
STATUTORY INSTRUMENTS

1988 No. 1378

PESTICIDES

The Pesticides (Maximum Residue Levels in Food) Regulations 1988

<i>Made</i>	- - - -	<i>1st August 1988</i>
<i>Coming into force</i>		
<i>except for regulation 3(b)</i>		
<i>and</i>		<i>2nd August 1988</i>
<i>Schedule 2 Remainder</i>		<i>31st December 1988</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in exercise of the powers conferred on them by Sections 16(2)(k) and (1), (15) and 24(3) of the Food and Environment Protection Act 1985⁽¹⁾ and of all other powers enabling them in that behalf, after consultation with the Advisory Committee on Pesticides established under Section 16(7) of that Act⁽²⁾, hereby make the following Regulations a draft whereof has been laid before and approved by resolution of each House of Parliament:—

Title and commencement

1. These Regulations may be cited as the Pesticides (Maximum Residue Levels in Food) Regulations 1988 and shall come into force on the day after the day on which they are made, except for regulation 3(b) and Schedule 2, which shall come into force on 31st December 1988.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“food” includes cereals intended for human consumption listed in Schedules 1 and 2;

“maximum residue level” in the case of any food, in relation to any pesticide used in connection therewith, means the figure obtained at the point in Schedule 1 or 2 where a line drawn vertically from the reference to that pesticide intersects with a line drawn horizontally from the reference to that food;

“pesticide” means a pesticide specified in Schedule 1, 2 or 3;

(1) 1985 c. 48

(2) Established by S.I. [1985/1516](#)

“residue” in relation to any pesticide means one or more of the substances specified in an entry in column 2 of Schedule 3 alongside the entry of that pesticide in column 1 of that Schedule.

(2) Any reference in a Schedule to a food, figure or pesticide includes any qualifying words relating to that food, figure or pesticide in that Schedule.

(3) Any reference in these Regulations to a Schedule shall be construed as a reference to a Schedule to these Regulations.

Maximum residue levels

3. No person may leave or cause to be left—

(a) in any food specified in Schedule 1,

(b) in any food specified in Schedule 2,

a level of residue exceeding any maximum residue level applicable to such food specified in that Schedule.

Seizure or disposal of food

4. If any food has in it a residue level in excess of any maximum residue level relating to that food, either of the Ministers shall have power—

(a) to seize or dispose of the consignment containing that food or any part of it, or to require that some other person shall dispose of it, or

(b) to direct some other person to take such remedial action as appears to the Minister to be necessary.

Sampling

5. The level of residue in a food shall be determined as far as practicable in accordance with the procedures laid down in Parts 5 and 6 of the Guide to Codex Recommendations Concerning Pesticide Residues⁽³⁾.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 28th July 1988.

L.S.

John MacGregor
Minister of Agriculture, Fisheries and Food

28th July 1988

Sanderson of Bowden
Minister of State, Scottish Office

(3) Food and Agriculture Organisation of the United Nations and World Health Organisation joint Food Standards Programme; Codex Alimentarius Commission documents CAC/PR5-1984 and CAC/PR-1984. Part 5 is entitled “Recommended Method of Sampling for the Determination of Pesticide Residues”. Part 6 is entitled “Portion of Commodities to which Codex Maximum Residue Limits apply and which is analysed”.

1st August 1988

Peter Walker
Secretary of State for Wales

1st August 1988

Edwina Currie
Parliamentary Under-Secretary of State,
Department of Health

Regulation 3(a)

4

Animal Preparation	Origin	Meat ³	Milk ⁴	Dairy ⁵	Produce ⁵	(>2% Fat)
		0.000204	0.000810	0.004003	0.008004	
		0.05	0.02	0.25	0.10	0.1

- a** **UNITS**
Maximum residue levels (MRLs) are expressed in milligrammes of residue per kilogramme of food.
- KEY**
* Level at or above the limit of determination.
- FOOTNOTES**
- 1** Paddy 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 or 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 2.5 times that set for raw milk and whole cream milk.
- 6** Sheepmeat only.
- 7** All meat except sheepmeat.

Regulation 3(b)

<i>Fungicides to which food belongs</i>	Azinphosmethyl & Azinphosmethyl Dieldrin	Cyfluthrin (Cyfluthrin) methoxyfenozide	Diflubenzuron Diflubenzuron Diflubenzuron	Ethion Ethion Ethion	Gamma-HCH (HCB)BromideCompound γ	Imidacloprid Imidacloprid Imidacloprid	Methomyl Methomyl Methomyl	Phosphamidon Phosphamidon Phosphamidon	Tebuconazole Tebuconazole Tebuconazole	Wheat Rye
Wheat	0.5	10		10	0.00		10			
Rye	0.5	10		10	0.00		10			

6

a	<p>UNITS</p> <p>Maximum residue levels (MRLs) are expressed in milligrammes of residue per kilogramme of food.</p> <p>KEY</p> <p>Level at or above the limit of determination.</p>
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Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

FOOTNOTES

- 1 Paddy 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 or 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 Imazalil: 5mg/kg applies to whole fruit; 0.1 mg/kg applies to fruit without peel.

SCHEDULE 3

Regulation2

(1) <i>Pesticides</i>	(2) <i>Residues</i>
Aldrin & Dieldrin	singly or combined, expressed as dieldrin (HEOD)
2-Aminobutane	2-aminobutane
Aminotriazole	aminotriazole
Azinphos-methyl	sum of azinphos-methyl and azinphos-ethyl
Bitertanol	bitertanol
Captafol	captafol
Captan	sum of captan and folpet
Carbaryl	carbaryl
Carbendazim	carbendazim (from use of benomyl, thiophanate-methyl and carbendazim)
Carbon disulphide	carbon disulphide
Carbon tetrachloride	carbon tetrachloride
Carbophenothion	sum of carbophenothion, its sulfoxide and its sulphone, expressed as carbophenothion
Chlordane	(1) for products of animal origin sum of <i>cis</i> - and <i>trans</i> - isomers and oxychlordane expressed as chlordane; (2) for cereals, fruit and vegetables: sum of <i>cis</i> - and <i>trans</i> isomers expressed as chlordane
Chlorfenvinphos	sum of E- and Z- isomers of chlordenvinphos
Chlorpyrifos-methyl	chlorpyrifos-methyl

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(1) <i>Pesticides</i>	(2) <i>Residues</i>
DDT	sum of pp' -DDT, op' -DDT, pp' -TDE and pp' -DDE expressed as DDT
Diazinon	diazinon
1,2-Dibromoethane	1,2-dibromoethane
Dichlofluanid	dichlofluanid
Dichlorvos	dichlorvos
Dicofol	dicofol
Diflubenzuron	diflubenzuron
Dimethipin	dimethipin
Dimethoate	dimethoate
Dithiocarbamates	alkylenebisdithiocarbamates and alkylthiuramdisulphides and dialkyldithiocarbamates determined and expressed as carbon disulphide (CS ₂)
Endosulfan	sum of alpha- and beta- isomers and of endosulfan sulphate, expressed as endosulfan
Endrin	endrin
Ethion	ethion
Etrimfos	sum of etrimfos, its oxygen analogue and 6-ethoxy-2-ethyl-4-hydroxypyrimidine
Fenitrothion	fenitrothion
Fluazifop	fluazifop and esters (including conjugates) of fluazifop, expressed as free acid
Flurochloridone	flurochloridone
Heloxyfop	haloxyfop and esters (including conjugates) of haloxyfop, expressed as free acid
Hexachlorobenzene (HCB)	hexachlorobenzene
Hexachlorocyclohexane (HCH)	hexachlorocyclohexane alpha-isomer beta-isomer gamma-isomer
Heptachlor	sum of heptachlor and heptachlor expoxide, expressed as heptachlor
Hydrogen cyanide	cyanide expressed as hydrogen cyanide
Hydrogen phosphide	phosphides expressed as hydrogen phosphide
Imazalil	imazalil

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(1) <i>Pesticides</i>	(2) <i>Residues</i>
Inorganic bromide	determined and expressed as total bromine from all sources
Ioxynil	ioxynil
Iprodione	sum of iprodione and all metabolites containing 3,5-dichloroaniline moiety, expressed as iprodione
Malathion	sum of malathion and malaoxon, expressed as malathion
Mercury compounds	determined as total mercury and expressed as mercury
Methacrifos	methacrifos
Methyl bromide	bromomethane
Mevinphos	sum of <i>cis</i> - and <i>trans</i> - mevinphos
Omethoate	omethoate (from use of formothion, dimethoate and omethoate)
Parathion	parathion
Parathion-methyl	parathion-methyl
Phosalone	phosalone
Phosphamidon	sum of phosphamidon (E- and Z- isomers) N-desethylphosphamidon (E- and Z- isomers) expressed as phosphamidon
Pirimiphos-methyl	pirimiphos-methyl
Pyrethrins	sum of pyrethrins I and II, cinerins I and II, jasmolins I and II
Quintozone	sum of quintozone, pentachloroaniline and methyl pentachlorophenyl sulphide expressed as quintozone
Tecnazene	tecnazene
Thiabendazole	thiabendazole
Triazophos	triazophos
Trichlorfon	trichlorfen
2,4,5-T	2,4,5-T
Vinclozolin	sum of vinclozolin and all metabolites containing 3,5-dichloroaniline moiety, expressed as vinclozolin

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, made under Part III of the Food and Environment Protection Act 1985, specify the maximum levels of pesticide residues which may be left in food. The Regulations, inter alia, implement Council Directives [86/362/EEC](#) and [86/363/EEC](#) of 24th July 1986 on the fixing of maximum levels for pesticide residues in and on cereals, and in and on foodstuffs of animal Origin (viz. meat and milk and products derived therefrom) (O.J. No. L221, 7.8.86, pp.37 and 43 respectively).

The foods to which the Regulations apply are listed in Schedules 1 and 2 to the Regulations together with a list of pesticides used in connection therewith. The residues which may result from the use of those pesticides are listed in Schedule 3.

Regulation 3 provides that no person may leave in any food to which the Regulations apply, a level of residue exceeding a maximum residue level applicable to that food. Regulation 4 enables either of the Ministers to seize or dispose of any food containing a residue level in excess of any maximum residue level, or to require some other person to dispose of that food. They may also direct some other person to take such remedial action as appears to them to be necessary.

In accordance with regulation 5 sampling of food is to be determined by reference to Parts 5 and 6 of the Codex Alimentarius Guide to Codex Recommendations Concerning Pesticide Residues. Copies of these documents are available for inspection at the Library of the Ministry of Agriculture, Fisheries and Food, Whitehall Place, London SW1A 2EY, and at the Library of the Scottish Office, New St. Andrew's House, St. James' Square, Edinburgh EH1 3TE.

Offences and penalties for contravention of regulations made under Part III of the Food and Environment Protection Act are prescribed respectively by sections 16(12) and 21(3) of that Act.

The Regulations apply to Great Britain and come into force on 2nd August 1988, with the exception of regulation 3(b) and Schedule 2 which come into force on 31st December 1988.