
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 379

**AGRICULTURE
PESTICIDES**

**Pesticides (Maximum Residue Levels in
Crops, Food and Feeding Stuff) (Amendment)
(No. 2) Regulations (Northern Ireland) 2003**

Made - - - - *13th August 2003*
Coming into operation *30th September 2003*

The Department of Agriculture and Rural Development, being a Department 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 it by the said section 2(2) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (Amendment) (No. 2) Regulations (Northern Ireland) 2003 and shall come into operation on 30th September 2003.

(2) The Interpretation Act (Northern Ireland) 1954(3) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendment to the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) Regulations (Northern Ireland) 2002

2.—(1) The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) Regulations (Northern Ireland) 2002(4) 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:

(1) S.I. 2000/2812
(2) 1972 c. 68
(3) 1954 c. 33 (N.I.)
(4) S.R. 2002 No. 20 as amended by S.R. 2002 No. 27, S.R. 2002 No. 250 and S.R. 2003 No. 123

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

““the Residues Directives” means Council Directive [86/362/EEC\(5\)](#), Council Directive [86/363/EEC\(6\)](#) and Council Directive [90/642/EEC\(7\)](#), in each case amended as at the date of the making of the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (Amendment) (No. 2) Regulations (Northern Ireland) 2003.”.

(3) In Schedule 1 there shall be inserted at the appropriate places in Columns 1 and 2 the following entries (the entries for Flucythrinate being substituted for the existing ones and the entries for Profenos replacing those for Profenophos):

Column 1 <i>Pesticide</i>	Column 2 <i>Residues</i>
Abamectin	abamectin (sum of avermectin B1a, avermectin B1b and delta-8, 9 isomer of avermectin B1a)
Azocyclotin and Cyhexatin	azocyclotin and cyhexatin (sum of azocyclotin and cyhexatin expressed as cyhexatin)
Bifenthrin	bifenthrin
Clofentezine	clofentezine (sum of all compounds containing the 2-chlorobenzoyl moiety expressed as clofentezine)
Cyromazine	cyromazine
2,4-D	(1) For cereals, fruit and certain products of plant origin, including fruit and vegetables – 2,4-D (sum of 2,4-D and its esters) expressed as 2,4-D (2) For products of animal origin – 2,4-D
Fenpropimorph	(1) For cereals, fruit and certain products of plant origin, including fruit and vegetables – fenpropimorph (2) For products of animal origin – fenpropimorph carboxylic acid (BF 421-2) expressed as fenpropimorph
Flucythrinate	flucythrinate (expressed as flucythrinate, sum of isomers)
Hexaconazole	hexaconazole
Myclobutanil	(1) For cereals, fruit and certain products of plant origin, including fruit and vegetables- myclobutanil (2) For products of animal origin – Alpha-(3-hydroxybutyl) – alpha – (4-chlore- phenyl) – 1H – 1,2,4 – triazole -1 - propanenitrile (RH 9090) expressed as myclobutanil
Penconazole	penconazole

(5) O.J. No. L221, 7.8.86, p. 37. The last amending instrument is Commission Directive [2002/97/EC](#) (O.J. No. L343, 18.12.2002, p. 23)

(6) O.J. No. L221, 7.8.86, p. 43. The last amending instrument is Commission Directive [2002/97/EC](#)

(7) O.J. No. L350, 14.12.90, p. 71. The last amending instrument is Commission Directive [2002/100/EC](#) (O.J. No. L2, 7.1.2003, p. 33)

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Column 1 <i>Pesticide</i>	Column 2 <i>Residues</i>
Prochloraz	prochloraz (sum of prochloraz and its metabolites containing the 2,4,6-Trichlorophenol moiety expressed as prochloraz)
Profenofos	profenofos
Resmethrin	resmethrin, including other mixtures of constituent isomers (sum of isomers)
Thifensulfuron methyl	thifensulfuron methyl
Triadimefon and Triadimenol	triadimefon and triadimenol (sum of triadimefon and triadimenol)
Triasulfuron	triasulfuron
Tridemorph	tridemorph

- (4) In Part I of Schedule 2 the column relating to Bitertanol shall be deleted.
(5) For Part II of Schedule 2 there shall be substituted the Schedule to these Regulations.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 13th August 2003.

L.S.

D. Small
A senior officer of the
Department of Agriculture and Rural
Development

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	Fenvalerate	hexachloro- and cyclohexane(HCH)	Esfenvalerate
Cherry	Cherry	Cherry	Cherry
Apple	Apple	Apple	Apple
Peach	Peach	Peach	Peach
Plum	Plum	Plum	Plum
Quince	Quince	Quince	Quince
Other stone fruit	Other stone fruit	Other stone fruit	Other stone fruit
Other fruit	Other fruit	Other fruit	Other fruit
Other crop	Other crop	Other crop	Other crop
Other plant	Other plant	Other plant	Other plant
Other	Other	Other	Other

(iii) POME FRUIT

Apple	Apple	Apple	Apple
Peach	Peach	Peach	Peach
Plum	Plum	Plum	Plum
Quince	Quince	Quince	Quince
Other stone fruit	Other stone fruit	Other stone fruit	Other stone fruit

(iv) STONE FRUIT

Apple	Apple	Apple	Apple
Other stone fruit	Other stone fruit	Other stone fruit	Other stone fruit

(incl
nectarines
&
similar
hybrids)

Peach	Peach	Peach	Peach
Other stone fruit	Other stone fruit	Other stone fruit	Other stone fruit

(v) BERRIES AND SMALL FRUIT

(a) (a) *Table & wine grapes*

~~Table grapes~~

~~Wine grapes~~

(b) (b) *Strawberries* (other than wild)

~~Strawberries~~

(c) (c) *Cane Fruit* (other than wild)

~~Cane Fruit~~

~~Other berry~~

~~Other small fruit~~

~~Other berry~~

~~Other small fruit~~

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	Fenvalerate	cyfluthrin	cypermethrin	deltamethrin	lambda-cyhalothrin	methoxyfenozide	permethrin	prallethrin	resmethrin	triflorprothrin
(d) Other small fruit & berries (other than wild)	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05

(d) Other small fruit & berries (other than wild)

(red, black & white)

berries & wild fruit

(vi) MISCELLANEOUS FRUIT

(oil extract)

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	Fenvalerate	hexachloro- and cyclohexane (HCH)	Esfenvalerate
leaves			
(vi) LEGUME VEGETABLES (fresh)			
(with pods)			
(without pods)			
(with pods)			
(without pods)			
(vii) STEM VEGETABLES			
artichokes			
(viii) FUNGI			
mushrooms			
mushrooms			

3. PULSES

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

	Fenvalerate	hexachloro- and cyclohexane (HCH)	Esfenvalerate		
Maximum residue level (MRL) in mg/kg	0.05*	0.02*	0.02*	0.05*	0.02*
Units					

UNITS:

Maximum residue levels (MRLs) are expressed in milligrammes of residue per kilogramme of food.

KEY:

* Level at or about the limit of determination.

FOOTNOTES:

- (1) Paddy or rough rice, husked rice and semi-milled or wholly milled rice.
- (2) Other cereals do not include rice.
- (3) Levels are measured on fat, except in the case of foods with a fat content of 10% or less by weight. In these cases the residue is related to the total weight of the boned foodstuff and the MRL is one tenth of the value given in the table, but must be no less than 0.01 mg/kg.
- (4) These levels are for fresh raw cow's milk and fresh whole cream cow's milk expressed on the whole milk.
- (5) For preserved, concentrated or sweetened cow's milk; for raw milk and whole cream milk of another animal origin; and for butter, cheese or curd, whether made from cow's milk or other milk of a combination, the following levels apply:
 - if the fat content is less than 2% by weight, the MRL is taken as half that set for raw milk and whole cream milk;
 - if the fat content is 2% or more by weight, the MRL is expressed in mg/kg of fat and is set at 25 times that set for raw milk and whole cream milk.
- (6) Birds' eggs in shell (other than eggs for hatching) and whole egg products and egg yolk products (whether fresh, dried or otherwise prepared).
- (7) For eggs and egg products with a fat content higher than 10%, the maximum level is expressed in mg/kg fat. In this case, the maximum level is 10 times higher than the maximum level for fresh eggs.
- (8) All meat except poultrymeat.
- (9) Poultrymeat only.
- (10) Chicken liver.
- (11) Cattle kidney.
- (12) Cattle liver.
- (13) All meat except liver and kidney.
- (14) The residue definition for this MRL is: 2-methoxyimino-2-[2-(0-tolyloxymethyl)phenyl]acetic acid.
- (15) Meat, liver, fat.
- (16) Kidney.
- (17) Other meat products.
- (18) The residue definition for this MRL is: 2-[2-(4-hydroxy-2-methylphenoxy)methyl]phenyl]-2-methoxy-iminoacetic acid.
- (19) With the exception of meat and other ovine, bovine and caprine products.

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- (20) These MRLs are based on Codex MRLs (extraneous residue limits) and do not result from the use of plant protection products.
- (21) Meat of cattle, sheep and goats.
- (22) Other than meat or liver of cattle, sheep and goats, and poultrymeat.
- (23) Liver of cattle, sheep and goats. The residue definition for this MRL is: 1,1-bis-(parachlorophenol)-2,2-dichloroethanol(PP'-FW152), expressed as dicofol.
- (24) Pig kidney.
- (25) Cattle, goat and sheep kidney.
- (26) Ruminant liver.
- (27) All meat except ruminant liver.
- (28) Fat liver and kidney.
- (29) Other than fat, liver and kidney.
- (30) The residues definition for these MRLs is: sum of propyzamide and all metabolites containing the 3,5-dichlorobenzoic acid fraction expressed as propyzamide.
- (31) All kidney except poultry kidney.
- (32) Procymidone: 1 mg/kg applies to whole seeds; 0.05 mg/kg applies to seed without shell.
- (33) Meat and meat products other than those at footnotes 10, 11 and 12.
- (34) The residues definition for this MRL is: spiroxamine carboxylic acid expressed as spiroxamine.
- (35) Scarole includes broad-leaf endive.
- (36) Liver and kidney.
- (37) Broccoli includes calabrese.
- (38) MRL is based on Codex MRL.
- (39) For animal products the MRLs relate to cyhalothrin (sum of isomers).
- (40) This figure is the sum of the alpha and beta isomers.
- (41) Cattle fat.
- (42) Bovine fat.
- (43) Bovine liver.
- (44) Bovine kidney.
- (45) Meat of cattle.
- (46) Liver of cattle, goat, pig, sheep.
- (47) Kidney of cattle, goat, pig, sheep.
- (48) Poultry meat, fat, edible offal.
- (49) Meat of cattle, goat, pig, sheep.
- (50) All products except sheep.
- (51) Liver of sheep, cattle and goat. The residue definition is sum of all compounds containing the 2-chlorobenzoyl moiety expressed as clofentezine.
- (52) This MRL also applies to spelt.
- (53) Except spelt.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations, which are made under section 2(2) of the European Communities Act 1972, further amend the provisions of the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) Regulations (Northern Ireland) 2002 (S.R. 2002 No. 20 as amended by S.R. 2002 No. 27, S.R. 2002 No. 250 and S.R. 2003 No. 123) (“the principal Regulations”).

Part II of Schedule 2 to the principal Regulations is consolidated and takes account of changes and additions to the EC maximum residue levels that have been set at an EC level since the last amendment of that Part by S.R. 2003 No. 123.

These Regulations add new residue levels in Part II of Schedule 2 that have been set by recent amendments to the three Commission Directives: Council Directive 86/362/EEC, Council Directive 86/363/EEC and Council Directive 90/642/EEC. The following new or substituted maximum residue levels are implemented in Part II of Schedule 2 in these Regulations (regulation 2 (5))—

Commission Directive 2002/79/EC (O.J. No. L291, 28.10.2002, p. 1) for abamectin, azocyclotin and cyhexatin, bifenthrin, bitertanol, bromopropylate, clofentezine, cyromazine, fenpropimorph, flucythrinate, hexaconazol, methacrifos, myclobutanil, penconazole, prochloraz, profenofos, resmethrin and bioresmethrin, triadimefon and triadimenol and tridemorph;

Commission Directive 2002/97/EC (O.J. No. L343, 18.12.2002, p. 23) for 2,4-D, triasulfuron, and thifensulfuron methyl;

The definition of “the Residues Directives” is updated to take account of the latest Directives being implemented (regulation 2(2)).

These Regulations remove pesticide residue levels for Bitertanol 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 I of Schedule 2 to the principal Regulations as these levels have been replaced by Community levels (regulation 2(4)).