

Statutory Instruments.

S.I. No. 266 of 2006

European Communities (Pesticide Residues) (Products of Plant Origin including Fruit and Vegetables) (Amendment) (No. 2) Regulations 2006

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(Prn. A6/0830)

Price: €1.27

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European Communities (Pesticide Residues) (Products of Plant Origin including Fruit and Vegetables) (Amendment) (No. 2) Regulations 2006

I, Mary Coughlan, Minister for Agriculture and Food, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No.27 of 1972) and for the purpose of giving effect to Commission Directive 2005/70/EC of 20 October 2005¹, Commission Directive 2005/74/EC of 25 October 2005², Commission Directive 2005/76/EC of 8 November 2005³, Commission Directive 2006/4/EC of 26 January 2006⁴, Commission Directive 2006/9/EC of 23 January 2006⁵ and Commission Directive 2006/30/EC of 13 March 2006⁶ hereby make the following Regulations:

1. These Regulations may be cited as the European Communities (Pesticide Residues) (Products of Plant Origin including Fruit and Vegetables) (Amendment) (No. 2) Regulations 2006.
2. The European Communities (Pesticide Residues) (Products of Plant Origin including Fruit and Vegetables) Regulations 1999 (S.I. No. 179 of 1999) are amended –
 - (a) in Regulation 2 (1) by substituting, for the definition of “Directive” (inserted by the European Communities (Pesticide Residues) (Products of Plant Origin including Fruit and Vegetables) (Amendment) Regulations 2006 (S.I. No. 107 of 2006)), the following –

“ ‘Directive’ means Council Directive 90/642/EEC of 27 November 1990⁷, as amended by Council Directive 93/58/EEC of 29 June 1993⁸, and the corrigenda to Council Directive 93/58/EEC⁹, Council Directive 94/30/EC of 23 June 1994¹⁰, Council Directive 95/38/EC of 17 July 1995¹¹, Council Directive 95/61/EC of 29 November 1995¹², Council Directive 96/32/EC of 21 May 1996¹³, Council Directive 97/41/EC of 25 June 1997¹⁴,

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|---------------|---------------|-------------|-------|
| ¹ | O.J. No. L276 | 21.10.2005, | p.35 |
| ² | O.J. No. L282 | 26.10.2005, | p. 9 |
| ³ | O.J. No. L293 | 09.11.2005, | p. 14 |
| ⁴ | O.J. No. L 23 | 27.01.2006, | p. 69 |
| ⁵ | O. J. No L 22 | 26.01.2006, | p. 24 |
| ⁶ | O.J. No L75 | 14.03.2006, | p. 7 |
| ⁷ | O.J. No. L350 | 14.12.1990, | p.71 |
| ⁸ | O.J. No. L211 | 23.08.1993, | p. 6 |
| ⁹ | O.J. No. L219 | 24.08.1994, | p.26 |
| ¹⁰ | O.J. No. L189 | 23.07.1994, | p.70. |
| ¹¹ | O.J. No. L197 | 22.08.1995, | p.14. |
| ¹² | O.J. No. L292 | 07.12.1995, | p.27. |
| ¹³ | O.J. No. L144 | 18.06.1996, | p.12. |

Commission Directive 97/71/EC of 15 December 1997¹⁵,
 Commission Directive 98/82/EC of 27 October 1998¹⁶,
 Commission Directive 1999/65/EC of 24 June 1999¹⁷,
 Commission Directive 1999/71/EC of 14 July 1999¹⁸, Commission
 Directive 2000/24/EC of 28 April 2000¹⁹, Commission Directive
 2000/42/EC of 22 June 2000²⁰, Commission Directive 2000/48/EC
 of 25 July 2000²¹, Commission Directive 2000/57/EC of 22
 September 2000²², Commission Directive 2000/58/EC of 22
 September 2000²³, Commission Directive 2000/81/EC of 18
 December 2000²⁴, Commission Directive 2000/82/EC of 20
 December 2000²⁵, Commission Directive 2001/35/EC of 11 May
 2001²⁶, Commission Directive 2001/39/EC of 23 May 2001²⁷,
 Commission Directive 2001/48/EC of 28 June 2001²⁸,
 Commission Directive 2001/57/EC of 25 July 2001²⁹, Commission
 Directive 2002/5/EC of 30 January 2002³⁰, Commission Directive
 2002/23/EC of 26 February 2002³¹, Commission Directive
 2002/42/EC of 17 May 2002³², Commission Directive 2002/66/EC
 of 16 July 2002³³, Commission Directive 2002/71/EC of 19
 August 2002³⁴, Commission Directive 2002/76/EC of 6 September
 2002³⁵, Commission Directive 2002/79/EC of 2 October 2002³⁶,
 Commission Directive 2002/97/EC of 16 December 2002³⁷,
 Commission Directive 2002/100/EC of 20 December 2002³⁸,
 Council Regulation (EC) No. 806/2003 of 14 April 2003³⁹,
 Commission Directive 2003/60/EC of 18 June 2003⁴⁰,
 Commission Directive 2003/62/EC of 20 June 2003⁴¹,

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- ¹⁴ O.J. No. L184, 12.7.1997, p.35.
¹⁵ O.J. No. L347, 18.12.1997, p.42.
¹⁶ O.J. No. L290, 29.10.1998, p.25.
¹⁷ O.J. No. L172, 08.07.1999, p.40.
¹⁸ O.J. No. L194, 27.07.1999, p.36.
¹⁹ O.J. No. L107, 04.05.2000, p.28.
²⁰ O.J. No. L158, 30.06.2000, p.51.
²¹ O.J. No. L197, 03.08.2000, p.26.
²² O.J. No. L244, 29.09.2000, p.76.
²³ O.J. No. L244, 29.09.2000, p.78.
²⁴ O.J. No. L326, 22.12.2000, p.56.
²⁵ O.J. No. L3, 06.01.2001, p.18.
²⁶ O.J. No. L136, 18.5.2001, p.42.
²⁷ O.J. No. L148, 01.06.2001, p.70.
²⁸ O.J. No. L180, 03.07.2001, p.26.
²⁹ O.J. No. L208, 01.08.2001, p.37.
³⁰ O.J. No. L34, 05.02.2002, p.7.
³¹ O.J. No. L64, 07.03.2002, p.13.
³² O.J. No. L134, 22.05.2002, p.29.
³³ O.J. No. L192, 20.07.2002, p.47.
³⁴ O.J. No. L225, 22.08.2002, p.21.
³⁵ O.J. No. L240, 07.09.2002, p.45.
³⁶ O.J. No. L291, 28.10.2002, p.1.
³⁷ O.J. No. L343, 18.12.2002, p.23.
³⁸ O.J. No. L 2, 07.01.2003, p.33.
³⁹ O.J. No. L122, 16.05.2003, p. 1
⁴⁰ O.J. No. L155, 24.6.2003, p.15.
⁴¹ O.J. No. L154, 21.6.2003, p.70.

Commission Directive 2003/69/EC of 11 July 2003⁴², Commission Directive 2003/113/EC of 3 December 2003⁴³, Commission Directive 2003/118/EC of 5 December 2003⁴⁴, Commission Directive 2004/2/EC of 9 January 2004⁴⁵, Commission Directive 2004/59/EC of 23 April 2004⁴⁶, Commission Directive 2004/61/EC of 26 April 2004⁴⁷, Commission Directive 2004/95/EC of 24 September 2004⁴⁸, Commission Directive 2004/115/EC of 15 December 2004⁴⁹, Commission Directive 2005/37/EC of 3 June 2005⁵⁰, Commission Directive 2005/46/EC of 8 July 2005⁵¹, Commission Directive 2005/48/EC of 23 August 2005⁵², (from 21 April 2007) Commission Directive 2005/70/EC of 20 October 2005, (from 27 April 2006) Commission Directive 2005/74/EC of 25 October 2005, (from 10 May 2006) Commission Directive 2005/76/EC of 8 November 2005, (from 27 July 2006) Commission Directive 2006/9/EC of 23 January 2006, (from 27 July 2006) Commission Directive 2006/4/EC of 26 January 2006 and (from 15 September 2006) Commission Directive 2006/30/EC of 13 March 2006.

- (b) in Regulation 2 (1), by the deletion in the definition of “Annex I” of “(which is set out in Part I of the First Schedule)” and “as inserted by Directive 93/58/EEC”,
- (c) in Regulation 2 (1), by the deletion of “(which is set out in Part 2 of the First Schedule)” and “as inserted” to the end of the definition, and
- (d) by the deletion of the First Schedule.

3. The following are revoked -

- (a) European Communities (Pesticide Residues) (Products of Plant Origin, including Fruit and Vegetables) (Amendment) Regulations, 1999 (S.I. No 458 of 1999)
- (b) European Communities (Pesticide Residues) (Products of Plant Origin, including Fruit and Vegetables) (Amendment) Regulations, 2000 (S.I. No 462 of 2000)
- (c) European Communities (Pesticide Residues) (Products of Plant Origin, including Fruit and Vegetables) (Amendment) Regulations, 2001 (S.I. No 139 of 2001)

⁴² O.J. No. L175, 15.7.2003, p.37.

⁴³ O.J. No. L324, 11.12.2003, p.24.

⁴⁴ O.J. No. L327, 16.12.2003, p.25.

⁴⁵ O.J. No. L14, 21.1.2004, p.10

⁴⁶ O.J. No. L120, 24.4.2004, p.30

⁴⁷ O.J. No. L127, 29.4.2004, p.81

⁴⁸ O.J. No. L301, 28.9.2004, p. 42

⁴⁹ O.J. No. L374, 22.12.2004, p. 64

⁵⁰ O.J. No. L141, 4.6.2005, p. 10

⁵¹ O.J. No. L177, 9.7.2005, p. 35

⁵² O.J. No. L219, 24.8.2005, p. 29

- (d) European Communities (Pesticide Residues) (Products of Plant Origin, including Fruit and Vegetables) (Amendment) (No. 2) Regulations, 2001 (S.I. No 256 of 2001)
- (e) European Communities (Pesticide Residues) (Products of Plant Origin, including Fruit and Vegetables) (Amendment) (No. 3) Regulations, 2001 (S.I. No 621 of 2001)
- (f) European Communities (Pesticide Residues) (Products of Plant Origin, including Fruit and Vegetables) (Amendment) Regulations, 2002 (S.I. No 535 of 2002)
- (g) European Communities (Pesticide Residues) (Products of Plant Origin, including Fruit and Vegetables) (Amendment) Regulations, 2003 (S.I. No 271 of 2003)
- (h) European Communities (Pesticide Residues) (Products of Plant Origin, including Fruit and Vegetables) (Amendment) (No. 2) Regulations, 2003 (S.I. No 384 of 2003)
- (i) European Communities (Pesticide Residues) (Products of Plant Origin, including Fruit and Vegetables) (Amendment) Regulations, 2004 (S.I. No 134 of 2004)
- (j) European Communities (Pesticide Residues) (Products of Plant Origin, including Fruit and Vegetables) (Amendment) (No. 2) Regulations, 2004 (S.I. No 231 of 2004)
- (k) European Communities (Pesticide Residues) (Products of Plant Origin, including Fruit and Vegetables) (Amendment) (No. 3) Regulations, 2004 (S.I. No 579 of 2004)
- (l) European Communities (Pesticide Residues) (Products of Plant Origin, including Fruit and Vegetables) (Amendment) Regulations, 2005 (S.I. No 173 of 2005)
- (m) European Communities (Pesticide Residues) (Products of Plant Origin, including Fruit and Vegetables) (Amendment) (No. 2) Regulations, 2005 (S.I. No 551 of 2005)
- (n) European Communities (Pesticide Residues) (Products of Plant Origin, including Fruit and Vegetables) (Amendment) (No. 3) Regulations, 2005 (S.I. No 696 of 2005)
- (o) European Communities (Pesticide Residues) (Products of Plant Origin, including Fruit and Vegetables) (Amendment) Regulations, 2006 (S.I. No 107 of 2006)

GIVEN under my Official Seal
17th May 2006

L.S.

Mary Coughlan
Minister for Agriculture and Food.

Explanatory Note

(This note is not part of the Instrument and does not purport to be a legal interpretation)

Commission Directive 2005/70/EC amends Annex II to Council Directive 90/642/EEC by adding lines for bromoxynil, chlorpropham, dimethenamid-P, flazasulfuron, flurtamone, ioxynil, mepanipyrim, propoxycarbazone, pyraclostrobin, quinoxifen, trimethylsulfonium cation and zoxamide.

Commission Directive 2005/74/EC includes papaya and Cassava to Annex I to Council Directive 90/642/EEC. It also amends the maximum levels of pesticide residues listed in Annex II to Directive 90/642/EEC for ethofumesate, lambda-cyhalothrin, methomyl, pymetrozine and thiabendazole.

Commission Directive 2005/76/EC amends the maximum residue levels of kresoxim-methyl, cyromazine, bifenthrin, metalaxyl and azoxystrobin.

Commission Directive 2006/4/EC amends the maximum residue levels for carbofuran.

Commission Directive 2006/9/EC amends the maximum residue levels of diquat.

Commission Directive 2006/30/EC amends the maximum residue levels for the benomyl group.

Published by the Stationery Office, Dublin 2.