

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 procedures, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: June 6, 1996.

Flora Chow,

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

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[PP 6G4622/T692; FRL 5377-5]

#### Trichodex; Establishment of Temporary Exemption from the Requirement of Tolerances

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

**ACTION:** Notice.

**SUMMARY:** EPA has established temporary exemptions from the requirement of tolerances for residues of the microbial pesticide *Trichoderma harzianum* isolate T-39 and microbial antifungal agent ABG-8007 in or on certain raw agricultural commodities.

**DATES:** These temporary exemptions from the requirement of tolerances expire May 9, 1998.

**FOR FURTHER INFORMATION CONTACT:** By mail: Shanaz Bacchus, 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: Fifth Floor, Crystal Station 1, 2800 Crystal Drive, Arlington, VA (703) 308-8097; e-mail: bacchus.shanaz@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** Makhteshim-Agan of North America Inc., 551 Fifth Ave., Suite 1100, New York, NY 10176, has requested in pesticide petitions (PP) 6G4622 the establishment of exemptions from the requirement of tolerances for residues of the microbial pesticide *Trichoderma harzianum* isolate T-39 when used as an antifungal agent in or on the raw agricultural commodities table grape, wine grape and strawberry. The microbial antifungal agent is also referred to as ABG-8007 and contains dried fermentation solids resulting from

fermentation of *Trichoderma harzianum* isolate T-39, containing T-39 fungus propagules as either conidia or mycelia.

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 11678-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 used must not exceed the quantity authorized by the experimental use permit.

2. Makhteshim-Agan of North America Inc., 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 9, 1998. 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 procedures, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: June 6, 1996.

Flora Chow,

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

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[PP 6G4684/T691; FRL 5375-4]

#### Abbott Laboratories; Establishment of Temporary Tolerances

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

**ACTION:** Notice.

**SUMMARY:** EPA has established temporary tolerances for residues of the plant growth regulator, (*S*)-*trans*-2-Amino-4-(2-aminoethoxy)-3-butenic acid hydrochloride in or on certain raw agricultural commodities. These temporary tolerances were requested by Abbott Laboratories.

**DATES:** These temporary tolerances expire June 1, 1997.

**FOR FURTHER INFORMATION CONTACT:** By mail: Denise Greenway, 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: Fifth Floor, Crystal Station 1, 2800 Crystal Drive, Arlington, VA, (703) 308-8263; e-mail: greenway.denise@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** Abbott Laboratories, Dept. 28R, Bldg. A1, 1401 Sheridan Rd., North Chicago, IL 60064-4000, has requested in pesticide petition (PP) 6G4684, the establishment of temporary tolerances for residues of the plant growth regulator, (*S*)-*trans*-2-Amino-4-(2-aminoethoxy)-3-butenic acid hydrochloride in or on the raw agricultural commodities apples and pears at 0.075 parts per million (ppm). These temporary tolerances will permit the marketing of the above raw agricultural commodities when treated in accordance with the provisions of the experimental use permit 275-EUP-80, which is being issued under the Federal Insecticide, Fungicide, and Rodenticide