

- (1) Data are required if the following conditions are met:
  - (i)(A) The acute dermal toxicity of the technical grade of active ingredient is less than 200 mg/kg (body weight); or
  - (B) The acute inhalation toxicity of the technical grade of active ingredient is less than 200 mg/m<sup>3</sup> (for a one-hour exposure); or
  - (C) The acute oral toxicity of the technical grade of active ingredient is less than 50 mg/kg (body weight); or
  - (D) Neurotoxic, teratogenic, or oncogenic effects or other adverse effects as evidenced by subchronic, chronic, and reproduction studies would be expected from entry of persons into treated sites; or
  - (E) The Agency receives other scientifically validated toxicological or epidemiological evidence that a pesticide or residue of a pesticide could cause adverse effects on persons entering treated sites. In the last situation, reentry intervals and supporting data may be required on a case-by-case basis.
  - (ii) And if: end-use product is to be registered for:
    - (A) Application to growing crops, such as to or around horticultural and agronomic crops that are field- or orchard-grown.
    - (B) Application to outdoor tree nursery and forestry operations.
    - (C) Application to turf crops and commercial applications to turf.
    - (D) Application to parks and arboreums; or (E) application to aquatic crops.
    - (iii) And if: human exposure to residues of the pesticide can be reasonably foreseen. This applies primarily to pesticides that will be used on crops where human tasks will involve substantial exposure to residues of the pesticide.
- (2) Data required if appropriate surrogate data are not available.
- (3) Data required if the applicant chooses to use the allowable exposure level method for proposal of a reentry interval.
- (4) Soil dissipation data required if agricultural practice involves human tasks that would cause substantial exposure to residues sorbed to soil.

[49 FR 42881, Oct. 24, 1984. Redesignated at 53 FR 15993, May 4, 1988, as amended at 58 FR 34203, June 23, 1993]

**§ 161.440 Spray drift data requirements.**

(a) *Table.* Sections 161.100 through 161.102 describe how to use this table to determine the aerial spray drift data requirements and the substance to be tested.

Kind of data required	(b) Notes	General use patterns										Test substance			Guide-lines reference No.		
		Terrestrial		Aquatic		Greenhouse		Forestry	Domestic outdoor	Indoor	Data to support MP	Data to support EP					
		Food crop	Nonfood	Food crop	Nonfood	Food crop	Nonfood										
Droplet size spectrum .....	(1)	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	201-1
Drift field evaluation .....	(1)	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	202-1

Key: CR=Conditionally required; TEP=Typical end use product.  
 (b) NOTES: The following are referenced in column two of the table contained in paragraph (a) of this section.  
 (1) This study is required when aerial applications (rotary and fixed winged) and mist/blower or other methods of ground application are proposed and it is estimated that the detrimental effect level of those nontarget organisms expected to be present would be exceeded. The nontarget organisms include humans, domestic animals, fish and wildlife, and nontarget plants. This requirement may be satisfied by submittal of published or unpublished information regarding spray drift patterns that would be expected to be similar to the proposed product.  
 (2) [Reserved]

[49 FR 42881, Oct. 24, 1984. Redesignated at 53 FR 15993, May 4, 1988, as amended at 58 FR 34203, June 23, 1993]

**§ 161.490 Wildlife and aquatic organisms data requirements.**

(a) *Table.* Sections 161.100 through 161.102 describe how to use this table to determine the wildlife and aquatic organisms data requirements and the substance to be tested.