

Based on the current toxicological data requirements, the database relative to pre- and post-natal effects for children is complete, valid and reliable. Collective results from the 2-generation and teratology studies show no increased sensitivity to developing offspring. Thus, no increased sensitivity of infants and children to dithianon residues is anticipated. Therefore, American Cyanamid concludes that an additional safety (uncertainty) factor is not warranted and the RfD of 0.01 mg/kg b.w./day, which utilizes a 100-fold safety factor, is appropriate to ensure a reasonable certainty of no harm to infants and children.

F. International Tolerances

A Maximum Residue Limit (MRL) for dithianon at the level of 5 mg/kg was established for pome fruits by the 1992 WHO/FAO Joint Meeting on Pesticide Residues (JMPR). The MRL for pome fruits was raised to step 8 at the Codex Committee on Pesticide Residues (CCPR) meeting in 1996 and will be approved by the Codex Alimentarius Commission in 1997 for Codex Maximum Residue Limit (CXL) (final). The 1992 JMPR established an MRL for dithianon in dried hops of 100 mg/kg. This MRL for dried hops is a CXL (final).

II. Public Record

EPA invites interested persons to submit comments on this notice of filing. Comments must bear a notation indicating the docket number [PF-707].

A record has been established for this notice of filing under docket number [PF-707] 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 8:30 a.m. to 4 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 ASCII file avoiding the use of special characters and any form of encryption.

The official record for this notice of filing, 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.

List of Subjects

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

Dated: February 3, 1997.

Stephen L. Johnson,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 97-3226 Filed 2-11-97; 8:45 am]

BILLING CODE 6560-50-F

[PF-698; FRL-5585-4]

Engelhard Corporation; Pesticide Tolerance Petition Filing

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of filing.

SUMMARY: This notice announces the initial filing of a pesticide petition proposing a temporary exemption from the requirement of a tolerance for residues of kaolin in or on apples, apricots, bananas, beans, cane berries, citrus fruits, corn, cotton, cucurbits, grapes, nuts, ornamentals, peaches, peanuts, pears, peppers, potatoes, seed crops, soybean, small grains, strawberries, sugar beets, and tomatoes. The summary was prepared by the petitioner, Engelhard Corporation.

DATES: Comments, identified by the docket control number [PF-698], must be received on or before March 14, 1997.

ADDRESSES: By mail, submit written comments 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: Crystal Mall #2, Room 1132, 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 control number [PF-698]. Electronic comments on this notice may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found in Unit II. of this document.

Information submitted as comments concerning this notice may be claimed confidential by marking any part or all of that information as "Confidential Business Information" (CBI). CBI should not be submitted through e-mail. Information marked as CBI 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 submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection in Room 1132 at the address given above, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail, Sheryl Reilly, Regulatory Action Leader, (PM 90), Biopesticides and Pollution Prevention Division (7501W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Crystal Station #1, 5th Floor, 2800 Crystal Drive, Arlington, VA, 703-308-8265, e-mail: reilly.sheryl@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA has received a pesticide petition [PP-7G4793] from Engelhard Corporation, 101 Wood Ave., Iselin, NJ 08830. The petition proposes, pursuant to section 408 of the Federal Food, Drug and Cosmetic Act (FFDCA), 21 U.S.C. 346a, to amend 40 CFR part 180 to establish a temporary exemption from the requirement of a tolerance for residues of the biochemical pesticide kaolin in or on the raw agricultural commodities apples, apricots, bananas, beans, cane berries, citrus fruits, corn, cotton, cucurbits, grapes, nuts, ornamentals, peaches, peanuts, pears, peppers, potatoes, seed crops, soybean, small grains, strawberries, sugar beets, and tomatoes. EPA has determined that the petition contains data or information regarding the elements set forth in section 408(d)(2) of the FFDCA; however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data supports

granting of the petition. Additional data may be needed before EPA rules on the petition. As required by section 408(d) of the FFDCA, as recently amended by the Food Quality Protection Act (FQPA) Pub. L. 104-170, Engelhard Corporation included in the petition a summary of the petition and authorization for the summary to be published in the Federal Register in a notice of receipt of the petition. The summary represents the views of Engelhard Corporation; EPA, as mentioned above, is in the process of evaluating the petition. As required by section 408(d)(3) of the FFDCA, EPA is including the summary as a part of this notice of filing. EPA may have made minor edits to the summary for the purpose of clarity.

I. Petition Summary

A. Proposed Use Practices

The proposed experimental program will be conducted in the states of Alabama, Arizona, California, Florida, Georgia, Idaho, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, New York, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, Texas, Virgin Islands, Virginia, Washington, and West Virginia. Crops to be treated are apples, apricots, bananas, beans, cane berries, citrus fruits, corn, cotton, cucurbits, grapes, nuts, ornamentals, peaches, peanuts, pears, peppers, potatoes, seed crops, soybean, small grains, strawberries, sugar beets, and tomatoes. Treatment is made shortly after leaf or plant emergence and applied to crops at 7 to 10-day intervals. Treatment will not be applied within 10 days of harvest. Dosage rates are 10 to 100 lbs of the formulated kaolin per acre and are applied with standard commercial spray equipment. The first year target pests are aphids, apple scab, codling moth, fireblight, leaf hoppers, and pear psylla. The second year target pests are aphid complex, apple scab, armyworm, bacteria spot, bollworms, citrus canker, citrus rust, codling moth, Colorado potato beetle, cotton flea hopper, European and spotted red mite, fabrea leaf spot, early and late blight, fireblight, flyspeck, Japanese beetle, leaf hopper complex, leaf rollers, mealybug, mildews, phylloxera, pear psylla, pear rust mites, Pierce's Disease, rots, scales, tarnish plant bug, thrips, wheat stem-saw fly, and whitefly.

B. Product Identity/Chemistry

1. Kaolin is a white, nonporous, nonswelling, natural aluminosilicate mineral with the chemical formula of $Al_4Si_4O_{10}(OH)_8$. Kaolin is one of the most highly divided and highly refined

naturally occurring minerals. Median particle size of commercial products vary between 0.1–10 microns. Kaolin is chemically inert. Its hydrophilic surface allows kaolin to be easily dispersed in water at neutral pH values of 6–8.

Common physical properties of kaolin are: platy shape, high brightness (80–95), specific gravity 2.58–2.63, refractive index 1.56–1.62, and Mohs hardness 2–3.

2. A temporary exemption from the requirement of a tolerance is requested for kaolin.

3. An analytical method for detecting and measuring the levels of kaolin residue are not needed because kaolin has GRAS (Generally Recognized as Safe) status under 21 CFR 186.1256 and is generally recognized as safe "as an indirect human food ingredient with no limitation other than current good manufacturing practice."

C. Mammalian Toxicological Profile

Waivers are requested for acute toxicity, genotoxicity, reproductive and developmental toxicity, subchronic toxicity, and chronic toxicity. Kaolin is used as an indirect food additive for paper/paper board in wet and fatty food contact, paper/paper board dry food contact, adhesives, polymeric coatings, rubber articles, and cellophane. Kaolin is used in pharmaceuticals, tablet diluents, poultices, and surgical dusting powders. Kaolin is used as a cosmetic in face powders, face masks, and face packs. Kaolin is used in health products and toiletries, toothpaste, and antiperspirants. Kaolin can be used directly in foods as an anti-caking agent (up to 2.5%).

D. Aggregate Exposure

1. Dietary exposure of kaolin via food or water is difficult to estimate due to the use of kaolin in thousands of products. Kaolin is an inert mineral and has no known toxicological effects.

2. Increased non-dietary exposure of kaolin via lawn care, topical insect repellents, etc. will be minimal. Kaolin is already used in the products listed in Unit I.C. of this document. The amount of kaolin currently used in the U.S. pesticide industry as an inert is between 2 million lbs. and 10 million lbs. per year.

E. Cumulative Exposure

Kaolin has no mode of toxicity and therefore cumulative exposure is not applicable. Kaolin is used in thousands of products as well as being a naturally occurring part of the earth. Cumulative exposure is not possible to calculate nor is it necessary due to the non-toxic nature of kaolin.

F. Safety Determination

1. For the U.S. population kaolin has no known adverse effects.

2. For infants and children kaolin has no known adverse effects.

G. Existing Tolerances

1. Kaolin is listed as exempt from the requirement of a tolerance "when used in accordance with good agricultural practice as an inert (or occasionally active) ingredient in pesticide formulations applied to growing crops or to raw agricultural commodities after harvest." (40 CFR 180.1001)

2. The registrant does not know if international tolerance exemptions exist; however, since kaolin is commonly used as an inert in chemical pesticide formulations, it is assumed that such exemptions from the requirement of a tolerance exist.

II. Public Record

EPA invites interested persons to submit comments on this notice of filing. Comments must bear a notification indicating the docket control number [PF-698]. All written comments filed in response to this petition will be available, in the Public Response and Program Resources Branch, at the address given below from 8:30 a.m. to 4 p.m., Monday through Friday, except legal holidays. A record has been established for this notice under docket control number [PF-698] (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 8:30 a.m. to 4 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 notice.

List of Subjects

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

Dated: January 30, 1997.

Janet L. Andersen,

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

[FR Doc. 97-3224 Filed 2-11-97; 8:45 am]

BILLING CODE 6560-50-F

[PF-704; FRL-5586-5]

Entek; Pesticide Tolerance Petition Filing

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of filing.

SUMMARY: This notice announces the initial filing of a pesticide petition proposing the establishment of tolerances for residues of carbon disulfide in or on almond nutmeats, almond hulls, peaches and plums (fresh prunes). This notice includes a summary of the petition that was prepared by the petitioner, Entek Corporation.

DATES: Comments, identified by the docket number [PF-704], must be received on or before, March 14, 1997.

ADDRESSES: By mail, submit written comments 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, CM #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 docket number [PF-704]. Electronic comments on this notice may be filed online at many Federal Depository Libraries. Additional

information on electronic submissions can be found in Unit II. of this document.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as "Confidential Business Information" (CBI). CBI should not be submitted through e-mail. Information marked as CBI 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 submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments will be available for public inspection in Rm. 1132 at the address given above, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT:

Cynthia Giles-Parker, Product Manager (22), Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Rm. 229, CM #2, 1921 Jefferson Davis Highway, Arlington, VA, 703-305-5540, e-mail: giles-parker.cynthia@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA has received a pesticide petition (PP 5F4482) from Entek Corporation, P.O. Box 458, Brea, CA 92822, proposing pursuant to section 408(d) of the Federal Food, Drug and Cosmetic Act (FFDCA), 21 U.S.C. 346a(d), to amend 40 CFR 180.467 by establishing a tolerance, at 0.1 part per million (ppm), for residues of the fumigant carbon disulfide resulting from the soil application of sodium tetrathiocarbonate in or on the raw agricultural commodities almond nutmeats, almond hulls, peaches and plums (fresh prunes). The proposed analytical method is gas chromatography using a sulfur specific detector. EPA has determined that the petition contains data or information regarding the elements set forth in section 408(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data supports granting of the petition. Additional data may be needed before EPA rules on the petition.

As required by section 408(d) of the FFDCA, as recently amended by the Food Quality Protection Act (Pub. L. 104-170), Entek Corporation included in the petition a summary of the petition and authorization for the summary to be published in the Federal Register in a notice of receipt of the petition. The

summary represents the views of Entek Corporation. EPA is in the process of evaluating the petition. As required by section 408(d)(3) EPA is including the summary as a part of this notice of filing. EPA has made minor edits to the summary for the purpose of clarity.

I. Entek's Petition Summary

A. Residue Chemistry

1. *Plant metabolism.* Radiolabel metabolism studies, using ¹⁴C labeled sodium tetrathiocarbonate, were conducted with potatoes and tomatoes. The studies established that sodium tetrathiocarbonate rapidly degrades in soil and plants and the resulting residues are carbon disulfide (CS₂), free and bound. No other residues of concern were identified in the radiolabel or other residue chemistry studies submitted by the petitioner.

2. *Analytical method.* An adequate analytical method for detecting free and bound CS₂ residues in plants is available. The method has been validated by EPA. In brief, plant material is blended with water in a sealed container. Aliquots of the gas and liquid phases are removed and the free CS₂ content is determined by purge-and-trap gas chromatography using a sulfur-specific detector. A sample of the liquid phase, purged for free CS₂, is subjected to hot acid hydrolysis followed by purge-and-trap gas chromatography in order to measure the bound CS₂ content. In general, the limit of detection for the analytical method is 0.5 ppb and the limit of quantitation is 1.7 parts per billion (ppb).

3. *Magnitude of residues.* Two field trials were conducted for each crop (peaches, plums and almonds). Trials were all conducted in California since it is the predominant growing area for each of the requested raw agricultural commodities (RACs) and the petitioner has proposed to limit use of Enzone® (the product containing sodium tetrathiocarbonate) to Arizona, California, Oregon, and Washington. In each trial, sodium tetrathiocarbonate was applied in amounts equal to or greater than the maximum label rate and pretreatment, control and treatment samples were analyzed for free and bound CS₂.

In the plum and peach trials, very low levels (<20 ppb) of free and bound CS₂ were observed in pretreated, control and treatment samples. In both almond trials, very low levels of free or bound CS₂ (< 10 ppb) were observed in almond nutmeats. In one of the almond trials, unusually high levels of bound CS₂ (from 567-6,761 ppb) were observed in control and treated almond hull