
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 481

**AGRICULTURE
PESTICIDES**

**The Pesticides (Maximum Residue Levels in
Crops, Food and Feeding Stuff)s (Scotland)
Amendment (No. 3) Regulations 2007**

*Made - - - - 24th October 2007
Laid before the Scottish
Parliament - - - - 26th October 2007
Coming into force in accordance with regulation 1(2)
to (4)*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972⁽¹⁾ and all other powers enabling them to do so.

Citation and commencement

1.—(1) These Regulations may be cited as the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff)s (Scotland) Amendment (No. 3) Regulations 2007.

(2) Subject to paragraphs (3) and (4), these Regulations come into force on 17th November 2007.

(3) Regulation 4 comes into force on 27th November 2007.

(4) Regulation 5 comes into force on 28th December 2007.

Amendment to the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff)s (Scotland) Regulations 2005

2. The Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff)s (Scotland) Regulations 2005⁽²⁾ are amended in accordance with regulations 3 to 5.

(1) 1972 c. 68. Section 2(2) was amended by the Scotland Act 1998 (c. 46), Schedule 8, paragraph 15(3) and the Legislative and Regulatory Reform Act 2006 (c. 51), section 27(1)(a). The function conferred upon the Minister of the Crown under section 2(2), insofar as within devolved competence, was transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(2) S.S.I.2005/599 as amended by S.S.I. 2006/151, 312, 548 and S.S.I. 2007/142 and 306.

Amendments coming into force on 17th November 2007

3.—(1) In Regulation 2(1) (interpretation), for the definition of “the Residues Directives” substitute—

““the Residues Directives” means Council Directive [76/895/EEC](#)(3), Council Directive [86/362/EEC](#)(4), Council Directive [86/363](#)(5) and Council Directive [90/642/EEC](#)(6).”.

(2) In Schedule 1 (pesticide residues), in the appropriate place in the alphabetical sequence, insert the entries for the pesticides 1-methylcyclopropene, Etoxazole, Indoxacarb, MCPA and MCPB, Mesosulfuron-methyl, Tolyfluanid and Triticonazole set out in Schedule 1 to these Regulations.

(3) In Schedule 2 (maximum residue levels)—

- (a) in the appropriate place in the alphabetical sequence, insert the entries for the pesticides 1-methylcyclopropene, Etoxazole, Indoxacarb, MCPA and MCPB, Mesosulfuron-methyl, Tolyfluanid and Triticonazole set out in Schedule 2 to these Regulations;
- (b) at the end, insert as footnotes 50, 51 and 52, the footnotes numbered (50), (51) and (52) set out at the end of Schedule 2 to these Regulations; and
- (c) for the entries in the column for the pesticide Penconazole, substitute the entries in the column for that pesticide set out in Schedule 2 to these Regulations.

(4) In Schedule 3, in paragraph 2(v)(a) (lettuce and similar) in column 2, after “leaves and stems of brassica” insert “, including turnip greens”.

Amendments coming into force on 27th November 2007

4.—(1) In Schedule 1 (pesticide residues), for the entry for the pesticide Maleic hydrazide, substitute the entry for Maleic hydrazide set out in Schedule 1 to these Regulations.

(2) In Schedule 2 (maximum residue levels)—

- (a) for the entries for Maleic hydrazide (until 4th December 2006) and Maleic hydrazide (from 4th December 2006), substitute the entry for Maleic hydrazide set out in Schedule 2 to these Regulations; and
- (b) for the entries in the columns relating to the pesticides Azoxystrobin, Chlorfenapyr, Folpet, Iprodione, Lambda cyhalothrin, Metalaxyl and Trifloxystrobin, substitute the entries in the columns for those pesticides set out in Schedule 2 to these Regulations.

Amendment coming into force on 28th December 2007

5. In Schedule 2 (maximum residue levels), for the entries in the column relating to the pesticide Diazinon, substitute the entries in the column for that pesticide set out in Schedule 2 to these Regulations.

(3) O.J. No. L 340, 9.12.1976, p.26 as last relevantly amended by Commission Directive [2007/8/EC](#) (O.J. No. L 63, 1.3.2007, p.9).

(4) O.J. No. L 221, 7.8.1986, p.37, as last relevantly amended by Commission Directive [2007/27/EC](#) (O.J. No. L 128, 16.5.2007, p.31).

(5) O.J. No. L 221, 7.8.1986, p.43 as last relevantly amended by Commission Directive [2007/28/EC](#) (O.J. No. L 135, 26.5.2007, p.6).

(6) O.J. No. L 350, 14.12.1990, p.17, as last relevantly amended by Commission Directive [2007/39/EC](#) (O.J. L 165, 27.6.2007, p.25).

St Andrew's House,
Edinburgh
24th October 2007

RICHARD LOCHHEAD
A member of the Scottish Executive

Status: This is the original version (as it was originally made).

SCHEDULE 1

Regulations 3 and 4

ENTRIES INSERTED OR SUBSTITUTED IN SCHEDULE 1

<i>Column 1</i> <i>Pesticide</i>	<i>Column 2</i> <i>Residue</i>
1-methylcyclopropene	1-methylcyclopropene
Ettoxazole	Ettoxazole
Indoxacarb	Indoxacarb as sum of the isomers S and R
Maleic hydrazide	(1) for products of plant origin and foodstuffs of animal origin other than milk and milk products: maleic hydrazide (2) for milk and milk products: maleic hydrazide and its conjugates expressed as maleic hydrazide
MCPA and MCPB	(1) for products of plant origin: MCPA, MCPB including their salts, esters and conjugates expressed as MCPA (2) for foodstuffs of animal origin: MCPA, MCPB and MCPA thioethyl expressed as MCPA
Mesosulfuron-methyl	Mesosulfuron methyl expressed as mesosulfuron
Tolylfluanid	(1) for products of plant origin: sum of tollylfluanid and dimethylaminosulfotoluidide expressed as tollylfluanid (2) for foodstuffs of animal origin: Tolylfluanid analysed as dimethylaminosulfotoluidide and expressed as tollylfluanid
Triticonazole	Triticonazole

SCHEDULE 2

Regulations 3, 4 and 5

ENTRIES SUBSTITUTED OR INSERTED IN SCHEDULE 2

<i>Groups to include which the food following belongs</i>	<i>Groups to include which the food following belongs</i>
1. FRUIT, FRESH, DRIED OR UNCOOKED, PRESERVED BY FREEZING NOT CONTAINING ADDED SUGAR: NUTS	1. FRUIT, FRESH, DRIED OR UNCOOKED, PRESERVED BY FREEZING NOT CONTAINING ADDED SUGAR: NUTS

i) CITRUS FRUIT

Group to include which the food following belongs	Groups to include which the food following belongs	Azoxystrobin methylcyclopropene	Chlorpyrifos methylcyclopropene	Imidacloprid methylcyclopropene	Endosulfan methylcyclopropene	Prochloraz methylcyclopropene	Hexachlorocyclopentadiene methylcyclopropene	CPM methylcyclopropene	Mesochloro methylcyclopropene	Mefenoxam methylcyclopropene	Indoxacarb methylcyclopropene	Fluopyram methylcyclopropene	Isoprothion methylcyclopropene	Chlorpyrifos methylcyclopropene
Grapefruit	0.01*	0.05*0.01*0.1	0.02*0.02*0.02*0.1	0.2*	0.05*0.01*0.5	0.05*0.05*0.3	0.01*							
Lemon	0.01*	0.05*0.01*0.1	0.02*0.02*0.02*0.1	0.2	0.2*	0.05*0.01*0.5	0.05*0.05*0.3	0.01*						
Lime	0.01*	0.05*0.01*0.1	0.02*0.02*0.02*0.1	0.2	0.2*	0.05*0.01*0.5	0.05*0.05*0.3	0.01*						
Mandarin (inc clementines & similar hybrids)	0.01*	0.05*0.01*0.1	0.02*0.02*0.02*0.1	0.2	0.2*	0.05*0.01*0.5	0.05*0.05*0.3	0.01*						
Orange	0.01*	0.05*0.01*0.1	0.02*0.02*0.02*0.1	0.2*	0.05*0.01*0.5	0.05*0.05*0.3	0.01*							
Pomegranate	0.01*	0.05*0.01*0.1	0.02*0.02*0.02*0.1	0.2*	0.05*0.01*0.5	0.05*0.05*0.3	0.01*							
Other	0.01*	0.05*0.01*0.1	0.02*0.02*0.02*0.02*0.2*	0.05*0.01*0.5	0.05*0.05*0.3	0.01*								
ii) TREE NUTS (shelled or unshelled)														
Almond	0.01*	0.05*0.05	0.02*0.02*0.05	0.02*0.05*0.2*	0.05*0.01*0.05*0.05*0.02*0.01*									
Brazil nuts	0.01*	0.05*0.01*0.02*0.02*0.05	0.02*0.05*0.2*	0.05*0.01*0.05*0.05*0.02*0.01*										
Cashew nuts	0.01*	0.05*0.01*0.02*0.02*0.05	0.02*0.05*0.2*	0.05*0.01*0.05*0.05*0.02*0.01*										
Chestnut	0.01*	0.05*0.01*0.02*0.02*0.05	0.02*0.05*0.2*	0.05*0.01*0.05*0.05*0.02*0.01*										
Cocunut	0.01*	0.05*0.01*0.02*0.02*0.05	0.02*0.05*0.2*	0.05*0.01*0.05*0.05*0.02*0.01*										
Hazelnut	0.01*	0.05*0.01*0.02*0.02*0.05	0.2	0.05*0.2*	0.05*0.01*0.05*0.05*0.02*0.01*									
Macadamia nuts	0.01*	0.05*0.01*0.02*0.02*0.05	0.02*0.05*0.2*	0.05*0.01*0.05*0.05*0.02*0.01*										
Pecan	0.01*	0.05*0.01*0.02*0.02*0.05	0.02*0.05*0.2*	0.05*0.01*0.05*0.05*0.02*0.01*										
Pine nuts	0.01*	0.05*0.01*0.02*0.02*0.05	0.02*0.05*0.2*	0.05*0.01*0.05*0.05*0.02*0.01*										
Pistachio	0.01*	0.05*0.01*0.02*0.02*0.05	0.02*0.05*0.2*	0.05*0.01*0.05*0.05*0.02*0.01*										
Walnut	0.01*	0.05*0.01*0.02*0.02*0.05	0.02*0.05*0.2*	0.05*0.01*0.05*0.05*0.02*0.01*										
Other	0.01*	0.05*0.01*0.02*0.02*0.05	0.02*0.05*0.2*	0.05*0.01*0.05*0.05*0.02*0.01*										
iii) POME FRUIT														
Apple	0.01*0.05*0.05*0.01*0.02*3 ⁽⁴⁸⁾	0.5	5	0.1	0.2*	0.05*0.01*1	0.2	3	0.5	0.01*				
Pears	0.01*0.05*0.05*0.01*0.02*3 ⁽⁴⁸⁾	0.3	5	0.1	0.2*	0.05*0.01*1	0.2	3	0.5	0.01*				
Quince	0.01*0.05*0.05*0.01*0.02*3 ⁽⁴⁸⁾	0.3	5	0.1	0.2*	0.05*0.01*1	0.2	3	0.5	0.01*				
Other	0.01*0.05*0.05*0.01*0.02*3 ⁽⁴⁸⁾	0.3	5	0.1	0.2*	0.05*0.01*1	0.2	3	0.5	0.01*				

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	0.01	0.05*	0.05*	0.01*	0.02*	0.02*	0.02*	0.02*	0.02*	0.2*	0.05*	0.01*	0.05*	0.05*	0.05*	0.02*	0.01*
Beetroot	0.01	0.2	0.05*	0.01*	0.02*	0.02*	0.02*	0.5	0.02*	30	0.05*	0.01*	0.1	0.05*	0.05*	0.05*	0.01*
Carrots	0.01	0.05*	0.05*	0.01*	0.02*	0.02*	0.02*	0.02*	0.2*	0.05*	0.01*	0.05*	0.05*	0.05*	0.05*	0.02*	0.01*
Cassava	0.01	0.3	0.05*	0.01*	0.02*	0.02*	0.02*	0.02*	0.1	0.2*	0.05*	0.01*	0.05*	0.05*	0.05*	0.02*	0.01*
Celeriac	0.01	0.3	0.05*	0.01*	0.02*	0.02*	0.02*	0.02*	0.1	0.2*	0.05*	0.01*	0.05*	0.05*	0.05*	0.02*	0.01*

[illegible]

Cress	0.01*3	0.05*0.01*0.02*0.02*0.02*10	1	0.2* 0.05*0.01*0.05*0.05*20	0.02*0.01*
Lamb lettuce	0.01*3	0.05*0.01*0.02*0.02*0.02*10	1	0.2* 0.05*0.01*0.2 0.05*20	0.02*0.01*
Lettuce	0.01*3	0.05*0.01*0.02*2	2 10	0.5 0.2* 0.05*0.01*2	0.05*20 0.02*0.01*
Scarole	0.01*3 ⁽⁶⁾	0.05*0.01*0.02*0.02*10 ⁽⁶⁾	10 ⁽⁶⁾ 1 ⁽⁶⁾	0.2* ⁽⁶⁾ 0.05* ⁽⁶⁾ 0.01* ⁽⁶⁾ 0.05* ⁽⁶⁾ 20 ⁽⁶⁾	0.02* ⁽⁶⁾ 0.01* ⁽⁶⁾

10

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including 20 0.1* 0.5 0.05*150 0.05*0.1* 10 0.5* 0.1* 0.02*10 0.5 50 30 0.02*
hop
pellets
&
unconcentrated
powder

Group to include which the food following belongs	Groups to include which the food following belongs	Azoxystrobin	Chlorpyrifos	Imidacloprid	Thiamethoxam	Flupyradifurone	Acetamiprid	Permethrin	Lambda-cyhalothrin	Chlorantraniliprole	CPM	Mesothion	Metolachlor	Fluazifluor	Indoxacarb	Fluflufenic acid	Flutryaz	Isoprothion	Chlorantraniliprole
		methyldicyclopropene							cyhalothrin	hydrazide	methyldicyclopropene								

8.

CEREALS

Wheat	0.01*0.3	0.05*0.02*0.02*2	0.02*0.5	0.02*0.2*	0.05*0.01*0.05*0.05*0.05*0.05	0.01*													
Rye	0.01*0.3	0.05*0.02*0.02*0.02*0.02*0.02*0.02*0.2*	0.05*0.01*0.05*0.05*0.05*0.05	0.01*															
Barley	0.01*0.3	0.05*0.02*0.02*2	0.02*0.5	0.05	0.2*	0.05*0.01*0.05*0.05*0.05*0.3	0.01*												
Sorghum	0.01*0.05*0.05*0.02*0.02*0.02*0.02*0.02*0.2*	0.05*0.01*0.05*0.05*0.05*0.02*0.01*																	
Oats	0.01*0.3	0.05*0.02*0.02*0.02*0.02*0.5	0.02*0.2*	0.05*0.01*0.05*0.05*0.05*0.02*0.01*															
Triticale	0.01*0.3	0.05*0.02*0.02*0.02*0.02*0.02*0.02*0.2*	0.05*0.01*0.05*0.05*0.05*0.05	0.01*															
Maize	0.01*0.05*0.05*0.02*0.02*0.02*0.02*0.02*0.2*	0.05*0.01*0.05*0.05*0.05*0.02*0.01*																	
Buckwheat	0.01*0.05*0.05*0.02*0.02*0.02*0.02*0.02*0.2*	0.05*0.01*0.05*0.05*0.05*0.02*0.01*																	
Millet	0.01*0.05*0.05*0.02*0.02*0.02*0.02*0.02*0.2*	0.05*0.01*0.05*0.05*0.05*0.02*0.01*																	
Rice	0.01*5	0.05*0.02*0.02*0.02*0.02*3	0.02*0.2*	0.05*0.01*0.05*0.05*0.05*0.02*0.01*															
Others	0.01*0.05*0.05*0.02*0.02*0.02*0.02*0.02*0.2*	0.05*0.01*0.05*0.05*0.05*0.02*0.01*																	

9.

PRODUCTS OF ANIMAL ORIGIN

Meat, edible offal, fat & preparations of meat & edible offal ⁽²⁾	0.05*		0.3 ⁽⁴⁹⁾	0.05*0.5 ⁽¹⁷⁾	0.05 ⁽²⁶⁾ 0.5 ⁽³⁹⁾	0.05*0.05*0.1*													
			0.01* ⁽⁵⁰⁾		0.02*0.5 ⁽⁸⁾ 0.1* ⁽⁴⁰⁾														
					0.02* ⁽⁹⁾														
Milk ⁽³⁾ and dairy produce ⁽⁴⁾	0.01*	0.01*	0.02 ⁽⁵¹⁾	0.05*0.05	0.2	0.05*	0.05*0.01	0.02*											
			0.3 ⁽⁵²⁾				0.05												
Eggs ⁽⁵⁾	0.05*		0.01*0.05*0.02*0.1	0.05*		0.05*0.05*0.1*													

10.

SPICES

Cumin seed

14

(51) Milk except cream of milk.

(52) Cream of milk.

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, amend the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (Scotland) Regulations 2005 (“the principal Regulations”).

These Regulations implement Commission Directives [2007/27/EC](#) (O.J. No. L 128, 16.05.07, p.31), [2007/28/EC](#) (O.J. No. L 135, 26.05.07, p.6) and [2007/39/EC](#) (O.J. No. L 165, 27.06.07, p.25).

The Regulations come into force, in stages, on 17th and 27th November and 28th December 2007.

The Regulations substitute or insert—

- (a) new residue definitions for the pesticides 1-methylcyclopropene, Etoxazole, Indoxacarb, Maleic hydrazide, MCPA and MCPB, Mesosulfuron-methyl, Tolyfluanid and Triticonazole in Schedule 1 to the principal Regulations which identifies the pesticide residues that are taken into account in the measuring of residue levels for each pesticide; and
- (b) new maximum residue levels for the pesticides 1-methylcyclopropene, Azoxystrobin, Chlorfenapyr, Diazinon, Etoxazole, Folpet, Indoxacarb, Iprodione, Lambda-cyhalothrin, Maleic hydrazide, MCPA and MCPB, Mesosulfuron-methyl, Metalaxyl, Penconazole, Tolyfluanid, Trifloxystrobin and Triticonazole in Schedule 2 to the principal Regulations.

Regulation 3(1) updates the definition of the Residues Directive to include those amendments up to the time of the making of these Regulations. The substance of the amendments is incorporated into Schedules 1, 2 and 3 of the principal Regulations.

Regulation 3(3)(c) corrects errors in certain maximum residue levels for Penconazole in the Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (Scotland) Amendment (No. 2) Regulations 2007 ([S.S.I. 2007/306](#)).

A Regulatory Impact Assessment (“RIA”) was prepared in respect of the principal Regulations which provides a basis for establishing the impact of amendments to those Regulations. Copies of the RIA can be obtained from the Scottish Government Rural Directorate, Area 1B, Pentland House, 47 Robb’s Loan, Edinburgh, EH14 1TY. Copies have been placed in the Scottish Parliament Information Centre.