

comments submitted directly in writing. The official rulemaking record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document.

#### List of Subjects

Environmental protection, Agricultural commodities, Food additives, Feed additives, Pesticides and pests, Reporting and recordkeeping.

**Authority:** 7 U.S.C. 136a.

Dated: July 10, 1995.

#### Peter Caulkins,

*Acting Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. 95-18367; Filed 7-25-95; 8:45 am]

BILLING CODE 6560-50-F

[OPP-180975; FRL-4963-9]

#### Emergency Exemptions

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** EPA has granted specific exemptions for the control of various pests to the 12 States listed below. Two crisis exemptions were initiated by the Washington Department of Agriculture. These exemptions, issued during the month of April 1995, are subject to application and timing restrictions and reporting requirements designed to protect the environment to the maximum extent possible. Information on these restrictions is available from the contact persons in EPA listed below.

**DATES:** See each specific exemption for its effective date.

**FOR FURTHER INFORMATION CONTACT:** See each emergency exemption for the name of the contact person. The following information applies to all contact persons: By mail: Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: 6th Floor, CS #1, 2800 Jefferson Davis Highway, Arlington, VA, (703) 308-8417; e-mail: group.ermus@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** EPA has granted specific exemptions to the:

1. Delaware Department of Agriculture for the use of clomazone on cucumbers to control broadleaf weeds and grasses; April 10, 1995, to August 20, 1995. (David Deegan)

2. Delaware Department of Agriculture for the use of clomazone on watermelons to control weeds; April 19, 1995, to June 30, 1995. (David Deegan)

3. Idaho Department of Agriculture for the use of avermectin on hops to control two-spotted spider mites; April 19, 1995, to September 20, 1995. (Margarita Collantes)

4. Maryland Department of Agriculture for the use of clomazone on watermelons to control weeds; April 19, 1995, to June 30, 1995. (David Deegan)

5. Maryland Department of Agriculture for the use of clomazone on cucumbers to control broadleaf weeds and grasses; April 10, 1995, to August 20, 1995. (David Deegan)

6. Michigan Department of Agriculture for the use of oxytetracycline on apples to control fire blight; April 18, 1995, to July 1, 1995. (Margarita Collantes)

7. New Jersey Department of Environmental Protection and Energy for the use of chlorothalonil on blueberries to control anthracnose; April 12, 1995, to December 31, 1995. (David Deegan)

8. New York Department of Environmental Conservation for the use of chlorothalonil on blueberries to control anthracnose; April 12, 1995, to July 31, 1995. (David Deegan)

9. Oregon Department of Agriculture for the use of propiconazole on mint to control peppermint rust; April 3, 1995, to June 1, 1995. (Margarita Collantes)

10. Oregon Department of Agriculture for the use of oxytetracycline on apples to control fire blight; April 18, 1995, to May 7, 1995. (Margarita Collantes)

11. Oregon Department of Agriculture for the use of bifenthrin on raspberries to control weevils; April 20, 1995, to August 15, 1995. (David Deegan)

12. Oregon Department of Agriculture for the use of bifenthrin on strawberries to control weevils; April 19, 1995, to August 31, 1995. (David Deegan)

13. Oregon Department of Agriculture for the use of avermectin on hops to control two-spotted spider mites; April 19, 1995, to September 20, 1995. (Margarita Collantes)

14. Pennsylvania Department of Agriculture for the use of chlorothalonil on mushrooms to control *verticillium* fungicola; April 27, 1995, to April 26, 1996. (David Deegan)

15. Texas Department of Agriculture for the use of esfenvalerate on greens (kale, kohlrabi, and mustard greens) to control cabbage loopers; April 21, 1995, to November 30, 1995. (Libby Pemberton)

16. Virginia Department of Agriculture and Consumer Services for the use of clomazone on watermelons to control weeds; April 19, 1995, to June 30, 1995. (David Deegan)

17. Virginia Department of Agriculture and Consumer Services for

the use of clomazone on cucumbers to control broadleaf weeds and grasses; April 1, 1995, to August 20, 1995. (David Deegan)

18. Washington Department of Agriculture for the use of bifenthrin on strawberries to control weevils; April 19, 1995, to September 30, 1995. (David Deegan)

19. Washington Department of Agriculture for the use of avermectin on hops to control two-spotted spider mites; April 19, 1995, to September 20, 1995. (Margarita Collantes)

20. Washington Department of Agriculture for the use of oxytetracycline on apples to control fire blight; April 18, 1995, to August 1, 1995. Washington had initiated a crisis exemption for this use. (Margarita Collantes)

21. Washington Department of Agriculture for the use of clomazone on cucumbers to control broadleaf weeds and grasses; April 10, 1995, to June 30, 1995. (David Deegan)

22. Wisconsin Department of Agriculture, Trade, and Consumer Services for the use of clomazone on cabbage to control velvetleaf; April 15, 1995, to August 31, 1995. (David Deegan)

Crisis exemptions were initiated by the:

1. Washington Department of Agriculture on April 27, 1995, for the use of sethoxydim on mint to control grasses. This program is expected to last until November 1, 1995. (Libby Pemberton)

2. Washington Department of Agriculture on April 7, 1995, for the use of oxytetracycline on apples to control fire blight. This program will end on August 1, 1995. (Margarita Collantes)

**Authority:** 7 U.S.C. 136.

#### List of Subjects

Environmental protection, Pesticides and pests, Crisis exemptions.

Dated: July 5, 1995.

#### Peter Caulkins,

*Acting Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. 95-17999 Filed 7-25-95; 8:45 am]

BILLING CODE 6560-50-F

[OPP-180976; FRL 4967-2]

#### Lactofen; Receipt of Application for Emergency Exemption, Solicitation of Public Comment

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** EPA has received a specific exemption request from the Florida Department of Agriculture Consumer Services (hereafter referred to as the "Applicant") for use of the pesticide, lactofen (Cobra Herbicide), to control nightshade *Solanum spp.* and parthenium *Parthenium spp.* on up to 10,000 acres of row middle tomatoes and 5,000 acres of row middle green peppers in Florida. In accordance with 40 CFR 166.24, EPA is soliciting public comment before making the decision whether or not to grant the exemption.

**DATES:** Comments must be received on or before August 10, 1995.

**ADDRESSES:** Three copies of written comments, bearing the identification notation "OPP-180976," should be submitted by mail 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, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number [OPP-180976]. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic comments on this notice may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found below in this document.

Information submitted in any comment concerning this notice may be claimed confidential by marking any part or all of that information as (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 provided by the submitter for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments filed pursuant to this notice will be available for public inspection in Rm. 1132, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, from 8 a.m. to 4:30 p.m., Monday through Friday, except legal holidays.

**FOR FURTHER INFORMATION CONTACT:** By mail: Margarita Collantes, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: 6th Floor, Crystal Station I, 2800 Jefferson Davis Highway, Arlington, VA, (703) 308-8347; Internet address: collantes.Margarita@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136p), the Administrator may, at her discretion, exempt a State agency from any registration provision of FIFRA if she determines that emergency conditions exist which require such exemption. The Applicant has requested the Administrator to issue a specific exemption for use of the herbicide, lactofen, available as Cobra from Valent USA Corporation, to control nightshade and parthenium on up to 10,000 acres of row middle tomatoes and 5,000 acres of row middle green peppers in Florida. Information in accordance with 40 CFR part 166 was submitted as part of this request.

According to the Applicant, the use of registered alternatives, Paraquat and Diquat herbicides, has led to the development of different biotypes of nightshade in Florida. Researchers have shown that nightshade has developed a tolerance to postemergence applications of both Diquat and Paraquat. There are no preemergence herbicides labeled in tomatoes or green peppers which control nightshade. Enquik, provides some postemergence burndown of nightshade, however, control is incomplete and regrowth can occur quite rapidly. In addition, Enquik is highly corrosive and requires special application equipment, resulting in limited use potential.

Loss of yields can be due to allelopathic affect from nightshade, direct competition for water and nutrients from both weed species, and interference in crop harvest from both weed species. Finally and most importantly, nightshade is an excellent host of the poinsettia strain of silverleaf whitefly. Silverleaf whitefly causes irregular ripening and is a vector for gemini virus in tomatoes. Institute of Food and Agriculture Scientists (IFAS) have shown that gemini virus can reduce tomato yields up to 60 percent. They believe that the use of Cobra herbicide will control nightshade and parthenium which should result in tomato and green pepper estimated net and gross revenues falling within the previous 5 year averages.

Under the proposed exemption, a maximum of two applications per crop would be made at [0.3 to 0.5 lbs of active ingredient (a.i.)] (19 to 32 fl. ozs. per acre) as a preemergence and/or postemergence application. Not to apply within 30 days of harvest. Reentry to treated acres without protective clothing is not allowed until spray has dried.

This notice does not constitute a decision by EPA on the application itself. The regulations governing section 18 require that the Agency publish notice of receipt in the **Federal Register** and solicit public comment on an application for a specific exemption if an emergency exemption has been requested or granted for that use in any 3 previous years, and a complete application for registration of that use has not been submitted to the Agency [40 CFR 166.24(a)(6)]. Exemptions for the use of Lactofen on tomatoes and green peppers have been requested and granted for the past 3 years, and an application for registration of this use has not been submitted to the Agency.

A record has been established for this notice under docket number "[OPP-180976]" (including comments and data 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.

Electronic comments can be sent directly to EPA at:  
opp-docket@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

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

Accordingly, interested persons may submit written views on this subject to the Field Operations Division at the

address above. The Agency will review and consider all comments received during the comment period in determining whether to issue the emergency exemption requested by the Florida Department of Agriculture and Consumer Services.

#### List of Subjects

Environmental protection, Pesticides and pests, Crisis exemptions.

Dated: July 13, 1995.

**Stephen L. Johnson,**

*Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. 95-18254 Filed 7-25-95; 8:45 am]

BILLING CODE 6560-50-F

[OPP-50808; FRL-4965-3]

#### Issuance of Experimental Use Permits

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** EPA has granted experimental use permits to the following applicants. These permits are in accordance with, and subject to, the provisions of 40 CFR part 172, which defines EPA procedures with respect to the use of pesticides for experimental use purposes.

**FOR FURTHER INFORMATION CONTACT:** By mail: Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

In person or by telephone: Contact the product manager at the following address at the office location, telephone number, or e-mail address cited in each experimental use permit: 1921 Jefferson Davis Highway, Arlington, VA.

**SUPPLEMENTARY INFORMATION:** EPA has issued the following experimental use permits:

**275-EUP-80.** Issuance. Abbott Laboratories, 1401 Sheridan Road, North Chicago, IL 60064-4000. This experimental use permit allows the use of 270 pounds of the plant growth regulator (S)-trans-2-amino-4-(2-aminoethoxy)-3-butenic acid hydrochloride on 2,450 acres of apples to evaluate its ability to maintain fruit firmness and its effectiveness as a stop drop agent. The program is authorized only in the States of California, Maine, Massachusetts, Michigan, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, Vermont, Virginia, and Washington. The experimental use permit is effective from May 10, 1995 to June 1, 1996. A temporary tolerance for residues of the active ingredient in or on apples has

been established. (James Stone, Acting PM 22, Rm. 229, CM #2, 703-305-7391, e-mail: stone.james@epamail.epa.gov)

**241-EUP-120.** Renewal. American Cyanamid Company, P.O. Box 400, Princeton, NJ 08543-0400. This experimental use permit allows the use of 720 pounds (360 pounds each year) of the chemical hybridizing agent potassium 3,4-dichloro-5-isothiazolecarboxylate on 400 acres (200 acres each year) of cotton to evaluate chemical hybridizing. The program is authorized only in the State of Arizona. The experimental use permit is effective from March 3, 1995 to April 12, 1997. (James Stone, Acting PM 22, Rm. 229, CM #2, 703-305-7391, e-mail: stone.james@epamail.epa.gov)

**241-EUP-123.** Renewal. American Cyanamid Company, P.O. Box 400, Princeton, NJ 08543-0400. This experimental use permit allows the use of 560 pounds (280 pounds each year) of the plant growth regulator 1-(3-chlorophthalimido)-cyclohexanecarboxamide on 2,000 acres (1,000 acres each year) on various ornamental crops to evaluate the increase of stem production and quality. The program is authorized only in the States of Alabama, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Pennsylvania, Tennessee, Texas, Utah, Virginia, Washington, and Wisconsin. The experimental use permit is effective from May 31, 1995 to May 31, 1997. (James Stone, Acting PM 22, Rm. 229, CM #2, 703-305-7391, e-mail: stone.james@epamail.epa.gov)

**241-EUP-129.** Issuance. American Cyanamid Company, P.O. Box 400, Princeton, NJ 08543-0400. This experimental use permit allows the use of 4,508 pounds (2,254 pounds each year) of the herbicide isopropylamine salt of imazapyr (2-[4,5-dihydro-4-methyl-4-(1-methylethyl)-5-oxo-1H-imidazol-2-yl]-3-pyridinecarboxylic acid) on 6,000 acres (3,000 acres each year) of nonfood aquatic areas. The program is authorized only in the States of Alabama, Florida, Louisiana, Mississippi, and Texas. The experimental use permit is effective from March 13, 1995 to March 13, 1997. (Robert Taylor, PM 25, Rm. 241, CM #2, 703-305-6800, e-mail: taylor.robert@epamail.epa.gov)

**68173-EUP-1.** Issuance. Kaken Pharmaceutical Co., c/o Ltd., Stewart Pesticide Registration Association, 2001 Jefferson Davis Highway, Suite 603, Arlington, VA 22202. This experimental

use permit allows the use of 30.2 pounds of the fungicide polyoxin D zinc salt on 28 acres of turf to evaluate the control of various turf diseases. The program is authorized only in the States of Georgia, Kansas, Missouri, North Carolina, New Jersey, Pennsylvania, South Carolina, Tennessee, Texas, and Virginia. The experimental use permit is effective from May 11, 1995 to November 1, 1995. (James Stone, Acting PM 22, Rm. 229, CM #2, 703-305-7391, e-mail: stone.james@epamail.epa.gov)

**400-EUP-68.** Renewal. Uniroyal Chemical Company, Inc., 74 Amity Rd., Bethany, CT 06524-3402. This experimental use permit allows the use of 120 pounds of the growth retardant potassium salt of 1,2-dihydro-3,6-pyridazinedione on 80 acres of rice to evaluate the suppression of red rice seed production in white rice. The program is authorized only in the State of Louisiana. The experimental use permit is effective from June 12, 1995 to August 31, 1995. (James Stone, Acting PM 22, Rm. 229, CM #2, 703-305-7391, e-mail: stone.james@epamail.epa.gov)

Persons wishing to review these experimental use permits are referred to the designated product managers. Inquires concerning these permits should be directed to the persons cited above. It is suggested that interested persons call before visiting the EPA office, so that the appropriate file may be made available for inspection purposes from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

**Authority:** 7 U.S.C. 136.

#### List of Subjects

Environmental protection, Experimental use permits.

Dated: July 10, 1995.

**Peter Caulkins,**

*Acting Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. 95-18121 Filed 7-25-95; 8:45 am]

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[PF-630; FRL-4965-4]

#### Cinnamaldehyde; Filing of Pesticide Petition

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** EPA has received from the IR-4 (Interregional Research Project No. 4) a petition to establish an exemption from the requirement of a tolerance for the fungicide cinnamaldehyde in or on all raw agricultural commodities.