§ 180.1021 Copper; exemption from the requirement of a tolerance.

(a) Copper is exempted from the requirement of a tolerance in cattle, meat; goat, meat; horse, meat; sheep, meat; milk, poultry, fat; poultry, meat; poultry, meat byproducts; egg, fish, shellfish, and irrigated crops when it results from the use of:

(1) Copper sulfate as an algicide or herbicide in irrigation conveyance systems and lakes, ponds, reservoirs, or bodies of water in which fish or shellfish are cultivated.

(2) Basic copper carbonate (malachite) as an algicide or herbicide in impounded and stagnant bodies of water

(3) Copper triethanolamine and copper monoethanolamine as an algicide or herbicide in fish hatcheries, lakes, ponds, and reservoirs

(4) Cuprous oxide bearing antifouling coatings for control of algae or other organisms on submerged concrete or other (irrigation) structures.

(b) The following copper compounds are exempt from the requirement of a tolerance when applied (primarily) as a fungicide to growing crops using good agricultural practices:

<table>
<thead>
<tr>
<th>Copper compounds</th>
<th>CAS Reg. No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basic copper carbonate (malachite)</td>
<td>1184-64-1</td>
</tr>
<tr>
<td>Copper ammonia complex</td>
<td>16828-95-8</td>
</tr>
<tr>
<td>Copper ethylenediamine complex</td>
<td>13426-91-0</td>
</tr>
<tr>
<td>Copper hydroxide</td>
<td>20427-59-2</td>
</tr>
<tr>
<td>Copper octanoate</td>
<td>20543-04-8</td>
</tr>
<tr>
<td>Copper oxychloride</td>
<td>1332-65-6</td>
</tr>
<tr>
<td>Copper oxychloride sulfate</td>
<td>8012-69-9</td>
</tr>
<tr>
<td>Copper salts of fatty and resin acids</td>
<td>9007-39-0</td>
</tr>
<tr>
<td>Copper sulfate basic</td>
<td>1344-73-6</td>
</tr>
<tr>
<td>Copper sulfate pentahydrate</td>
<td>7758-99-8</td>
</tr>
<tr>
<td>Cuprous oxide</td>
<td>1317-19-1</td>
</tr>
</tbody>
</table>

(c) Copper sulfate pentahydrate (CAS Reg. No. 7758-99-8) is exempt from the requirement of a tolerance when applied as a fungicide to growing crops or to raw agricultural commodities as an inert ingredient (for pH control) in pesticide products.


§ 180.1022 Iodine-detergent complex; exemption from the requirement of a tolerance.

The aqueous solution of hydriodic acid and elemental iodine, including one or both of the surfactants (a) polyoxypropylene-polyoxyethylene glycol nonionic block polymers (minimum average molecular weight 1,900) and (b) α-(p-nonylphenyl)-oxymethoxypropylene oxide having a maximum average molecular weight of 748 and in which the nonyl group is a propylene trimer isomer, is exempted from the requirement of a tolerance for residues in egg, and poultry, fat; poultry, meat; poultry, meat byproducts when used as a sanitizer in poultry drinking water.

[74 FR 26534, June 3, 2009]

§ 180.1023 Propanoic acid; exemptions from the requirement of a tolerance.

(a) Postharvest application of propanoic acid or a mixture of methylene bispropiionate and oxy(bismethylene) bispropiionate when used as a fungicide is exempted from the requirement of a tolerance for residues in or on the following raw agricultural commodities: Alfalfa, forage; alfalfa, hay; alfalfa, seed; barley, grain; Bermudagrass, forage; Bermudagrass, hay; bluegrass, forage; bluegrass, hay; bromegrass, forage; bromegrass, hay; clover, forage; clover, hay; corn, field, grain; corn, pop, grain; cowpea, hay; fescue, forage; fescue, hay; lespedeza, forage; lespedeza, hay; lupin; oat, grain; orchardgrass, forage; orchardgrass, hay; peanut, hay; pea, field; hay; ryegrass, Italian, hay; sorghum, grain, grain; soybean, hay; sudangrass, forage; sudangrass, hay; timothy, forage; timothy, hay; vetch, forage; vetch, hay; and wheat, grain.

(b) Propanoic acid is exempt from the requirement of a tolerance for residues...
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§ 180.1037 Polybutenes; exemption from the requirement of a tolerance.

(a) Polybutenes are exempt from the requirement of a tolerance for residues in or on the raw agricultural commodity cotton, undelinted seed when used as a sticker agent for formulations of the attractant gossypolure (1:1

[38 FR 16352, June 22, 1973, as amended at 50 FR 2980, Jan. 3, 1985]

§ 180.1027 Nuclear polyhedrosis virus of Heliothis zea; exemption from the requirement of a tolerance.

(a) For the purposes of this section, the viral insecticide must be produced with an unaltered and unadulterated inoculum of the single-embedded Heliothis zea nuclear polyhedrosis virus (HzSNPV). The identity of the seed virus must be assured by periodic checks.

(b) Each lot of active ingredient of the viral insecticide shall have the following specifications:

1. The level of extraneous bacterial contamination of the final unformulated viral insecticide should not exceed $10^7$ colonies per gram as determined by an aerobic plate on trypticase soy agar.

2. Human pathogens, e.g., Salmonella, Shigella, or Vibrio, must be absent.

3. Safety to mice as determined by an intraperitoneal injection study must be demonstrated.

4. Identity of the viral product, as determined by the most sensitive and standardized analytical technique, e.g., restriction endonuclease and/or SDS-PAGE analysis, must be demonstrated.

(c) Exemptions from the requirement of a tolerance are established for the residues of the microbial insecticide Heliothis zea NPV, as specified in paragraphs (a) and (b) of this section, in or on all agricultural commodities.

[60 FR 42460, Aug. 16, 1995, as amended at 74 FR 26534, June 3, 2009]

§ 180.1033 Methoprene; exemption from the requirement of a tolerance.

Methoprene is exempt from the requirement of a tolerance in or on all food commodities when used to control insect larvae.

[68 FR 34829, June 11, 2003]

§ 180.1025 Xylene; exemption from the requirement of a tolerance.

Xylene is exempted from the requirement of a tolerance when used as an aquatic herbicide applied to irrigation conveyance systems in accordance with the following conditions:

(a) It is to be used only in programs of the Bureau of Reclamation, U.S. Department of Interior, and cooperating water user organizations.

(b) It is to be applied as an emulsion at an initial concentration not to exceed 750 parts per million.

(c) It is not to be applied when there is any likelihood that the irrigation water will be used as a source of raw water for a potable water system or where return flows of such treated irrigation water into receiving rivers and streams would contain residues of xylene in excess of 10 parts per million.

(d) Xylene to be used as an aquatic herbicide shall meet the requirement limiting the presence of a polynuclear aromatic hydrocarbons as listed in 21 CFR 172.250.

[69 FR 47025, Aug. 4, 2004, as amended at 74 FR 26534, June 3, 2009]