
STATUTORY INSTRUMENTS

2020 No. 1376

The Pesticides (Amendment) (EU Exit) Regulations 2020

PART 3

Amendment of secondary legislation

CHAPTER 1

Amendment of secondary legislation related to EU exit

The Pesticides (Maximum Residue Levels) (Amendment etc.) (EU Exit) Regulations 2019

6.—(1) The Pesticides (Maximum Residue Levels) (Amendment etc.) (EU Exit) Regulations 2019⁽¹⁾ are amended as follows.

(2) In regulation 3—

- (a) in paragraph (4)(c)(i), in the inserted text, omit point (zc);
- (b) in paragraph (5), in inserted Article 3A, omit paragraph 5;
- (c) in paragraphs (6)(c) and (7), in the substituted text, omit paragraph 3(c).

(3) In regulation 4—

- (a) in paragraph (4)(c), in the substituted text, omit paragraphs 2B(d) and 2C(c);
- (b) in paragraph (9), in the substituted text, omit paragraph 5(c);
- (c) in paragraph (11)(e), in the inserted text, omit paragraph 5(c);
- (d) in paragraph (12), in the substituted text, omit paragraph 8(c);
- (e) in paragraph (13)(c), in the inserted text, omit paragraph 5(c);
- (f) in paragraph (14), in the substituted text, omit Article 17(2)(c).

(4) In regulation 5—

- (a) in paragraph (3), in the inserted text, omit paragraph 5(c);
- (b) in paragraph (5)(b), in the substituted text, omit paragraph 4(c).

(5) In regulation 7—

- (a) omit paragraph (3)(b);
- (b) for paragraph (4), substitute—

“(4) In Article 28, for paragraph 3 substitute—

“**3.** All laboratories analysing samples for the official controls on pesticide residues must—

- (a) have regard to any relevant guidance;

(1) [S.I. 2019/557](#), amended by [S.I.2019/1410](#); there are other amending instruments but none is relevant.

- (b) participate in any proficiency tests for pesticides organised by a competent authority.”.”;
- (c) in paragraphs (5), (6), (8) and (10)(b), for “United Kingdom”, in each place it occurs, substitute “Great Britain”;
- (d) in paragraph (11)(b)(ii), for “United Kingdom” substitute “Great Britain”;
- (e) in paragraph (11)(c), for inserted paragraph 2A, substitute—
 - “2A. For the purpose of the first annual report under paragraph 1, paragraph 2(a) is to be read as if for “in accordance with each competent authority’s control programme and any Great Britain control programme” there were substituted “by the United Kingdom as an EU member State in accordance with Commission Implementing Regulation (EU) 2019/533 concerning a coordinated multiannual control programme of the Union for 2020, 2021 and 2022 to ensure compliance with maximum residue levels of pesticides and to assess the consumer exposure to pesticide residues in and on food of plant and animal origin(2) as it had effect immediately before IP completion day”.
- (6) In regulation 9(4), in the substituted text—
 - (a) in Article 46—
 - (i) omit paragraph 1B(c);
 - (ii) in paragraph 2(a), for “United Kingdom” substitute “Great Britain”;
 - (iii) in paragraph 3, for “, the Scottish Ministers and the Department” substitute “and the Scottish Ministers”;
 - (b) omit Article 46B(3) and (7).
- (7) After regulation 11, for Chapter 2 of Part 2, substitute—

“CHAPTER 2

Commission Implementing Regulation (EU) 2019/533

Commission Implementing Regulation (EU) 2019/533 concerning a coordinated multiannual control programme of the Union for 2020, 2021 and 2022 to ensure compliance with maximum residue levels of pesticides and to assess the consumer exposure to pesticide residues in and on food of plant and animal origin.

12.—(1) Commission Implementing Regulation (EU) 2019/533 concerning a coordinated multiannual control programme of the Union for 2020, 2021 and 2022 to ensure compliance with maximum residue levels of pesticides and to assess the consumer exposure to pesticide residues in and on food of plant and animal origin is amended as follows.

(2) In Article 1, in the first paragraph, for “Member States” substitute “The competent authorities”.

(3) In Article 2, after paragraph 3 insert—

“4. For the purposes of paragraph 3—

- (a) [Directive 2006/125/EC](#) is to be read as if, in Article 2(c) of that Directive the reference to point 1 of Article 2 of [Directive 91/414/EEC](#) were a reference to Article 2(1) of Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market;

(2) OJ No L 88, 29.3.2019, p 28.

- (b) [Directive 2006/141/EC](#) is to be read as if, in Article 2(e) of that Directive the reference to point 1 of Article 2 of [Directive 91/414/EEC](#) were a reference to Article 2(1) of Regulation ([EC](#)) No 1107/2009.”
- (4) In Article 3—
- (a) in the first paragraph—
- (i) for “Member States” substitute “The competent authorities”;
- (ii) for the second sentence, substitute “Those results shall be submitted to the other competent authorities in accordance with the agreed format.”;
- (b) in the second paragraph, for “Member States” substitute “the competent authorities”.
- (5) Omit Articles 4 and 5.
- (6) After Article 5, omit the words from “This Regulation” to “Member States”.
- (7) In Annex 1—
- (a) in Part A, in the table—
- (i) for “Member States” substitute “the competent authorities” in both places it occurs; and
- (ii) for “National Summary report” substitute “information submitted under Article 31 of Regulation ([EC](#)) No 396/2005” in both places it occurs;
- (b) in Part B, in the footnotes to the table—
- (i) in footnote (1), for “Part A of Annex I to Regulation ([EC](#)) No 396/2005”, substitute “Section A of the list in Part 1 of the MRLs register relating to the relevant constituent territory”; and
- (ii) in footnote (5), for the words “to EFSA”, substitute “, in the information submitted under Article 31 of Regulation ([EC](#)) No 396/2005.”;
- (c) in Part C, in the table—
- (i) in the Isoprothiolane row, in the fifth column, omit the words “The substance is not to be analysed in or on any product in 2021 and 2022.”;
- (ii) in the Pymetrozine row, in the fifth column, omit the words from “is not to be analysed” to “it”.
- (8) In Annex 2—
- (a) in point (1), for the words from “each Member State” to the end substitute “all of the competent authorities collectively is 71”;
- (b) in point (2)—
- (i) in the first paragraph—
- (aa) for “the table in point (5)” substitute “point (1)”;
- (bb) for “each Member State shall” substitute “the competent authorities must collectively”;
- (ii) in the second and third paragraphs—
- (aa) for “that table” substitute “point (1)” in both places it occurs;
- (bb) for “each Member State shall” substitute “the competent authorities must collectively” in both places it occurs;
- (c) in point (3)—
- (i) for “the table in point (5)” substitute “point (1)”;

- (ii) for “each Member State” substitute “the United Kingdom in 2020 and Great Britain in subsequent years”;
 - (d) in point 4—
 - (i) in the first paragraph—
 - (aa) for “Member States” substitute “Competent authorities”;
 - (bb) for “the table in point (5)” substitute “point (1)”;
 - (cc) for “Member State” substitute “competent authority”;
 - (ii) in the second paragraph, for “Member States” substitute “a competent authority”;
 - (e) after point (4), insert—

“(4A) For the purposes of this Annex, samples taken by the United Kingdom as an EU Member State in accordance with this Regulation as it had effect immediately before IP completion day are deemed to have been taken by the competent authorities collectively in 2020.”;
 - (f) omit point (5).”
- (8) In regulation 14(3)(a) and (b) for “exit day” substitute “IP completion day”.
- (9) In Schedule 1—
- (a) in Part 2—
 - (i) in paragraph 2,
 - (ii) in paragraphs 3(1), (2), (3), (4), (5) and (6),
 - (iii) in paragraph 4(1),
 - (iv) in paragraph 5,
 - (v) in paragraphs 6(1), (2), (3) and (4),
 - (vi) in paragraph 7,
 - (vii) in paragraphs 8(1) and (2), and
 - (viii) in paragraph 9(1) and (2),for “exit day” substitute “IP completion day” in each place it occurs;
 - (b) in Part 3, in paragraph 10(1) and (3), for “exit day” substitute “IP completion day” in each place it occurs;
 - (c) in Part 4, in paragraph 11(1), for “exit day” substitute “IP completion day” in each place it occurs;
 - (d) in Part 5, in paragraph 12(1), for “exit day” substitute “IP completion day” in each place it occurs;
 - (e) in Part 6—
 - (i) in paragraph 13(1)—
 - (aa) for “2018/555” substitute “2019/533”;
 - (bb) for “United Kingdom” substitute “Great Britain”;
 - (cc) for “2019, 2020 and 2021” substitute “2020, 2021 and 2022”;
 - (ii) in paragraph 13(2), for “2018/555” substitute “2019/533”;
 - (iii) omit paragraphs 13(3)(d), (4)(c) and (5);
 - (iv) omit paragraph 14(3) and (7).

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