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List of Subjects

Environmental protection,
Experimental use permits.

Dated: February 1, 1996.

Janet L. Andersen,

Acting Director, Biopesticides and Pollution
Prevention Division, Office of Pesticide
Programs.

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[PP 4G4409 and 5G4551/T683; FRL 4984-3]

Northrup King Corporation; Establishment of Exemptions From Requirement of Tolerances

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has established exemptions from the requirement of tolerances for the combined residues of the plant pesticide *Bacillus thuringiensis* CryIA(b) delta-endotoxin and the genetic material necessary for its production (plasmid vector pZ01502) and for the plant pesticide inert ingredient *phosphinothricin acetyltransferase* and the genetic material necessary for its production (plasmid vector pZ01502) in or on certain raw agricultural commodities.

DATES: These temporary exemptions from the requirement of tolerances expire May 30, 1996.

FOR FURTHER INFORMATION CONTACT: By mail: Michael Mendelsohn, Biopesticides and Pollution Prevention Division (7501W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. Crystal Station, 5th Fl., 2800 Crystal Drive, Arlington, VA (703) 308-8712; e-mail: mendelsohn.mike@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Northrup King Corporation, 7500 Olson Memorial Hwy., Golden Valley, MN 55427, has requested in pesticide petitions PP 4G4409 and 5G4551 the establishment of exemptions from the requirement of

tolerances in or on certain raw agricultural commodities as follows.

1. Pesticide petition (PP) 4G4409 has established an exemption from the requirement of a tolerance for the combined residues of the plant pesticide *Bacillus thuringiensis* CryIA(b) delta-endotoxin and the genetic material necessary for its production (plasmid vector pZ01502) in corn, when used as a plant pesticide in all raw agricultural commodities of field corn, sweet corn, and popcorn.

2. Pesticide petition (PP) 5E4551 has established an exemption from the requirement of a tolerance for the combined residues of the plant pesticide inert ingredient *phosphinothricin acetyltransferase* and the genetic material necessary for its production (plasmid vector pZ01502) in corn, when used as a plant pesticide inert ingredient in all raw agricultural commodities of field corn, sweet corn, and popcorn.

These temporary exemptions from the requirement of tolerances will permit the marketing of the above raw agricultural commodities when treated in accordance with the provisions of experimental use permit 67979-EUP-1, which is being issued under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (Pub. L. 95-396, 92 Stat. 819; 7 U.S.C. 136).

The scientific data reported and other relevant material were evaluated, and it was determined that exemptions from the requirement of tolerances will protect the public health. Therefore, the temporary exemptions from the requirement of tolerances have been established on the condition that the pesticides be used in accordance with the experimental use permit and with the following provisions:

1. The total amount of the active ingredients to be use must not exceed the quantity authorized by the experimental use permit.

2. Northrup King Corporation must immediately notify the EPA of any findings from the experimental use that have a bearing on safety. The company must also keep records of production, distribution, and performance and on request make the records available to any authorized officer or employee of the EPA or the Food and Drug Administration.

These temporary exemptions from the requirement of tolerances expire May 30, 1996. Residues remaining in or on all raw agricultural commodities after this expiration date will not be considered actionable if the pesticides are legally applied during the term of, and in accordance with, the provisions of the experimental use permit and temporary exemptions from the requirement of tolerances. These temporary exemptions from the requirement of tolerances may be revoked if the experimental use permit is revoked or if any experience with or scientific data on this pesticide indicate that such revocation is necessary to protect the public health.

The Office of Management and Budget has exempted this notice from the requirement 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).

Authority: 21 U.S.C. 346a(j).

List of Subjects

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

Dated: January 31, 1996.

Janet L. Andersen,
Acting Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

[FR Doc. 96-2921; Filed 2-13-96; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

[Report No. 2120]

Petition for Reconsideration of Actions in Rulemaking Proceedings

February 9, 1996.

Petition for reconsideration have been filed in the Commission rulemaking proceedings listed in this Public Notice and published pursuant to 47 CFR Section 1.429(e). The full text of these documents are available for viewing and copying in Room 239, 1919 M Street, N.W., Washington, D.C. or may be purchased from the Commission's copy contractor ITS, Inc. (202) 857-3800. Opposition to this petition must be filed February 29, 1996. See Section 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions has expired.

Subject: Market Entry and Regulation of Foreign-affiliated Entities (IB Docket No. 95-22, RM-8355, RM-8392)

Number of Petitions Filed: 5

Subject: Amendment of the Commission's Rules Regarding the 37.0-38.6 GHz and 38.6-40.0 GHz Bands (ET Docket No. 95-183, RM-8553)

Implementation of Section 309(j) of the Communications Act—Competitive Bidding, 37.0-38.6 GHz and 38.6-40.0 GHz (PP Docket No. 93-253)

Number of Petitions Filed: 2

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 96-3209 Filed 2-13-96; 8:45 am]

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