
S T A T U T O R Y I N S T R U M E N T S

2004 No.

AGRICULTURE, ENGLAND AND WALES

PESTICIDES, ENGLAND AND WALES

The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs)(England and Wales)(Amendment)(No.2) Regulations 2004

<i>Made</i> - - - -	<i>2004</i>
<i>Laid before Parliament</i>	<i>2004</i>
<i>Coming into force</i> -	<i>11th June 2004</i>

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 Stuffs) (England and Wales) (Amendment) (No.2) Regulations 2004, extend to England and Wales and come into force on 11th June 2004.

Amendment to the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (England and Wales) Regulations 1999

2.—(1) The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (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

⁽¹⁾ S.I. 1972/1811 and, in the case of the National Assembly for Wales, S.I. 1999/2788.

⁽²⁾ 1972 c.68.

⁽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 and S.I. 2004/676.

⁽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).

⁽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).

⁽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).

date of the making of the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (England and Wales) (Amendment) (No.2) Regulations 2004.”.

(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:

<i>Column 1</i> <i>Pesticide</i>	<i>Column 2</i> <i>Residues</i>
Cyazofamid	Cyazofamid
2,4 – DB	2,4 – DB
Ethoxysulfuron	Ethoxysulfuron
Fenamiphos	Fenamiphos (sum of fenamiphos and its sulphoxide and sulphone expressed as fenamiphos)
Foramsulfuron	Foramsulfuron
Imazamox	Imazamox
Linuron	Linuron
Oxadiargyl	Oxadiargyl
Oxasulfuron	Oxasulfuron
Pendimethalin	Pendimethalin

and the column 1 and 2 entries for 2,4 – D shall be repositioned immediately above those for 2,4 – DB.

(4) In Part 2 of Schedule 2—

- (a) in the column headed Benalaxyl, for the entry for food group 2(v) Leaf vegetables and fresh herbs, Lettuce there shall be substituted “0.5”;
- (b) on 1st August 2004, there shall be inserted, in the appropriate place to preserve the alphabetical ordering, the column of maximum permitted levels for residue of the pesticide Fenamiphos as specified in the Schedule to these Regulations;
- (c) on 4th June 2005, there shall be inserted, in the appropriate place to preserve the alphabetical ordering, the columns of maximum permitted levels for residues of the pesticides Cyazofamid, 2,4 – DB, Ethoxysulfuron, Foramsulfuron, Imazamox, Linuron, Oxadiargyl, Oxasulfuron and Pendimethalin as specified in the Schedule to these Regulations.

Signed on behalf of the National Assembly for Wales

Date

Name
Presiding Officer
National Assembly for Wales

Date

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

SCHEDULE

Regulation 2

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 Stuffs) (England and Wales) Regulations 1999 (S.I. 1999/3483).

The Regulations implement Commission Directive 2003/113/EC (OJ No. L324, 11.12.2003, p. 24) as read with the corrigenda to it (OJ No. L104, 8.4.2004, p.135) and Commission Directive 2004/2/EC (OJ No. L14, 21.1.2004, p.10) as read with the corrigenda to it (OJ No. L28, 31.1.2004, p.30).

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

A replacement maximum residue level is established for the pesticide Benalaxyl in lettuce (regulation 2(4)(a)).

On 1st August 2004 new maximum residue levels are inserted in Part 2 of Schedule 2 for residues of the pesticide Fenamiphos (regulation 2(4)(b)).

On 4th June 2005 new maximum residue levels are inserted in Part 2 of Schedule 2 for residues of the pesticides Cyazofamid, 2,4 – DB, Ethoxysulfuron, Foramsulfuron, Imazamox, Linuron, Oxadiargyl, Oxasulfuron and Pendimethalin (regulation 2(4)(c)).

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 cover the new maximum residue levels and to effect a consequential entry repositioning (regulation 2(3)).