

meetings will not be repetitive of previously submitted oral or written statements. In general, each individual or group making an oral presentation will be limited to a total time of five minutes. For conference call meetings, opportunities for oral comment are limited to no more than five minutes per speaker and no more than fifteen minutes total. Written comments of any length (at least 35 copies) received in the SAB Staff Office sufficiently prior to a meeting date, may be mailed to the relevant SAB committee or subcommittee prior to its meeting; comments received too close to the meeting date will normally be provided to the committee at its meeting. Written comments may be provided to the relevant committee or subcommittee up until the time of its meeting, unless other publicly announced arrangements have been made.

Dated: April 23, 1996.

John R. Fowle, III,

*Acting Staff Director, Science Advisory Board.*  
[FR Doc. 96-11076 Filed 5-2-96; 8:45 am]

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[OPP-64029; FRL 5367-4]

### **Propargite; Voluntary Deletion of Ten uses in Response to EPA's Concerns of Risk from Dietary Exposure to the U.S. Population**

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

**ACTION:** Notice of Receipt of Request to Delete Uses.

**SUMMARY:** This notice, issued pursuant to section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136d(f)(1), announces EPA's receipt of a request from Uniroyal Chemical Company to delete 10 uses from its propargite labels. EPA invites public comment on the proposed use deletions.

**DATES:** Public comment on the use deletions will be accepted until July 2, 1996.

**ADDRESSES:** By mail, submit comments to Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, 401 M St., SW., Washington, DC 20460. In person, deliver comments to Room 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 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by docket number [OPP-64029]. 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.

**FOR FURTHER INFORMATION CONTACT:** By mail: Jeff Morris, Special Review Branch, Special Review and Reregistration Division (7508W), U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Special Review Branch, 3rd floor, 2800 Crystal Drive, Arlington, VA, (703) 308-8029; e-mail: morris.jeff@epamail.epa.gov.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background Information**

EPA determined that long-term exposure to propargite (trade names Omite, Ornamate, and Comite), a pesticide registered in 1969 for the control of mites on a number of agricultural commodities and ornamental plants, posed an unacceptable dietary cancer risk to persons who consumed propargite-treated foods. EPA classifies propargite as a B<sub>2</sub> (probable) human carcinogen. EPA's risk assessment estimates overall dietary risk to the U.S. general public from exposure to all propargite uses (including the 10 uses that Uniroyal has now deleted from its labels) at  $1.6 \times 10^{-5}$ . This was based on an intensive dietary assessment that includes exposure estimates based on actual residues found in foods. The commodities with the largest contributions to the overall risk are apples at  $9.2 \times 10^{-6}$ , and peaches at  $2.5 \times 10^{-6}$ . Accordingly, based on the foregoing information as well as information on the benefits of propargite use, EPA determined that continued use of propargite products would cause unreasonable adverse effects. However, based on a voluntary agreement reached with Uniroyal, which includes the deletion of the apple and peach uses, EPA believes the overall dietary risk has been reduced to a level that EPA considers negligible.

##### **II. Uniroyal Request to Amend Registrations**

EPA discussed its risk findings with Uniroyal Chemical Company, the sole propargite registrant, and Uniroyal responded by agreeing in an April 5,

1996 letter to EPA to amend propargite product labels with EPA registration numbers 400-82, 400-83, 400-89, 400-104, 400-154, 400-426, and 400-427 to delete the following uses: apples, apricots, cranberries, figs, green beans, lima beans, peaches, pears, plums (including plums grown for prune production), and strawberries. These proposed use deletions are the subject of the Notice. Uniroyal further requested that its propargite registrations be immediately amended to incorporate a number of new terms and conditions. These amended terms and conditions (reproduced in section IV below) were accepted by EPA and made immediately effective as of April 5, 1996.

##### **III. Deletions Pursuant to Voluntary Requests, and Opportunity for Public Comment**

Under section 6(f)(1) of FIFRA, a registrant may request at any time that EPA amend a pesticide registration to delete one or more uses (7 U.S.C. 136d(f)(1)). EPA must publish in the Federal Register a notice of receipt of the request and allow public comment. In accordance with FIFRA section 6(f)(1)(C)(ii), Uniroyal has requested that the 90-day comment period for the proposed deletions be waived. However, the Administrator has determined that a 60-day comment period is appropriate for the proposed action. Accordingly, persons wishing to comment may do so by July 2, 1996. In addition, because propargite is undergoing reregistration, any comments received in response to this notice will be considered in EPA's determination of propargite's eligibility for reregistration.

EPA believes the deletions proposed by Uniroyal in conjunction with the new terms and conditions described below will, in the short term, substantially reduce the risk of unreasonable adverse effects from continued use of products containing propargite. EPA further believes that for most of the uses proposed for deletion there are adequate alternative products and pest control practices available as substitutes for propargite products. For these uses and those for which alternatives are not available, EPA has determined that potential economic losses are outweighed by the risks posed by continued use. It is EPA's intention to uphold Uniroyal's request for deletion of the specified uses unless during the comment period convincing information is received that demonstrates that approval of Uniroyal's request is inappropriate. Based on the large and persuasive record already assembled regarding the

risks and benefits of propargite, the Agency believes its proposed decision to accept Uniroyal's deletions is well supported.

#### IV. New Terms and Conditions for Propargite Products

As indicated above, in addition to requesting deletion of certain propargite uses, Uniroyal by letter dated April 5, 1996, also requested that all of its propargite registrations be immediately amended by the addition of the terms and conditions described below. The Agency approved this request, effective April 5, 1996:

(1) Uniroyal will not sell or distribute any propargite products labeled for the deleted uses unless and until such uses are restored in accordance with the provisions set forth below. However, for a period of 21 days following the April 5, 1996 letter, Uniroyal may sell and distribute propargite products labeled for the deleted uses if Uniroyal stickers such products in accordance with paragraph (2) below, at the purchaser's premises before such products are resold or used by the purchaser.

(2) Uniroyal will sticker all propargite products in its warehouses and in possession of distributors and dealers. These stickers will notify buyers to use new labels that will be provided by Uniroyal and will accompany the purchased propargite products. Uniroyal will distribute new labels with the ten uses deleted. Uniroyal will use its best efforts to have existing stocks in the possession of growers stickered and will take back product and credit growers who return to Uniroyal product labeled for the deleted uses.

(3) Uniroyal will not seek restoration of the deleted uses until it submits a completed prolonged cell proliferation study or other new scientific data demonstrating a carcinogenic mechanism.

(4) Uniroyal will not seek State Local Needs registrations under FIFRA section 24(c) or emergency exemptions under FIFRA section 18 for any of the deleted uses, until EPA issues a final determination on any application by Uniroyal to restore the deleted uses submitted in accordance with paragraph (i) below.

(5) Uniroyal will not challenge revocation of tolerances and food additive regulations for any of the deleted uses.

(6) Uniroyal will not provide encouragement or assistance to persons or organizations seeking to challenge the voluntary use deletions requested herein or the associated tolerance or food additive regulation revocation actions.

(7) Uniroyal will not provide encouragement or assistance to persons or organizations seeking to restore the deleted uses, or seeking FIFRA section 24(c) registrations or FIFRA section 18 emergency exemptions for the deleted uses, until Uniroyal submits an application to restore the deleted uses in accordance with paragraph (i) below.

(8) In taking these actions to voluntarily delete certain uses and amend the terms and conditions of its propargite registrations, Uniroyal does not intend to create any rights for third parties.

(9) Uniroyal requests that the 90-day comment period under FIFRA section 6(f) be waived. Uniroyal consents to a 30-day comment period under FIFRA section 6(f). In an April 5, 1996 letter to Uniroyal's representative, EPA accepted the above amendments to the terms and conditions of propargite registrations and agreed to the following:

(i) After two years from April 5, 1996, if Uniroyal submits an application to restore any of the deleted uses, EPA will review the application and any supporting data within 120 days of submission of all materials to EPA. Upon completion of its review and during the 120-day review period, EPA will either grant the application or announce a preliminary decision to deny the application. If EPA announces a preliminary decision to deny the application, Uniroyal may request that EPA submit the scientific questions that are the subject of the denial to the Scientific Advisory Panel (SAP). EPA will schedule a prompt SAP review. EPA will consider the report of the SAP in making a final determination whether to grant Uniroyal's application. EPA will issue a final determination on the application within 90 days after receiving the SAP report.

(ii) EPA intends to commence proceedings to revoke tolerances for the deleted uses. If EPA commences proceedings to revoke tolerances for the deleted uses, it will propose effective dates for the revocations that provide the time needed for appropriate and orderly movement of crops already legally treated with propargite through the channels of commerce. Force Majeure: It is understood that if circumstances beyond EPA's control (such as an Act of God, war, or the like) interfere with EPA's ability to meet one or more of the deadlines set forth in paragraphs (i) or (ii) above, EPA will use its best efforts to complete such undertaking as expeditiously as possible.

#### V. Public Comment Procedures

EPA invites interested persons to submit written comments, information, or data in response to this notice. In addition, EPA desires comment on related actions concerning tolerances for the proposed deleted uses. It is EPA's intention to propose revocation of the tolerances associated with these uses. It has generally been the practice of EPA in similar instances to establish an effective date for each revocation that takes into consideration the time needed for legally treated food to pass through the channels of commerce. It is useful for the Agency to have accurate information regarding the length of time required for each affected commodity to move through commerce. Thus, EPA requests public comments on this matter. This issue will also be available for comment as part of any propargite revocation actions proposed by EPA. Comments must be submitted by July 2, 1996. Comments must bear a notation indicating the document control number. Three copies of the comments should be submitted to either location listed under "ADDRESSES" at the beginning of this notice.

Information submitted as a comment concerning this notice may be claimed confidential by marking any or all that information as Confidential Business Information (CBI). EPA will not disclose information so marked, except in accordance with procedures set forth in 40 CFR part 2. A second copy of such comments, with the CBI deleted, also must be submitted for inclusion in the public record. EPA may publicly disclose without prior notice information not marked confidential.

A record has been established for this notice under docket number [OPP-64029] (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 rulemaking record is the paper record maintained at the address in "ADDRESSES" at the beginning of this notice.

#### VI. Existing Stocks

For the purposes of this notice, existing stocks are defined as those stocks of the propargite products with the EPA registration numbers 400-82, 400-83, 400-89, 400-104, 400-154, 400-426, and 400-427 that are labeled with any of the ten uses subject to deletion by this notice and were packaged, labeled, and/or released for shipment prior to April 26, 1996.

EPA has an established policy for determinations concerning the sale, distribution, and use of existing stocks of pesticides where the registration has been amended, cancelled, or suspended under FIFRA sections 3, 4, or 6 dated June 26, 1991, (56 FR 29362). That policy states that in cases where EPA has identified a significant risk concern and the registration has been amended, EPA will make existing stocks determinations on a case-by-case basis. In most cases EPA will not permit the continued sale, distribution, or use of a product labeled with deleted uses unless it can be demonstrated that the benefits exceed the risks. EPA reserves the right to amend this existing stocks provision, should conditions warrant such amendment.

EPA has determined that the limited continued sale and use of existing stocks of propargite products labeled for the deleted uses permitted under paragraphs (1) and (2) of the terms and conditions contained in section IV of this notice, will not cause unreasonable adverse effects. Under these provisions, Uniroyal will not sell or distribute any propargite products containing the deleted uses. In addition, Uniroyal will relabel stocks at the distributor and retailer levels to reflect the deletion of the ten uses. Uniroyal will also accept return of products from users. Accordingly, EPA believes very little product labeled for use on the proposed deleted crops will be used during the 1996 growing season.

#### VII. Proposed Use Deletion/ Cancellation Order

The following Use Deletion/  
Cancellation Order and Approval of

Uniroyal's request for deletion of uses will take effect on August 1, 1996 unless before that date EPA publishes a notice in the Federal Register modifying this proposed order.

EPA approves Uniroyal's request for deletion of the apple, apricot, cranberry, fig, green bean, lima bean, peach, pear, plum, and strawberry uses from the propargite products with EPA registration numbers 400-82, 400-83, 400-89, 400-104, 400-154, 400-426, and 400-427, effective August 1, 1996 notice. All propargite products containing instructions for use on apples, apricots, cranberries, figs, green beans, lima beans, peaches, pears, plums, or strawberries are cancelled, effective August 1, 1996 notice.

#### List of Subjects

Environmental protection,  
Agricultural commodities, Pesticides  
and pests.

Dated: April 26, 1996.

Daniel M. Barolo,  
*Director, Office of Pesticide Programs.*

[FR Doc. 96-10910 Filed 5-2-96; 8:45 am]

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### FARM CREDIT ADMINISTRATION

[BM-23-APR-96-02]

#### Policy Statement on Association Structure

**AGENCY:** Farm Credit Administration.  
**ACTION:** Policy statement.

**SUMMARY:** Section 7.8 of the Farm Credit Act of 1971, as amended, provides the Farm Credit Administration (FCA) with the authority to approve mergers of unlike associations. With limited exceptions, the FCA has not allowed unlike association mergers unless the territories of the merging entities have been the same. The FCA Board will now consider merger requests from unlike associations whose territories are not the same when such mergers promote efficiencies and improve services to borrowers, provided the resulting institutions are financially viable and any adverse impact on other Farm Credit System institutions is minimal. The FCA Board Policy Statement on Association Structure describes the criteria it will consider when acting on such merger requests. However, nothing in the Policy Statement limits the FCA Board's discretion with respect to charter requests.

**EFFECTIVE DATE:** April 23, 1996.

**FOR FURTHER INFORMATION CONTACT:** Elna J. Luopa, Chief, Corporate Affairs

Division, Office of Special Supervision and Corporate Affairs, (703) 883-4475; or Victor A. Cohen, Associate General Counsel, Regulatory Enforcement Division, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean Virginia 22102-5090, (703) 883-4020, TDD (703) 883-4444.

**SUPPLEMENTARY INFORMATION:** The text of the Board's policy statement on association structure is set forth below in its entirety:

Farm Credit Administration Board  
Policy Statement on Association  
Structure, BM-23-APR-96-02, FCA-  
PS-70

*Effective Date:* April 23, 1996.

*Effect on Previous Action:* Supersedes FCA-PS-27 [BM-21-NOV-88-02] and FCA-PS-30 [BM-06-JAN-89-07].

*Source of Authority:* Sections 5.17, 7.8, and 7.11 of the Farm Credit Act of 1971, as amended.

In the interest of providing the highest quality and most efficient service to agricultural borrowers, the Farm Credit Administration (FCA) encourages Farm Credit System (System) institutions to select structural options that are most conducive to that goal. The FCA Board will favor charter requests that promote such efficiency, provided they result in viable financial institutions and any adverse effect on other System institutions is minimal.

The FCA believes that agricultural credit associations (ACAs), formed pursuant to section 7.8(a) of the Farm Credit Act of 1971, as amended, can promote such efficiency because of their ability to offer a broad array of services to borrowers. However, when the chartered territories of the merging associations are not identical, the FCA must determine whether to disapprove the merger application or to charter an ACA with (1) Full lending authority throughout its territory, resulting in competition with one or more adjoining associations; or (2) different lending authorities in different parts of its territory (bifurcated charter) with exclusive lending authorities in the common territory. Except for several ACAs formed as a result of section 411 of the Agricultural Credit Act of 1987, the FCA generally has denied charter requests for the merger of unlike associations when the boundaries of the merging entities were not the same. These actions were taken to protect exclusive charters, to discourage intra-System competition, and to prevent the administrative difficulties caused by bifurcated charters. The FCA Board prefers charters that authorize a full range of services throughout an ACA's