Commodity	Parts per million	Expiration date
Corn, sweet (K+CWHR)	0.01	Do.

[FR Doc. 95–16428 Filed 7–3–95; 8:45 am]
BILLING CODE 6560–50–F

40 CFR Part 180

[PP 4F4280/R2135; FRL–4963–1]

RIN 2070–AB78

Benzoic Acid; Pesticide Tolerance; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; Correction.

SUMMARY: In FR Doc. 95-13250 in the **Federal Register** of May 31, 1995, the following correction is made to the section heading in the first column of page 28347: Correct ''§ 180.842'' to read ''§ 180.482''.

EFFECTIVE DATE: July 5, 1995.

FOR FURTHER INFORMATION CONTACT: By mail: Richard P. Keigwin, Jr., Product Manager (PM) 10, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 214, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA, (703)-305-6788; e-mail: keigwin.rick@epamail.epa.gov.

Dated: June 15, 1995.

Peter Caulkins,

Acting Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 95–16427 Filed 7–3–95; 8:45 am]
BILLING CODE 6560–50–F

40 CFR Part 180

[PP 1F4026/R2147; FRL–4963–2]

RIN 2070–AB78

Cyfluthrin; Pesticide Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes a time-limited tolerance for residues of the insecticide cyfluthrin (cyano(4-fluoro-3-phenoxyphenyl)methyl 3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropanecarboxylate) in or on the raw agricultural commodities corn, sweet (K+CWHR); corn, grain, field and pop; and corn, forage and fodder, field, pop, and sweet at 0.01 part per million (ppm). The Agricultural Division of Miles, Inc., submitted a petition under the Federal Food, Drug and Cosmetic Act (FFDCA) to EPA for a regulation to establish a maximum permissible level for residues of the insecticide.

EFFECTIVE DATE: This regulation becomes effective July 5, 1995.

ADDRESSES: Written objections and hearing requests, identified by the document control number, [PP 1F4026/R2147], may be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. Fees accompanying objections shall be labeled ''Tolerance Petition Fees'' and forwarded to: EPA Headquarters Accounting Operations Branch, OPP (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251. A copy of any objections and hearing requests filed with the Hearing Clerk should be identified by the document control number and submitted 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 copy of objections and hearing requests to Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202.

A copy of objections and hearing requests filed with the Hearing Clerk may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Copies of objections and hearing requests must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Copies of objections and hearing requests will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All copies of objections and hearing requests in electronic form must be identified by the docket number [PP 1F4026/R2147]. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic copies of objections and hearing requests on this rule may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found below in this document.

FOR FURTHER INFORMATION CONTACT: By mail: Robert A. Forrest, Product Manager (PM) 14, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 219, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (703)-305-6600; e-mail: forrest.robert@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA issued a notice, published in the **Federal Register** of April 5, 1995 (60 FR 17356), which announced that Miles, Inc., P.O. Box 4913, Kansas City, MO 64120, had submitted a pesticide petition, PP 1F4026, to EPA requesting that the Administrator, pursuant to section 408(d) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(d), establish a tolerance for residues of the insecticide cyfluthrin, cyano (4-fluoro-2-phenoxyphenyl)methyl-3-(2,2-dichloroethyl)-2,2-dimethylcyclopropanecarboxylate, in or on the raw agricultural commodities corn, fresh; corn, grain, field and pop; and corn, forage and fodder, field, pop, and sweet at 0.01 part per million (ppm). For consistency, the raw agricultural commodity corn, fresh is expressed as corn, sweet (K+CWHR).

There were no comments received in response to the notice of filing. The scientific data submitted in the petition and other relevant material have been evaluated. The toxicological data considered in support of the tolerance include:

1. Several acute toxicological studies placing the technical grade of the insecticide in toxicity category 1 (acute oral); 3 (acute dermal and primary eye irritation); 2 (acute inhalation) and 4 (primary dermal irritation). It is not a dermal sensitizer.

2. A 21-day rabbit dermal study with a no-observed-effect level (NOEL) greater than 250 mg/kg/day (highest dose tested).

3. A 21-day rat inhalation study with a NOEL of 0.0014 mg/L in which a decrease in body weight gain was observed.

4. A 90-day rat inhalation study with a NOEL of 0.00009 mg/L/day. Systemic effects observed included unthriftiness, unkept fur, lethargy, and increased urinary protein.

5. A chronic dog-feeding study with a NOEL of 4.0 mg/kg/day. Systemic effects of slight ataxia, increased vomiting, diarrhea, and decreased male body weights were observed at the lowest-effect level (LEL).

6. A two-year rat feeding/carcinogenicity study with a systemic NOEL of 2.5 mg/kg/day. Decreased body weights in males and inflammatory foci in kidneys of females were observed at the lowest-observed-effect level (LOEL) of 7.5 mg/kg/day. There was no evidence of carcinogenicity under conditions of the study. Levels tested were 50, 150, and 450 ppm.

7. A chronic mouse feeding/carcinogenicity study with a systemic NOEL of less than 7.5 mg/kg/day (lowest dose tested) in which increased alkaline phosphatase activity in males was observed. There was no evidence of carcinogenicity under conditions of the study. Levels tested were 50, 200, and 800 ppm.

8. A three-generation rat reproduction study with a NOEL of 7.5 mg/kg/day for reproductive effects and a systemic NOEL of 2.5 mg/kg/day. Decreased viability and decreased pup body weights were observed. Levels tested were 50, 150, and 450 ppm.

9. A rat oral developmental study with no clinical signs resulting from the test article. Levels tested were 1, 3, and 10 mg/kg/day.

A second rat oral developmental study with a maternal NOEL of 3 mg/kg/day and a LOEL of 10 mg/kg/day (high-stepping gait, occasional ataxia, and reduced motility). There were no developmental effects. Levels tested were 3, 10, and 30 mg/kg/day.

10. A rabbit oral developmental study with a developmental NOEL and LOEL of 20 mg/kg/day and 60 mg/kg/day, respectively, in which increased numbers of resorptions and percent incidence of postimplantation loss were observed at the LOEL. The maternal NOEL and LOEL were 20 mg/kg/day and 60 mg/kg/day, respectively, with decreased body weight gain and food consumption observed at the LOEL. Levels tested were 20, 60, and 180 mg/kg/day administered by gavage on gestational days 6 to 18, inclusively.

11. A rat inhalation developmental study with a developmental NOEL and LOEL of 0.00059 mg/L and 0.0011 mg/L, respectively, with unspecified sternal anomalies and increased runt incidence observed at the LOEL. The maternal NOEL and LOEL were 0.0011 mg/L and 0.0047 mg/L, respectively, with reduced motility, dyspnea, piloerection, ungroomed coats, and eye irritation observed at the LOEL.

12. A rat inhalation developmental study with a NOEL and LOEL of 0.46 and 2.55 mg/m^3, respectively, with reduced fetal and placental weight, reduced ossification in the phalanx, metacarpals and vertebrae observed at the LOEL. The maternal LOEL was less than 0.46 mg/m^3 with decreased body weight gain and reduced relative food efficiency observed at this dose level.

13. Mutagenicity studies including a CHO/HGPRT gene mutation test, a structural chromosome aberration: sister chromatid exchange, and an unscheduled DNA synthesis, which were all negative for mutagenic effects.

14. Two metabolism studies in rats showing that the test material was rapidly and nearly completely absorbed and that the radioactivity was rapidly and nearly completely excreted in the urine and feces by 48 hours. The studies showed that the parent is cleaved at the ester bond and then oxidized to yield 3-phenoxy-4-fluorobenzoic acid. This intermediate is then either hydroxylated and subsequently conjugated and excreted, or first bound to glycine and then hydroxylated, conjugated, and excreted.

The Reference Dose (RfD) is established at 0.025 mg/kg day, based on an NOEL of 2.5 mg/kg/day from the 2-year rat feeding study and an uncertainty factor of 100. The Theoretical Maximum Residue Contribution (TMRC) from established tolerances and the current action is estimated at 0.002730 mg/kg bwt/day and utilizes 11.0 percent of the RfD for the U.S. population. The TMRC for the subgroup most highly exposed, nonnursing infants less than 1-year old, utilizes 32.0 percent of the RfD.

Because there was a sign of developmental effects seen in animal studies, the Agency used the rabbit developmental toxicity study with a maternal NOEL of 20 mg/kg/day to assess acute dietary exposure and determine a margin of exposure (MOE) for the overall U.S. population and certain subgroups. Since the toxicological end-point pertains to developmental toxicity, the population group of concern for this analysis is women aged 13 and above, the subgroup which most closely approximates women of child-bearing age. The MOE is calculated as the ratio of the NOEL to the exposure. For this analysis the Agency calculated the MOE for women aged 13 and above to be 1,250. Generally speaking, MOE's greater than 100 for data derived from animal studies are acceptable to the Agency.

The nature of the residues in plants is adequately understood. The nature of residue in animals is adequately understood for the purpose of the requested tolerances. An adequate analytical method, gas chromatography, is available for enforcement purposes.

The enforcement methodology has been submitted to the Food and Drug Administration for publication in the Pesticide Analytical Manual, Volume II (PAM). Because of the long lead time for publication of the method in PAM II, the analytical methodology is being made available in the interim to anyone interested in pesticide enforcement when requested from: Calvin Furlow, Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 1132, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703)-305-5232.

Any secondary residues occurring in milk and the meat, fat, and meat by-products (mbyp) of cattle, goats, hogs, horses, and sheep will fall within existing tolerances for these commodities. There is no reasonable expectation that secondary residues will occur in eggs, and the meat, fat, and mbyp of poultry as a result of this action. The pesticide is considered useful for the purpose for which the tolerance is sought.

To be consistent with the conditional registration and the regulation for establishing a time-limited tolerance for residues of another insecticide, O-[2-(1,1-dimethlyethyl)-5-pyrimidinyl] O-ethyl-O-(1-methylethyl) phosphorothioate, which are being issued both in conjunction with, and concurrently with, this regulation, the Agency is limiting the period of time that the regulation is to be in effect. The conditional registration is for a product consisting of cyfluthrin in combination with the other insecticide as the two active ingredients. Upon receipt and evaluation of the additional data/information required as a condition of the time-limited tolerance for the other insecticide and of the conditional registration for the use of these two insecticides on corn, the Agency will reassess the tolerances and the registration and, if appropriate, will issue permanent tolerances and an unconditional registration for the insecticides on corn.

There are currently no actions pending against the continued registration of this chemical.

Elsewhere in this issue of the **Federal Register**, the Agency is concurrently issuing a notice of conditional registration for the use of the combination product on corn and for a time-limited tolerance for residues of the other insecticide referenced above in/on corn commodities.

Based on the information and data considered, the Agency has determined that the tolerance established by amending 40 CFR 180.436 will protect the public health. Therefore, the tolerance is established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this document in the **Federal Register**, file written objections to the regulation and may also request a hearing on those objections.

Objections and hearing requests must be filed with the Hearing Clerk, at the address given above (40 CFR 178.20). A copy of the objections and/or hearing requests filed with the Hearing Clerk should be submitted to the OPP docket for this rulemaking. The objections submitted must specify the provisions of the regulation deemed objectionable and the grounds for the objections (40 CFR 178.25). Each objection must be accompanied by the fee prescribed by 40 CFR 180.33(i). If a hearing is requested, the objections must include a statement of the factual issue(s) on which a hearing is requested, the requestor's contentions on such issues, and a summary of any evidence relied upon by the objector (40 CFR 178.27). A request for a hearing will be granted if the Administrator determines that the material submitted shows the following: There is genuine and substantial issue of fact; there is a reasonable possibility that available evidence identified by the requestor would, if established, resolve one or more of such issues in favor of the requestor, taking into account uncontested claims or facts to the contrary; and resolution of the factual issue(s) in the manner sought by the requestor would be adequate to justify the action requested (40 CFR 178.32).

A record has been established for this rulemaking under docket number [PP 1F4026/R2147] (including objections and hearing requests submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The public record is located in Room 1132 of the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Written objections and hearing requests, identified by the document control number [PP 1F4026/R2147], may be submitted to the Hearing Clerk (1900), Environmental Protection Agency, Rm. 3708, 401 M St., SW., Washington, DC 20460.

A copy of electronic objections and hearing requests filed with the Hearing Clerk can be sent directly to EPA at:

opp-Docket@epamail.epa.gov

A copy of electronic objections and hearing requests filed with the Hearing Clerk must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for this rulemaking, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer any objections and hearing requests received electronically into printed, paper form as they are received and will place the paper copies in the official rulemaking record which will also include all objections and hearing requests submitted directly in writing. The official rulemaking record is the paper record maintained at the address in ''ADDRESSES'' at the beginning of this document.

Under Executive Order 12866 (58 FR 51735, October 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 on 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 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: June 23, 1995.

Daniel M. Barolo,

Director, Office of Pesticide Programs.

Therefore, 40 CFR part 180 is 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 § 180.436, by designating the existing text as paragraph (a) and adding new paragraph (b), to read as follows:

§ 180.436 Cyfluthrin; tolerances for residues.

(a) * * *

(b) Time-limited tolerances are established for residues of the insecticide cyfluthrin (cyano(4-fluoro-3-phenoxyphenyl)methyl 3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropanecarboxylate; CAS Reg. No 68359-37-5) in or on the following raw agricultural commodities:

Commodity	Parts per million	Expiration date
Corn, forage and fodder, field, pop, and sweet	0.01	July 5, 1999
Corn, grain, field and pop	0.01	Do.
Corn, sweet (K+CWHR)	0.01	Do.

[FR Doc. 95–16426 Filed 7–3–95; 8:45 am]

BILLING CODE 6560–50–F

40 CFR Parts 180, 185, and 186

[PP 1F3992, 2F4109, 2F4114, 7F3488, 7F3560, 9F3770, FAP 7H3560 and 7H5543/R2143; FRL–4960–6]

RIN 2070–AB78

Lambda Cyhalothrin; Pesticide Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This document establishes time-limited tolerances with an expiration date of November 15, 1997, for residues of the synthetic pyrethroid lambda-cyhalothrin in or on the raw agricultural commodities (RACs) soybeans; wheat, forage, hay, straw, and grain dust; sweet corn; sunflower, seeds and forage; sorghum grain and dust; corn (grain, field and pop); corn fodder and forage; peanuts; meat, fat, and meat byproducts (mbyp) and eggs of poultry