

STATUTORY INSTRUMENTS.

S.I. No. 181 of 1999.

**EUROPEAN COMMUNITIES (PESTICIDE RESIDUES)
(CEREALS) REGULATIONS, 1999.**

I, JOE WALSH, Minister for Agriculture and Food, in exercise of the powers conferred on me by Section 3 of the European Communities Act, 1972 (No. 27 of 1972), and for the purpose of giving effect to Council Directive 86/362/EEC of 24 July 1986¹ as amended by Council Directive 88/298/EEC of 16 May 1988², Council Directive 93/57/EEC of 29 June 1993³, Council Directive 94/29/EC of 23 June 1994⁴, Council Directive 95/39/EC of 17 July 1995⁵, Council Directive 96/33/EC of 21 May 1996⁶, Council Directive 97/41/EC of 25 June 1997⁷, Commission Directive 97/71/EC of 15 December, 1997⁸, and Commission Directive 98/82/EC of 27 October, 1998⁹, hereby make the following Regulations:

⁹ O.J. No. L290/25 of 29/10/1998.

⁸ O.J. No. L347/42 of 18/12/1997.

⁷ O.J. No. L184/33 of 12/7/1997.

⁶ O.J. No. L144/35 of 18/6/1996.

⁵ O.J. No. L197/29 of 22/8/1995.

⁴ O.J. No. L189/67 of 23/7/1997.

³ O.J. No. L211/1 of 23/8/1993.

² O.J. No. L126/53 of 20/5/1988.

¹ O.J. No. L221/37 of 7/8/1986.

1. (1) These Regulations may be cited as the European Communities (Pesticide Residues) (Cereals) Regulations, 1999.

(2) These Regulations shall come into operation on the 1st day of August 1999.

2. (1) In these Regulations:

"the Directive" means Council Directive 86/362/EEC of 24 July 1986¹, as amended by Council Directive 88/298/EEC of 16 May 1988², Council Directive

93/57/EEC of 29 June 1993³, Council Directive 94/29/EC of 23 June 1994⁴, Council Directive 95/39/EC of 17 July 1995⁵, Council Directive 96/33/EC of 21 May 1996⁶, Council Directive 97/41/EC of 25 June 1997⁷, Commission Directive 97/71/EC of 15 December 1997⁸, and Commission Directive 98/82/EC of 27 October 1998⁹;

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³ O.J. No. L211/1 of 23/8/1993.

² O.J. No. L126/53 of 20/5/1988.

¹ O.J. No. L221/37 of 7/8/1986.

"authorised officer" means an officer of the Minister authorised in writing by the Minister for the purposes of these Regulations;

"the Minister" means the Minister for Agriculture and Food;

"aircraft" includes hovercraft;

"Annex I" (which is set out in the Schedule hereto) means Annex I to the Directive;

"Annex II" (which is set out in the Schedule hereto) means Annex II to the Directive;

"pesticide residues" means residues of the pesticides and of their metabolites and breakdown or reaction products listed in the first column of Annex II;

"putting into circulation" means any handing over, whether or not for a consideration;

"controlled products" means the products listed in Annex I, the products obtained from those products after drying or processing and the composite foods in which they are included;

"foodstuffs" includes beverages.

(2) A word or phrase that is used in these Regulations and is also used in the Directive shall, unless the contrary intention appears, have the meaning that it has in the Directive.

(3) In these Regulations, unless otherwise indicated:

(a) a reference to a Regulation is to a Regulation of these Regulations,

(b) a reference to a Schedule is to a Schedule to these Regulations,

(c) a reference to a paragraph is to the paragraph of the Regulation in which the reference occurs.

3. (1) These Regulations shall apply to products listed in Annex I, to the products obtained from them after drying or processing and to the composite foods in which they are included in so far as they may contain certain pesticide residues.

(2) These Regulations shall apply without prejudice to the operation of the European Communities (Pesticide Residues) (Feedingstuffs) Regulations, 1992 — S.I. No. 40 of 1992; the European Communities (Feedingstuffs) (Tolerances of Undesirable Substances and Products) Regulations, 1998 — S.I. No. 283 of 1998; the European Communities (Pesticide Residues) (Fruit and Vegetables) Regulations, 1989-1998 — S.I. No. 105 of 1989, S.I. No. 218 of 1997 and S.I. No. 563 of 1998 and the European Communities (Pesticide Residues) (Products of Plant Origin, including Fruit and Vegetables) Regulations, 1999; the European Communities (Infant Formulae and Follow-on Formulae) Regulations, 1998 (S.I. No. 243 of 1998) and the European Communities (Processed Cereal-Based Foods and Baby Foods for Infants and Young Children) Regulations, 1998 (S.I. No. 241 of 1998).

(3) These Regulations shall also apply to products referred to in paragraph (1) intended for export to third countries.

(4) Notwithstanding paragraph (3), maximum pesticide residues levels prescribed in Annex II shall not apply in the case of products referred to in paragraph (1) treated before export where it can be proved to the satisfaction of the Minister that the third country of destination requires a particular treatment in order to prevent the introduction of harmful organisms into its territory, or the treatment is necessary in order to protect the products against harmful organisms during transport to the third country of destination and storage there.

(5) These Regulations shall not apply to the products described in paragraph (1), which are shown to the satisfaction of the Minister, to be intended either for the manufacture of products other than foodstuffs or animal feeds, or for sowing or planting.

4. (1) A person shall not put into circulation any controlled product if:

(a) the product contains within it or on it a pesticide residue, and

(b) the level of such pesticide residue exceeds the maximum specified in relation to the controlled product in the second column of Annex II opposite the mention of such pesticide residue in the first column of the said Annex II.

(1A) In the case of dried and processed products, produced from products to which these Regulations apply, the maximum level of pesticide residue present shall be the level specified in Annex II adjusted to take account of the residue concentration caused by the drying process or the residue concentration or residue dilution resulting from processing; and

(1B) In the case of composite products, which contain products to which these Regulations apply and which have been incorporated into the composite products, the maximum level of pesticide residue present shall be the levels specified in Annex II adjusted to take account of the dilution or concentration of the pesticide residue in the agricultural products resulting from incorporation in a composite food.

(2) A person who contravenes the provisions of paragraphs (1), (1A) and (1B) of this Regulation shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £1,500 or, at the discretion of the court, to imprisonment for a term not exceeding twelve months or to both.

5. (1) Subject to paragraph (3) of this Regulation, an authorised officer may at any reasonable time enter:

(a) any place or premises including farms in which he or she has reasonable grounds for believing that a controlled product is being produced, put into circulation, processed, stored or used, or

(b) any railway wagon, vehicle, ship, vessel, aircraft, container or other thing in which he or she has reasonable grounds for believing that such a product is being transported, stored or used, or

(c) any premises in which he or she has reasonable grounds for believing that there are any books, documents or records, relating to any business whose activities consist of or include the putting into circulation, processing or storage of any controlled product,

and there or at any other place:

(i) make such examinations, tests and inspections, and

(ii) take samples from or of any product which he or she finds in the course of his or her inspection and which he or she believes is or may be products to which these Regulations apply.

as he or she may consider appropriate and provided that the quantity comprising such samples is reasonable.

(2) A person who has in any place or land or on any premises or in any railway wagon, vehicle, ship, vessel, aircraft, container or other thing, a controlled product, shall at all reasonable times:

(a) afford to an authorised officer such facilities and assistance as are reasonably necessary for an inspection and taking of samples pursuant to this Regulation;

(b) give an authorised officer any information which he or she may reasonably require regarding the purchase, importation, processing, production, sale or use of any such product and which is within the person's knowledge or procurement, and

(c) produce to an authorised officer any document relating to any such product which the authorised officer may reasonably require and when produced, permit the officer to inspect and take extracts from or copy such document.

(3) Where a sample is taken pursuant to this Regulation, the authorised officer shall:

(a) divide the sample into three parts, each of which he or she shall seal and mark,

(b) give one part thereof to a designated analyst for analysis under paragraph (4),

(c) leave with, or send by registered post to the defendant or his or her agent, a second part thereof, and

(d) give the third part of the sample to the State Chemist for analysis under paragraph (4).

(4) Where a designated analyst or the State Chemist receives a sample from an authorised officer taken in pursuance of these Regulations he or she shall make analyses thereof using validated analytical methods.

(5) In any proceedings for an offence under these Regulations, evidence of the result of any test, examination or analysis of, or any report on, a sample taken pursuant to this Regulation, shall not be adduced unless it is proved that before the proceedings were instituted one of the parts into which the sample was duly divided was left with, or sent by registered post to, the defendant or his or her agent.

(6) (a) In any proceedings for an offence under these Regulations, a certificate issued by or on behalf of the Minister showing the results of an analysis carried out on behalf of the Minister shall, until the contrary is shown, be sufficient evidence of the facts certified to therein in relation to the presence of any pesticide residues and the level of such pesticide residues within or on a controlled product.

(b) A document purporting to be a certificate such as is referred to in subparagraph (a) of this paragraph and to be issued by or on behalf of the Minister shall be deemed, until the contrary is shown, to be such a certificate.

(7) Any person who—

(a) fails to comply with a requirement of paragraph (2) of this Regulation, or

(b) obstructs or interferes with an authorised officer in the course of exercising a power conferred on him or her by this Regulation,

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £1,500 or, at the discretion of the court, imprisonment for a term not exceeding twelve months, or to both.

(8) The Minister shall furnish an authorised officer with a certificate of his or her appointment and, when exercising any power conferred on him or her by these Regulations, the officer shall, if requested by a person affected, produce that certificate to that person.

(9) A designated analyst shall be furnished with a warrant of his or her appointment by the Minister to carry out analyses as required by these Regulations.

6. (1) An authorised officer may seize and retain or seize, remove and retain any controlled product in relation to which the officer has reasonable grounds for suspecting that there is or has been a failure to comply with any provision of these Regulations.

(2) An authorised officer who has seized any controlled product pursuant to this Regulation may by a notice in writing, given to the owner or to the person in apparent charge or control of the product, require either—

(a) specified things to be done in relation to the product before it is released by the officer, or

(b) the disposal of the product by the owner, or the person in apparent charge or control of the product, in a manner and within a time specified in the notice and at the expense of the owner, such disposal to be such as will prevent the product being used for human or animal consumption,

and

in either case, the authorised officer shall retain control of the product to which the notice relates until the requirements of the notice have been complied with.

(3) Where there has been a failure to comply with a requirement of a notice given under paragraph (2)(b) of this Regulation, an authorised officer who in pursuance of this Regulation has seized any product, may, on giving notice in writing to the owner or to the person in apparent charge or control of such product of his or her intention to do so, apply to the District Court in the District Court district in which the notice has been served for an order directing that the product be disposed of (by destruction or otherwise) in a manner, specified in the order, that will prevent its being used for human or animal consumption.

(4) Where an application is made under paragraph (3) of this Regulation to the District Court for an order directing the disposal of a controlled product, the Court, if it is satisfied that—

(i) the controlled product to which the notice relates contains within it or on it a pesticide residue in excess of the maximum specified in relation to that product under these Regulations;

(ii) if such product were released, it might be put into circulation contrary to Regulation 4 of these Regulations, and

(iii) such product if consumed would constitute a danger to human or animal health,

shall order that the product be disposed of (by destruction or otherwise) in a manner, specified in the order, that will prevent its being used for human or animal consumption.

(5) Where an order is made by the District Court under paragraph (4) of this Regulation, the order may provide that the product to which it relates shall be disposed of in the manner specified in the notice given under paragraph (2)(b) of this Regulation, or in such other manner as may be specified in the Court's order and which, in the opinion of the Court, will prevent the product being used for human or animal consumption.

(6) Where an order made by the District Court under paragraph (4) of this Regulation, requires that a product to which it relates be disposed of by an authorised officer, the cost of disposing of the relevant product pursuant to and in accordance with the order, shall be recoverable by the Minister as a simple contract debt in any court of competent jurisdiction from the person who was the owner of the product at the time it was seized.

(7) Any person who obstructs or interferes with an authorised officer in the course of exercising a power conferred on him or her under this Regulation shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £1,500 or, at the discretion of the court, to imprisonment for a term not exceeding twelve months, or to both.

7. (1) Where a product is seized pursuant to Regulation 6(1) of these Regulations, a person shall not tamper with, or without the permission of an authorised officer, move, dispose of or otherwise interfere in any way with the product.

(2) A person who contravenes paragraph (1) of this Regulation shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £1,500 or, at the discretion of the court, to imprisonment for a term not exceeding twelve months, or to both.

(3) Where an offence under these Regulations is committed by a body corporate and is proved to have been so committed with the consent or connivance of or to be attributable to any neglect on the part of any director, manager, secretary or other similar officer of the body corporate, or any person purporting to act in such capacity, that person, as

well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

8. If any person fraudulently—

(a) tampers with anything so as to procure that any sample taken pursuant to these Regulation does not correctly represent the product sampled, or

(b) tampers or interferes with any sample taken under these Regulations,

he or she shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £1,500 or, at the discretion of the court, to imprisonment for a term not exceeding twelve months, or to both.

9. An offence under these Regulations may be prosecuted by the Minister.

10. (1) Where an appeal is made to the District Court concerning the results of an analysis made by a designated analyst under Regulation 5(4), the results of the sample analysed by the State Chemist (Section 5 (4)) shall be considered by the Court to be the referee sample.

(2) The State Chemist shall in making an analysis under this Regulation issue a certificate in the form set out in the Third Schedule to the defendant and to the designated analyst concerned.

11. (1) Subject to the provisions of paragraph (2), the Minister may from time to time establish the maximum levels of pesticide residues which may be contained in and on specified controlled products brought into the territory of the State from a Member State of origin.

(2) Maximum levels of pesticide residue shall not be established in accordance with the provisions of paragraph (1) where harmonised pesticide residue levels have already been established by the European Community—

(a) pursuant to the procedures provided in the Directive, or

(b) in accordance with Article 4(1)(f) of Council Directive 91/414/EEC of 15 July 1991¹⁰ concerning the placing of plant protection products on the market,

¹⁰O.J. No. L230/1 of 19/8/1991.

(3) Notwithstanding paragraph (1) of this Regulation, such levels established shall not apply to controlled products brought into the territory of the State from a member State of origin and, which are shown to the satisfaction of the Minister to be in transit to another Member State of the European Communities or a third country.

(4) In this Regulation—

"Member State of origin" means a Member State of the European Communities in whose territory a controlled product is either legally produced and marketed or put into free circulation.

12, The following Regulations are hereby revoked:

(i) the European communities (Pesticide Residues) (Cereals) Regulations, 1988 (S.I. No. 216 of 1988);

(ii) the European Communities (Pesticide Residues) (Cereals) (Amendment) Regulations, 1993 (S.I. No. 316 of 1993);

(iii) the European Communities (Pesticide Residues) (Cereals) (Amendment) Regulations, 1995 (S.I. No. 164 of 1995);

(iv) the European Communities (Pesticide Residues) (Cereals) (Amendment) Regulations, 1996 (S.I. No. 47 of 1996).

(v) the European Communities (Pesticide Residues) (Cereals) (Amendment) (No. 2.) Regulations, 1996 (S.I. No. 337 of 1996);

(vi) the European Communities (Pesticide Residues) (Cereals) (Amendment) Regulations, 1998 (S.I. No. 72 of 1998);

(iv) the European Communities (Pesticide Residues) (Cereals) (Amendment) (No. 2) Regulations, 1998 (S.I. No. 565 of 1998).

SCHEDULE

ANNEX I

CN CODE

Description

ex 1001

Wheat

1002 00 00

Rye

1003 00

Barley

1004 00

Oats

1005

Maize

1006

Rice

1007 00

Grain sorghum

ex 1008

Buckwheat, millet, other cereals

ANNEX II

Pesticide residues

Maximum levels in mg/kg (ppm)

1.

ALDRIN } singly or combined, expressed

2.

DIELDRIN (HEOD) as dieldrin (HEOD)

0.01

3.

total inorganic bromide, expressed in Brions

50

4.

BROMOMETHANE (methyl bromide)

0.1

5.

CAPTAFOL

0.05

6.

CARBARYL

1: rice 0.5: other cereals

7.

CARBON DISULPHIDE

0.1

8.

CARBON TETRACHLORIDE

0.1

9.

CHLORDANE (sum of cis- and trans- isomers)

0.02

10.

DDT (sum of DDT-, TDB- and DDE- isomers, expressed as DDT)

0.05

11.

DIAZINON

0.05

12.

1,2-DIBROMETHANE (ethylene dibromide)

0.01

13.

DICHLORVOS

2

14.

ENDOSULFAN (sum of alpha- and beta- isomers and of endosulfan sulphate, expressed as endosulfan)

0.2: Maize 0.1: other Cereals

15.

ENDRIN

0.01

16. HEPTACHLOR (sum of heptachlor and heptachlor epoxide, expressed as heptachlor)

0.01

17.

HEXACHLOROBENZENE (HCB)

0.01

18.

HEXACHLOROCYCLOHEXANE (HCH)

14.1 alpha-isomer

sum

14.2 beta-isomer

0.02

14.3 gamma-isomer (lindane)

0.1

19.

HYDROGEN CYANIDE, cyanides expressed as hydrogen cyanide

15

20.

HYDROGEN PHOSPHIDE, phosphides expressed as hydrogen phosphide

0.1

21.

MALATHION (sum of malathion and malaoxon, expressed as malathion)

8

22.

PHOSPHAMIDON

0.05

23.

PYRETHRINS (sum of pyrethrins I and II, cinerins I and II, jasmolins I and II)

3

24.

TRICHLORFON

0.1

25.

ACEPHATE

0.02*

26.

BENOMYL

sum expressed as carbendazim

0.1*

27.

CARBENDAZIM

28.

THIOPHANATE-METHYL

29.

CHLORPYRIFOS

0.2: barley

0.05*: other cereals

30.

CHLORPYRIFOS-METHYL

3

31.

CHLOROTHALONIL

0.1: wheat, rye, barley, oats and triticales
0.01*: other cereals

32.

CYPERMETHRIN, including other mixtures of constituents isomers (sum of isomers)

0.2: barley and oats

0.05*: other cereals

33.

DELTAMETHRIN

1

34.

FENVALERATE, including other mixtures of constituent isomers (sum of isomers)

0.2: barley and oats

0.05*: other cereals

35.

GLYPHOSATE

5: wheat, rye and triticales
20: barley, oats and sorghum
0.1*: other cereals

36.

IMAZALIL

0.02*

37.

IPRODIONE

1: barley

3: rice

0.5: wheat

0.02*: other cereals

38.

MANCOZEB

sum expressed as cs2

1: rye and wheat

2: barley and oats

0.05*: other cereals

39.

MANEB

40.

METIRAM

41.

PROPINEB

42.

ZINEB

43.

METHAMIDOPHOS

0.01*

44.

PERMETHRIN (sum of isomers)

0.2: maize

2: other cereals

45.

PROCYMIDONE

0.02*

46.

VINCLOZOLIN (sum of vinclozolin and all metabolites containing the 3,5-dichloroaniline moiety, expressed as vinclozolin)

0.05*

47.

CYFLUTHRIN, including other mixed isomeric constituents (sum of isomers)

0.05*: maize 0.02: other cereals

48.

METALAXYL

0.05*

49.

BENALAXYL

0.05*

50.

FENARIMOL

(a): wheat, barley

0.02*: other cereals

51.

PROPICONAZOLE

0.05*

52.

DAMINOZIDE, (sum of daminozide and 1,1 -dimethylhydrazine expressed as daminozide)

0.02*

53.

LAMBDA-CYHALOTHRIN

0.05: barley

0.02*: other cereals

54.

ETHEPHON

(b): maize

0.2: wheat and triticale

0.5: barley and rye

0.05*: other cereals

55.

CARBOFURAN (sum of carbofuran and 3- hydroxycarbofuran expressed as carbofuran)

(c): rice and oats

0.1*: other cereals

56.

CARBOSULFAN

0.05*

57.

BENFURACARB

(b): maize

0.05*: other cereals

58.

FURATHIOCARB

0.05*

59.

METHIDATHION

0.02*

60.

METHOMYL THIODICARB Residue: sum of methomyl and thiodicarb expressed as methomyl

0.05*

61.

AMITRAZ Residue: amitraz plus all metabolites containing 2.4 dimethylaniline expressed as amitraz

0.02*

62.

PIRIMIPHOS-METHYL

5

63.

ALDICARB Residue: sum of aldicarb, its sulfoxide and its sulfone expressed as aldicarb

0.05*

64.

THIABENDAZOLE

(d): wheat, rice

0.05*: other cereals

65.

TRIFORINE

0.1: wheat, rye, triticale, barley, oats
0.05*: other cereals

66.

ENDOSULFAN Residue: sum of alpha and beta endosulfan sulphate expressed as endosulphate

0.1 (e): wheat, rye, triticale, barley, oats
0.2 (e): maize
0.05*: others

67.

FENBUTATIN OXIDE

0.05*

68.

TRIAZAPHOS

(f): wheat, rye, triticale, barley, oats, maize
0.02*: others

69.

DIAZINON

0.02*: buckwheat, millet
0.05 (f)others

70.

MECARBAM

0.05*: cereals

71.

FENTIN Residue: fentin expressed as triphyltin cation

0.05*

72.

PHORATE

(e): maize

Residue: sum of phorate, its oxygen analogue and their sulfoxides and sulphones expressed as phorate

0.05*: others

73.

DICOFOL Residue: sum of P, P₁ and O, P₁ isomers

0.02*

74.

CHLORMEQUAT

5: Oats

2: wheat, rye, triticale, barley

(e): maize

0.05*: others

75.

PROPYZAMIDE

0.02*

76.

PROPOXUR

0.05*

77.

DISULFOTON

0.1: wheat

Residue: sum of disulfoton, disulfoton sulphoxide and disulfoton sulphone expressed as disulfoton

0.2: barley, sorghum

0.02* others

* indicates lower limit of analytical determination.

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(a) (b) (c) As and from at the latest 1 July 2000 and save for adoption of other levels, the following maximum levels shall apply as indicated thereafter

(a); 0.02* (b): 0.05* (c) 0.1*

* indicates lower limit of analytical determination

* indicates lower limit of analytical determination

* indicates lower limit of analytical determination

(d) Should levels not be adopted by 1 July 2000 the level 0.05* shall apply.

* indicates lower limit of analytical determination

(e) and (f) Should levels not be adopted by at the latest 1 July 2000, the following levels shall apply as indicated thereafter: (e) 0.05* (f) 0.02*

* indicates lower limit of analytical determination

* indicates lower limit of analytical determination

SECOND SCHEDULE

Regulation 5 (6)

CERTIFICATE OF RESULT OF ANALYSIS

Laboratory Ref. No.....

Sample

of.....
.....

received by the designated analyst
on.....

from.....
.....

Methods of analysis
used.....
.....

This is to certify that the above mentioned sample, which was duly fastened and sealed, has been analysed under the provisions of the European Communities (Pesticide Residues) (Cereals) Regulations, 1999 (S.I. No. 181 of 1999) and that the results of the analysis are as follows:

.....
.....
.....
.....
.....
.....
.....
.....
.....

This certificate is issued under the European Communities (Pesticide Residues) (Cereals) Regulations, 1999 (S.I. No. 181 of 1999).

Date.....

Signed.....

Designated Analyst

Signed.....

Designated Analyst

Signed.....

Designated Analyst

THIRD SCHEDULE

Regulation 10 (2)

CERTIFICATE OF RESULT OF ANALYSIS

Laboratory Ref. No.....

Sample

of.....
.....

taken at the premises

of.....
on.....

Date.....

Signed.....

Authorised Officer

received by the designated analyst

on.....

from.....
.....

method of analysis

used.....
.....

This is to certify that the above mentioned sample, which was duly fastened and sealed, has been analysed under the provisions of the European Communities

(Pesticide Residues) (Cereals) Regulation, 1999 (S.I. No. 181 of 1999) and that the results of the analysis are as follows:

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.....

This certificate is issued under the European Communities (Pesticide Residues) (Cereals) Regulations, 1999 (S.I. No. 181 of 1999).

Date.....

Signed.....

State Chemist



GIVEN under my Official Seal, this 17th day of June, 1999.

JOE WALSH,

Minister for Agriculture and Food

EXPLANATORY NOTE.

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations,

(i) provide that a person shall not put into circulation any cereal, including dried and/or processed products and composite foodstuffs to which these Regulations apply, if it contains the residue of a pesticide specified in the Regulations in a quantity greater than the maximum laid down;

(ii) serve to consolidate the provisions of the European Communities (Pesticide Residues) (Cereals) Regulations 1988 to 1998 — (S.I. No. 216 of 1988); (S.I. No. 316 of 1993); (S.I. No. 164 of 1995); (S.I. No. 47 of 1996); (S.I. No. 337 of 1996); (S.I. No. 72 of 1998) and (S.I. No. 565 of 1998);

and

(iii) substitutes new maximum residue levels for a number of substances.