Chlordane, HCH (Hexachlorocyclohexane) (under its previous designation) and Mercury compounds are replaced (regulation 2(5)(a)).

As a consequence of these changes, as read with the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (England and Wales) (Amendment) (No. 2) Regulations 2003 (S.I. 2003/2591), references to the pesticide Omethoate are omitted from Schedule 1 and Part 2 of Schedule 2 (regulation 2(3) and (4)(b)) and references to the pesticides Aldrin and Dieldrin, Chlordane and Mercury compounds are omitted from Part 1 of

Schedule 2 (regulation 2(5)(b)).

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, S.I. 2003/2591, S.I. 2004/676 and S.I. 2004/1393.[back](#)

[4] OJ No. L221, 7.8.86, p.37. The last amending instrument is Commission Directive 2004/61/EC (OJ No. L127, 29.4.2004, p.81).[back](#)

[5] OJ No. L221, 7.8.86, p.43. The last amending instrument is Commission Directive 2004/61/EC (OJ No. L127, 29.4.2004, p.81).[back](#)

[6] OJ No. L350, 14.12.90, p.71. The last amending instrument is Commission Directive 2004/61/EC (OJ No. L127, 29.4.2004, p.81).[back](#)

ISBN 0 11 049894 1

[Other UK SIs](#) | [Home](#) | [National Assembly for Wales Statutory Instruments](#) | [Scottish Statutory Instruments](#) | [Statutory Rules of Northern Ireland](#) | [Her Majesty's Stationery Office](#)