document published in the Federal Register of December 31, 1987 (54 FR 49484) for details.

The reference dose (RFD) based on a NOEL of 1.0 mg/kg/day (1-year feeding study in dogs) and an uncertainty factor of 100 was calculated to be 0.01 mg/kg/day. The theoretical maximum residue contribution (TMRC) for the overall U. S. population from published and proposed uses recommended through reregistration is 0.000532 mg/kg/day or 5.3% of the RfD. For the most highly exposed subgroup, nonnursing infants less than 1 year old, the published and proposed use recommended through reregistration is 0.002184 mg/kg/day or 21.8% of the RfD. The current action of increasing the tolerance on sorghum forage to 2.0 does not contribute any additional TMRC or utilize additional RfD because sorghum forage is not a human food and current tolerances in livestock commodities will not be exceeded as a result of the proposed increase in the tolerance for sorghum forage.

Refinements in residue and percent-crop treated information were considered in calculating the Anticipated Residue Contribution (ARC) for the same population groups above. The ARC is considered the more accurate estimate of dietary exposure. These exposure estimates were then compared to the RfD for alachlor to get estimates of chronic dietary risk. The ARC for the overall U. S. population for published tolerances is 1.3 X 10^{-5} or 0.1% of the RfD. For the most highly exposed subgroup, nonnursing infants, the ARC is 5.4 X 10^{-5} or less than 1% of the RfD. The current action does not contribute additional ARC or utilize additional RfD. Other tolerances proposed by reregistration result in an ARC of 4.0 X 10^{-6} mg/kg/day or 0.04% of the RfD for the overall U.S. population and an ARC of 5.3 X 10^{-5} mg/kg/day or 0.5% of the RfD for nonnursing infants, less than 1 year old.

Based on a Q^{*1} of 0.08 $(mg/kg/day)^{-1}$ the upper-bound cancer risk was calculated to be 1.4 X 10^{-6} and contributed through all published and proposed uses for alachlor. The current action for sorghum forage contributes no additional risks.

There are currently no regulations against the registration of this chemical for use on sorghum forage. Even though alachlor is classified as a probable human carcinogen, EPA believes the establishment of this tolerance will not pose an unreasonable risk to humans as a result of dietary exposure.

The pesticide is useful for the purposes for which tolerances are sought. The nature of the residues is adequately understood for the purposes of establishing tolerances. Adequate analytical methods (high-pressure liquid chromatography and gas chromatography) are available for enforcement purposes (PAM II, Method III).

Based on the information considered by the Agency, the Agency has determined that when used in accordance with good agricultural practice, this ingredient is useful and that the tolerance established by amending 40 CFR part 180 would protect the public health. It is proposed, therefore, that the tolerance be established as set forth below.

Any person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, which contains any of the ingredients listed herein, may request within 30 days after publication of this document in the Federal Register that this rulemaking proposal be referred to an Advisory Committee in accordance with section 408(e) of the Federal Food, Drug and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation. Comments must bear a notation indicating the document control number, [PP 8F3671/P610]. All written comments filed in response to this petition will be available in the Public Response and Program Resources Branch, at the address given above from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12866. Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the Federal Register of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: March 30, 1995.

Stephen L. Johnson,

Director, Registration Division, Office of Pesticide Programs.

Therefore, it is proposed that 40 CFR part 180 be amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. In § 180.249, by amending the table therein by revising the entry for sorghum forage, to read as follows:

§ 180.249 Alachlor; tolerances for residues.

* * * * *

Commodity	Parts per million
* * * * *	
Sorghum, forage	2.0
* * * * *	

[FR Doc. 95–8729 Filed 4–11–95; 8:45 am]

BILLING CODE 6560–50–F

40 CFR Parts 180 and 186

[PP 8F3646 and FAP 8H5558/P611; FRL–4947–3]

RIN 2070–AC18

Sethoxydim; Pesticide Tolerance and Feed Additive Regulation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to increase the established pesticide tolerance for the combined residues of the herbicide sethoxydim (2-[1-(ethoxyimino)butyl]-5-[2-(ethylthio)propyl]-3-hydroxy-2-cyclohexen-1-one) and its metabolites containing the 2-cyclohexen-1-one moiety (calculated as the herbicide) in or on the raw agricultural commodity sugar beet roots to 1.0 part per million (ppm) and to increase the established feed additive regulation on the animal feed commodity sugarbeet molasses to 10.0 ppm. The BASF Corp. requested these regulations to establish the maximum permissible levels for residues of the pesticide in or on the above commodities.

DATES: Comments, identified by the document control number, [PP 8F3646 and FAP 8H5558/P611], must appear on or before May 12, 1995.

ADDRESSES: By mail, submit written comments to: Public Response and

Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW, Washington, DC 20460. In person, bring comments to: Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as ''Confidential Business Information'' (CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection in Rm. 1132 at the address given above, from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail, Robert J. Taylor, Product Manager (PM-25), Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm 241, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (703)-305-6027; e-mail: taylor.robert@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA issued notices, published in the Federal Register of October 12, 1988 (53 FR 39783 and 39785), which announced that BASF Corp., P.O. Box 13528, Research Triangle Park, NC 27709-3528, had submitted pesticide petition (PP) 8F3646 and a feed additive petition (FAP) 8H5558 to EPA. Pesticide petition 8F3646 requests that the Administrator, pursuant to section 408(d) of the Federal Food, Drug and Cosmetic Act (FFDCA), 21 U.S.C. 346a(d), amend 40 CFR part 180 by establishing a tolerance for the combined residues of the herbicide sethoxydim (2-[1-ethoxyimino)butyl]-5-[2-(ethylthio)propyl]-3-hydroxy-2-cyclohexen-1-one) and its metabolites containing the 2-cyclohexen-1-one moiety (calculated as the herbicide)) in or on the raw agricultural commodity (RAC) sugarbeet roots at 1.0 part per million (ppm). Feed additive petition 8H5558 requests that the Administrator, pursuant to section 409(e) of FFDCA (21 U.S.C. 348), amend 40 CFR part 186 by establishing a feed additive regulation for the combined residues of the herbicide sethoxydim and its metabolites containing the 2-cyclohexen-1-one moiety (calculated as the herbicide) in or on the animal feed sugar beet molasses at 5.0 ppm.

There were no comments or requests for referral to an advisory committed received in response to these notices.

The petitioner subsequently amended the notice for FAP 8H5558 by submitting a revised Section F proposing to increase the established feed additive regulation to permit residues of sethoxydim in the animal feed sugar beet molasses at 10.0 ppm. Because the 10.0 ppm has not been proposed previously and because it has been longer than 5 years since the original proposal, the tolerances of 1.0 ppm on sugar beet roots and 10.0 ppm on sugar beet molasses are being proposed for 30 days to allow for public comment.

The information submitted in the petitions and other relevant material have been evaluated. The pesticide is useful for the purpose for which the tolerances are sought. The toxicological data and other information considered in support of PP 8F3646 and FAP 8H5558 are discussed in the final rule referring to pesticide petitions (PP) 9F3855, 2F4121, and 4F4413, which appears elsewhere in the ''Rules and Regulations'' section of this issue of the Fedral Register.

The reference dose (RfD) based on a NOEL of 8.86 mg/kg/day in the 1-year feeding study in dogs and an uncertainty factor of 100 was calculated to be 0.09 mg/kg bwt/ day. The theoretical maximum residue contribution (TMRC) for existing tolerances for the overall U.S. population is 0.032904 mg/kg bwt/day or 36.5% of the RfD. The current action will increase the TMRC by 0.000299 mg/kg bwt/day. These tolerances and previously established tolerances utilize 36.8% of the RfD for the overall U.S. population. For U.S. subgroup populations, nonnursing infants and children aged 1 to 6, the current action and previously established tolerances utilize, respectively, a total of 63.136 and 74.318% of the RfD, assuming that residue levels are at the established tolerances and that 100% of the crop is treated.

Based on the information and the data considered, the Agency has determined that the tolerances established by amending 40 CFR part 180 would protect the public health, and the establishment of a feed additive regulation by amending 40 CFR part 186 would be safe. Therefore, it is proposed that they be established as set forth below.

Any person who has registered or submitted an application for registration of a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, which contains any of the ingredients listed herein, may request within 30 days after publication of this document in the Federal Register that this rulemaking proposal as it relates to the section 408 tolerance be referred to an Advisory Committee in accordance with section 408(e) of the FFDCA.

Interested persons are invited to submit written comments on the proposed regulation. Comments must bear a notation indicating the document control number [PP 8F3646 and FAP 8H5558/P611]. All written comments filed in response to these petitions will be available in the Public Response and Program Resources Branch, at the address given above from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays.

Under Executive Order 12866 (58 FR 51735, Oct. 4, 1993), the Agency must determine whether the regulatory action is ''significant'' and therefore subject to all the requirements of the Executive Order, i.e., Regulatory Impact Analysis, review by the Office of Management and Budget (OMB). Under section 3(f), the order defines ''significant'' as those actions likely to lead to a rule (1) having an annual effect of the economy of $100 million or more, or adversely and materially affecting a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities (also known as ''economically significant''); (2) creating serious inconsistency or otherwise interfering with an action taken or planned by another agency; (3) materially altering the budgetary impacts of entitlement, grants, user fees, or loan programs; or (4) raising novel legal or policy issues arising out of legal mandates, the President‘s priorities, or the principles set forth in this Executive Order.

Pursuant to the terms of this Executive Order, EPA has determined that this rule is not ''significant'' and is therefore not subject to OMB review.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements, or establishing or raising food/feed additive regulations do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the Federal Register of May 4, 1981 (46 FR 24950).

List of Subjects in 40 CFR Parts 180 and 186

Environmental protection, Administrative practice and procedure, Agricultural commodities, Feed additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: March 30, 1995.

Stephen L. Johnson,

Director, Registration Division, Office of Pesticide Programs.

Therefore, it is proposed that chapter I of title 40 of the Code of Federal Regulations be amended as follows:

PART 180—[AMENDED]

1. In part 180:

a. The authority citation for part 180 continues to read as follow:

Authority: 21 U.S.C. 346a and 371.

b. In § 180.412(a), by amending the table therein by revising the entry for sugar beet, roots, to read as follows:

§ 180.412 2-[1-(Ethoxyimino)butyl]-5-[2-(ethylthio)propyl]-3-hydroxy-2-cyclohexen-1-one; tolerances for residues.

(a) * * *

Commodity	Part per million
* * * * *	
Sugar beet, roots	1.0
* * * * *	

* * * * *

PART 186—[AMENDED]

2. In part 186:

a. The authority citation for part 186 continues to read follows:

Authority: 21 U.S.C. 348.

b. In § 186.2800, by revising the section heading and introductory text and by amending the table therein by revising the entry for sugar beet molasses, to read as follows:

§ 186.2800 2-[1-(Ethoxyimino)butyl]-5-[2-(ethylthio)propyl]-3-hydroxy-2-cyclohexen-1-one.

Tolerances are established for the combined residues of the herbicide 2-[1-(ethoxyimino)butyl]-5-[2-(ethylthio)propyl]-3-hydroxy-2-cyclohexen-1-one and its metabolites containing the 2-cyclohexen-1-one moiety (calculated as the herbicide) in or on the following commodities:

Food	Part per million
* * * * *	
Sugar beet molasses	10.0
* * * * *	

[FR Doc. 95–8732 Filed 4–11–95; 8:45 am]

BILLING CODE 6560–50–F

40 CFR Parts 180, 185, and 186

[PP 9F3731 and FAP 9H5574/P612; FRL–4948–4]

RIN 2070–AC18

Cyfluthrin; Pesticide Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to establish time-limited tolerances, with an expiration date of November 15, 1997, for residues of the synthetic pyrethroid cyfluthrin in or on the raw agricultural commodities (RAC's) tomatoes; carrots; peppers; radishes; meat, fat, and meat byproducts of cattle, goats, horses, hogs, poultry, and sheep; milkfat; and eggs and in food/feed additive commodities tomato, pomace (dry and wet) and tomato concentrated products. Miles Corp., Animal Products (formerly Mobay Corp.), requested the proposed tolerances and regulations to establish maximum permissible levels for residues of the pesticide.

DATES: Comments, identified by the document control number, [PP 9F3731 and FAP 9H5574/P612], must be received on or before May 12, 1995.

ADDRESSES: By mail, submit written comments to: Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring comments to: Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202.

Information submitted as a comment concerning this notice may be claimed confidential by marking any part or all of that information as ''Confidential Business Information'' (CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection in Rm. 1132 at the address given above, from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: George T. LaRocca, Product Manager (PM) 13, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 200, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (703)-305-6100.

SUPPLEMENTARY INFORMATION: EPA issued a notice, published in the Federal Register of March 23, 1989 (54 FR 35434), which announced that Miles Corp. had submitted pesticide petition (PP) 9F3731 and food/feed additive petition (FAP) 9H5574 to EPA.

Pesticide petition (PP) 9F3731 requests that the Administrator, pursuant to section 408(d) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(d), amend 40 CFR 180.436 by increasing tolerances for residues of the insecticide cyfluthrin, cyano(4-fluoro-3-phenoxyphenyl)-methyl-3-(2,2-dicloroethenyl)-2,2-dimethylcyclopropanecarboxylate, in or on the raw agricultural commodities alfalfa forage at 5.0 ppm; alfalfa hay at 10.0 ppm; broccoli at 2.0 ppm; brussels sprouts at 0.5 ppm; cabbage at 1.0 ppm; cauliflower at 0.5 ppm; carrots at 0.1 ppm; celery at 1.5 ppm; lettuce at 2.5 ppm; peppers at 0.2 ppm; radishes at 0.5 ppm; spinach at 1.0 ppm; sweet corn at 0.05 ppm; sweet corn forage at 1.0 ppm; sunflower seed at 0.02 ppm; sunflower forage at 1.0 ppm; soybeans at 0.03 ppm; soybean forage at 10.0 ppm; soybean hay at 1.5 ppm; soybean straw at 1.0 ppm; tomato at 0.2 ppm; milk at 0.1 ppm; eggs at 0.01 ppm; meat, fat and meat byproduct of cattle, goats, hogs, horses, and sheep at 1.5 ppm; and meat, fat, and meat byproducts of poultry at 0.01 ppm.

Food/feed additive petition (FAP) 9H5574 requests that the Administrator, pursuant to section 409(e) of the FFDCA (21 U.S.C. 348(e)) amend 40 CFR parts 185 and 186 by establishing a food/feed additive regulation for cyfluthrin in or on processed food commodities tomato concentrated products at 0.5 ppm and feed commodities sweet corn (cannery wastes) at 1.5 ppm; tomato, pomace (wet) at 1.5 ppm; tomato, pomace dry at 5.0 ppm.; soybean hulls at 0.1 ppm; and sunflower hulls at 2.5 ppm.

On July 20, 1993, Miles Corp. requested that the pesticide petition and food/feed additive petition be amended by withdrawing the proposed tolerance