



STATUTORY INSTRUMENTS.

S.I. No. 212 of 2012



EUROPEAN COMMUNITIES (PESTICIDE RESIDUES)
(AMENDMENT) REGULATIONS 2012

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I, SIMON COVENEY, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), for the purpose of giving full effect to Commission Regulation (EU) No 508/2011 of 24 May 2011¹, Commission Regulation (EU) No 520/2011 of 25 May 2011², Commission Regulation (EU) No 524/2011 of 26 May 2011³, Commission Regulation (EU) No 559/2011 of 7 June 2011⁴, Commission Regulation (EU) No 812/2011 of 10 August 2011⁵, Commission Regulation (EU) No 813/2011 of 11 August 2011⁶, Commission Regulation (EU) No 978/2011 of 3 October 2011⁷, Commission Regulation (EU) No 270/2012 of 26 March 2012⁸, Commission Regulation (EU) No 322/2012 of 16 April 2012⁹ and Commission Regulation (EU) No 441/2012 of 24 May 2012¹⁰, hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Pesticide Residues) (Amendment) Regulations 2012.

2. The European Communities (Pesticide Residues) Regulations 2008 (S.I. No.565 of 2008) are amended—

(a) in Regulation 2(1) by substituting for the definition of “Pesticide MRL Regulation”, (inserted by the European Communities (Pesticide Residues) (Amendment) Regulations 2011 (S.I. No.302 of 2011)), the following—

“ ‘Pesticide MRL Regulation’ means Regulation (EC) No. 396/2005 of the European Parliament and of the Council of 23 February 2005, Commission Regulation (EC) No. 178/2006 of 1 February 2006, Commission Regulation (EC) No. 149/2008 of 29 January 2008, Regulation (EC) No. 299/2008 of the European Parliament and of the Council of 11 March 2008, Commission Regulation (EC) No. 260/2008 of 18 March 2008, Commission Regulation (EC) No. 839/2008 of 31 July 2008, Commission Regulation (EC) No. 256/2009 of 23 March 2009,

¹O.J. No.L137 of 25.05.2011, p.3

²O.J. No.L140 of 27.05.2011, p.2

³O.J. No.L142 of 28.05.2011, p.1

⁴O.J. No.L152 of 11.06.2011, p.1

⁵O.J. No.L208 of 13.08.2011, p.1

⁶O.J. No.L208 of 13.08.2011, p.23

⁷O.J. No.L258 of 04.10.2011, p.12

⁸O.J. No.L89 of 27.03.2012, p.5

⁹O.J. No.L105 of 17.04.2012, p.1

¹⁰O.J. No.L135 of 25.05.2012, p.4

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 22nd June, 2012.*

Commission Regulation (EC) No. 822/2009 of 27 August 2009, Commission Regulation (EC) No. 1050/2009 of 28 October 2009, Commission Regulation (EC) No. 1097/2009 of 16 November 2009, Commission Regulation (EU) No. 304/2010 of 9 April 2010, Commission Regulation (EU) No. 459/2010 of 27 May 2010, Commission Regulation (EU) No. 600/2010 of 8 July 2010, Commission Regulation (EU) No. 750/2010 of 7 July 2010, Commission Regulation (EU) No. 893/2010 of 8 October 2010, Commission Regulation (EU) No. 310/2011 of 28 March 2011, Commission Regulation (EU) No. 460/2011 of 12 May 2011, Commission Regulation (EU) No.508/2011 of 24 May 2011, Commission Regulation (EU) No.520/2011 of 25 May 2011, Commission Regulation (EU) No. 524/2011 of 26 May 2011, Commission Regulation (EU) No. 559/2011 of 7 June 2011, Commission Regulation (EU) No.812/2011 of 10 August 2011, Commission Regulation (EU) No. 813/2011 of 11 August 2011, Commission Regulation (EU) No. 978/2011 of 3 October 2011, Commission Regulation (EU) No. 270/2012 of 26 March 2012, Commission Regulation (EU) No.322/2012 of 16 April 2012 and Commission Regulation (EU) No. 441/2012 of 24 May 2012;”.

(b) by substituting Regulation 13 for the following—

“13. (1) A person who—

- (a) contravenes Article 18(1), 19 or 20 of Pesticide MRL Regulation,
- (b) contravenes Regulation 3, 7, 8(2) or (3) of these Regulations,
- (c) obstructs or impedes an authorised officer in the exercise of any of his or her functions under Regulation 5, commits an offence and is liable—
 - (i) on summary conviction to a Class A fine, or
 - (ii) on conviction on indictment to a fine not exceeding €250,000 or

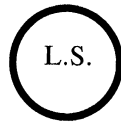
to a term of imprisonment not exceeding 3 years or to both.

(2) An offence under these Regulations may be prosecuted summarily by the Minister.

(3) If an offence under these Regulations is committed by a body corporate and it is proved to have been so committed with the consent or connivance of or to be attributable to any neglect on the part of any person who, when the offence is committed, is a director, manager, secretary or other officer of the body corporate, or a person purporting to act in any such capacity, that person, as well as the body corporate, is guilty of an offence and liable to be proceeded against and punished as if guilty of the first-mentioned offence.

(4) If the affairs of a body corporate or unincorporated body are managed by its members, paragraph (3) applies in relation to the acts and defaults of a member in connection with functions of management as if the member is a director or manager of the body corporate.”.

3. The European Communities (Pesticide Residues) (Amendment) Regulations 2011 (S.I. No. 302 of 2011) are revoked.



GIVEN under my Official Seal,
12 June 2012.

SIMON COVENEY,
Minister for Agriculture Food and the Marine.

EXPLANATORY NOTE

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

These Regulations amend the maximum residue levels (MRL) for certain plant protection products permissible in food and feed as provided for under Regulation (EC) No 396/2005.

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