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STATUTORY INSTRUMENTS

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**2005 No. 432**

**AGRICULTURE, ENGLAND AND WALES  
PESTICIDES, ENGLAND AND WALES**

**The Pesticides (Maximum Residue Levels in  
Crops, Food and Feeding Stuffs) (England  
and Wales) (Amendment) Regulations 2005**

<i>Made</i>	- - - -	<i>1st March 2005</i>
<i>Laid before Parliament</i>		<i>3rd March 2005</i>
<i>Coming into force</i>	- -	<i>26th March 2005</i>

The Secretary of State for Environment, Food and Rural Affairs and the National Assembly for Wales being designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> 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) Regulations 2005, extend to England and Wales and come into force on 26th March 2005.

**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<sup>(3)</sup> 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:

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

<sup>(2)</sup> 1972 c. 68.

<sup>(3)</sup> 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, S.I. 2004/1393 and S.I. 2004/2559.

““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) Regulations 2005.”.

(3) In Part 2 of Schedule 2, for the columns relating to the pesticides Bifenthrin and Famoxadone there shall be substituted the columns of maximum permitted levels for residues of those pesticides as specified in the Schedule to these Regulations.

22nd February 2005

*D. Elis-Thomas*  
Presiding Officer National Assembly for Wales

1st March 2005

*Alun Michael*  
Minister of State  
Department for Environment, Food and Rural  
Affairs

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(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).  
(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).  
(6) OJ No. L350, 14.12.90, p. 71. The last amending instrument is Commission Directive [2004/95/EC](#) (OJ No. L301, 28.9.2004, p. 42).

## SCHEDULE

Regulation 2(3)

Group to which food belongs	Groups include the following products	Bifenthrin	Famoxadone
<b>1. FRUIT, FRESH, DRIED OR UNCOOKED, PRESERVED BY FREEZING NOT CONTAINING ADDED SUGAR: NUTS</b>			
i) CITRUS FRUIT			
	Grapefruit	0.1	0.02*
	Lemons	0.1	0.02*
	Limes	0.1	0.02*
	Mandarins (inc clementines & similar hybrids)	0.1	0.02*
	Oranges	0.1	0.02*
	Pomelos	0.1	0.02*
	Others	0.1	0.02*
ii) TREE NUTS (shelled or unshelled)			
	Almonds	0.05*	0.02*
	Brazil nuts	0.05*	0.02*
	Cashew nuts	0.05*	0.02*
	Chestnuts	0.05*	0.02*
	Coconuts	0.05*	0.02*
	Hazelnuts	0.05*	0.02*
	Macadamia nuts	0.05*	0.02*
	Pecans	0.05*	0.02*
	Pine nuts	0.05*	0.02*
	Pistachios	0.05*	0.02*
	Walnuts	0.05*	0.02*
	Others	0.05*	0.02*

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

iii) POME FRUIT

Apples	0.3	0.02*
Pears	0.3	0.02*
Quinces	0.3	0.02*
Others	0.3	0.02*

iv) STONE FRUIT

Apricots	0.2	0.02*
Cherries	0.2	0.02*
Peaches (incl nectarines & similar hybrids)	0.2	0.02*
Plums	0.2	0.02*
Others	0.2	0.02*

v) BERRIES AND SMALL FRUIT

a) Table & wine grapes

Table grapes	0.2	2
Wine grapes	0.2	2

b) Strawberries (other than wild)

0.5	0.02*
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c) Cane Fruit (other than wild)

Blackberries	0.3	0.02*
Dewberries	0.05*	0.02*
Loganberries	0.05*	0.02*
Raspberries	0.3	0.02*
Others	0.05*	0.02*

d) Other small fruit & berries

(other than wild)		
Bilberries	0.05*	0.02*
Cranberries	0.05*	0.02*

Currents (red, black & white)	0.05*	0.02*
Gooseberries	0.05*	0.02*
Others	0.05*	0.02*
e) Wild berries & wild fruit	0.05*	0.02*
vi) MISCELLANEOUS FRUIT		
Avocados	0.05*	0.02*
Bananas	0.1	0.02*
Dates	0.05*	0.02*
Figs	0.05*	0.02*
Kiwi fruit	0.05*	0.02*
Kumquats	0.05*	0.02*
Litchis	0.05*	0.02*
Mangoes	0.05*	0.02*
Olives (table consumption)	0.05*	0.02*
Olives (oil extract)	0.05*	0.02*
Papaya	0.05*	0.02*
Passion fruit	0.05*	0.02*
Pineapples	0.05*	0.02*
Pomegranates	0.05*	0.02*
Others	0.05*	0.02*

**2. VEGETABLES, FRESH OR UNCOOKED, FROZEN OR DRY****i) ROOT AND TUBER VEGETABLES**

Beetroot	0.05*	0.02*
Carrots	0.05*	0.02*
Celeriac	0.05*	0.02*

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

	Horseradish	0.05*	0.02*
	Jerusalem artichokes	0.05*	0.02*
	Parsnips	0.05*	0.02*
	Parsley root	0.05*	0.02*
	Radishes	0.05*	0.02*
	Salsify	0.05*	0.02*
	Sweet potatoes	0.05*	0.02*
	Swedes	0.05*	0.02*
	Turnips	0.05*	0.02*
	Yams	0.05*	0.02*
	Others	0.05*	0.02*
ii) BULB VEGETABLES			
	Garlic	0.05*	0.02*
	Onions	0.05*	0.02*
	Shallots	0.05*	0.02*
	Spring onions	0.05*	0.02*
	Others	0.05*	0.02*
iii) FRUITING VEGETABLES			
a) Solanacea			
	Tomatoes	0.2	1
	Peppers	0.2	0.02*
	Chili peppers	0.2	0.02*
	Aubergines	0.2	0.2
	Others	0.2	0.02*
b) Cucurbits-edible peel			

Cucumbers	0.1	0.2
Gherkins	0.1	0.2
Courgettes	0.1	0.2
Others	0.1	0.2
c) Cucurbits-inedible peel		
Melons	0.05*	0.3
Squashes	0.05*	0.02*
Watermelons	0.05*	0.02*
Others	0.05*	0.02*
d) Sweet corn	0.05*	0.02*
iv) BRASSICA VEGETABLES		
a) Flowering Brassicas		
Broccoli	0.2	0.02*
Cauliflower	0.2	0.02*
Others	0.2	0.02*
b) Head Brassicas		
Brussels sprouts	1	0.02*
Head cabbage	1	0.02*
Others	1	0.02*
c) Leafy Brassicas		
Chinese cabbage	0.05*	0.02*
Kale	0.05*	0.02*
Others	0.05*	0.02*
d) Kohlrabi	0.05*	0.02*
v) LEAF VEGETABLES AND FRESH HERBS		
a) Lettuce & similar		
Cress	2	0.02*

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

Lamb's lettuce	2	0.02*
Lettuce	2	0.02*
Scarole	2 <sup>(35)</sup>	0.02* <sup>(35)</sup>
Others	2	0.02*
b) Spinach & similar		
Spinach	0.05*	0.02*
Beet leaves (chard)	0.05*	0.02*
Others	0.05*	0.02*
c) Watercress	0.05*	0.02*
d) Witloof	0.05*	0.02*
e) Herbs		
Chervil	0.05*	0.02*
Chives	0.05*	0.02*
Parsley	0.05*	0.02*
Celery leaves	0.05*	0.02*
Others	0.05*	0.02*
vi) LEGUME VEGETABLES (fresh)		
Beans (with pods)	0.5	0.02*
Beans (without pods)	0.05*	0.02*
Peas (with pods)	0.1	0.02*
Peas (without pods)	0.05*	0.02*
Others	0.05*	0.02*
vii) STEM VEGETABLES		
Asparagus	0.05*	0.02*
Cardoons	0.05*	0.02*
Celery	0.05*	0.02*



	Fennel	0.05*	0.02*
	Globe artichokes	0.05*	0.02*
	Leeks	0.05*	0.02*
	Rhubarb	0.05*	0.02*
	Others	0.05*	0.02*
viii) FUNGI			
	a) Cultivated mushrooms	0.05*	0.02*
	b) Wild mushrooms	0.05*	0.02*
<b>3. PULSES</b>			
	Beans	0.05*	0.02*
	Lentils	0.05*	0.02*
	Peas	0.05*	0.02*
	Others	0.05*	0.02*
<b>4. OILSEEDS</b>			
	Linseed	0.1*	0.05*
	Peanuts	0.1*	0.05*
	Poppy seed	0.1*	0.05*
	Sesame seed	0.1*	0.05*
	Sunflower seed	0.1*	0.05*
	Rape seed	0.1*	0.05*
	Soya bean	0.1*	0.05*
	Mustard seed	0.1*	0.05*
	Cotton seed	0.1*	0.05*
	Others	0.1*	0.05*
<b>5. POTATOES</b>			

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

	Early potatoes	0.05*	0.02*
	Ware potatoes	0.05*	0.02*
<b>6. TEA</b>	(dried leaves and stalks, fermented or otherwise, Camellia sinensis)	5	0.05*
<b>7. HOPS (dried)</b>	including hop pellets & unconcentrated powder	10	0.05*
<b>8. CEREALS</b>			
	Wheat	0.5	0.1
	Rye	0.05*	0.1
	Barley	0.5	0.2
	Sorghum	0.05*	0.1
	Oats	0.5	0.1
	Triticale	0.5	0.1
	Maize	0.05*	0.02*
	Buckwheat	0.05*	0.1
	Millet	0.05*	0.1
	Rice <sup>(1)</sup>	0.05*	0.02*
	Other cereals <sup>(2)</sup>	0.05*	0.1
<b>9. PRODUCTS OF ANIMAL ORIGIN</b>			
	Meat, fat & preparations of meat <sup>(3)</sup>	0.1 <sup>(4)</sup> 0.05* <sup>(17)</sup>	0.05*
	Milk <sup>(4)</sup> & Dairy Produce <sup>(5)</sup>	0.01*	0.05*
	Eggs <sup>(6)</sup>	0.01*	0.05*

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## 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 [2004/95/EC](#) (OJNo. L301, 28.9.2004, p. 42).

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 pesticides Bifenthrin and Famoxadone (regulation 2(3)).