

§ 180.4

Naled (1,2-dibromo-2,2-dichloroethyl dimethyl phosphate).
Oxamyl (methyl N,N'-dimethyl-N-[(methylcarbamoyloxy)-1-thiooxamidate])
Parathion.
Phorate (*O,O*-diethyl *S*-(ethylthio)methyl phosphorodithioate) and its cholinesterase-inhibiting metabolites.
Phosalone (*S*-(6-chloro-3-mercaptomethyl)-2-benzoxazolinone) *O,O*-diethyl phosphorodithioate).
Phosphamidon (2-chloro-2-diethylcarbamoyl-1-methylvinyl dimethyl phosphate) including all of its related cholinesterase-inhibiting compounds.
Pirimiphos-methyl *O*-[2-diethylamino-6-methyl-pyrimidinyl] *O,O*-dimethyl phosphorothioate
Ronnell.
Schradan (octamethylpyrophosphoramide).
Tetraethyl pyrophosphate.
O,O,O',O'-Tetramethyl *O,O'*-sulfinyldi-*p*-phenylene phosphorothioate.
O,O,O',O'-Tetramethyl *O,O'*-thiodi-*p*-phenylene phosphorothioate.
Tributyl phosphorotritilioite.
S,S,S-Tributyl phosphorothrithioate.
3,4,5-Trimethylphenyl methylcarbamate and its isomer 2,3,5-trimethylphenyl methylcarbamate.

(6) The following pesticides are members of the class of dinitrophenols:

2,4-Dinitro-6-octylphenyl crotonate and 2,6-dinitro-4-octylphenyl crotonate, mixture of.
4,6-Dinitro-*o*-cresol and its sodium salt.
Dinoseb (2-*sec*-butyl-4,6-dinitrophenol) and its alkanolamine, ammonium, and sodium salts.

[41 FR 8969, Mar. 2, 1976]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 180.3, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 180.4 Exceptions.

The substances listed in this section are excepted from the definitions of "pesticide chemical" and "pesticide chemical residue" under FFDCA section 201(q)(3) and are therefore exempt from regulation under FFDCA section 402(a)(2)(B) and 408. These substances are subject to regulation by the Food and Drug Administration as food additives under FFDCA section 409.

(a) Inert ingredients in food packaging treated with a pesticide, when such inert ingredients are the components of the food packaging material

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(e.g. paper and paperboard, coatings, adhesives, and polymers).

(b) [Reserved]

[63 FR 10720, Mar. 4, 1998, as amended at 73 FR 54976, Sept. 24, 2008]

§ 180.5 Zero tolerances.

A zero tolerance means that no amount of the pesticide chemical may remain on the raw agricultural commodity when it is offered for shipment. A zero tolerance for a pesticide chemical in or on a raw agricultural commodity may be established because, among other reasons:

(a) A safe level of the pesticide chemical in the diet of two different species of warm-blooded animals has not been reliably determined.

(b) The chemical is carcinogenic to or has other alarming physiological effects upon one or more of the species of the test animals used, when fed in the diet of such animals.

(c) The pesticide chemical is toxic, but is normally used at times when, or in such manner that, fruit, vegetables, or other raw agricultural commodities will not bear or contain it.

(d) All residue of the pesticide chemical is normally removed through good agricultural practice such as washing or brushing or through weathering or other changes in the chemical itself, prior to introduction of the raw agricultural commodity into interstate commerce.

§ 180.6 Pesticide tolerances regarding milk, eggs, meat, and/or poultry; statement of policy.

(a) When establishing tolerances for pesticide residues in or on raw agricultural commodities, consideration is always given to possible residues of those pesticide chemicals or their conversion products entering the diet of man through the ingestion of milk, eggs, meat, and/or poultry produced by animals fed agricultural products bearing such pesticide residues. In each instance an evaluation of all available data will result in a conclusion either:

(1) That finite residues will actually be incurred in these foods from feed use of the raw agricultural commodity including its byproducts; or

(2) That it is not possible to establish with certainty whether finite residues