
Marcia E. Mulkey,
Director, Office of Pesticide Programs.

Therefore, it is proposed that 40 CFR part 180 be amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346(a) and 371.

§180.174 [Removed]

2. Section 180.174 is removed.

§180.346 [Removed]

3. Section 180.346 is removed.

[FR Doc. 01–19166 Filed 7–31–01; 8:45 am]
BILLING CODE 6560–50–S

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[OPP–301137; FRL–6787–3]

RIN 2070–AB78

Atrazine, Bensulide, Carbofuran, Diphenamid, Fumaric acid, Imazalil, 6-Methyl-1,3-dithiole[4,5-b]quinoxalin-2-one, Phosphamidon, S-Propyl dipropylthiocarbamate, and Trimethacarb; Proposed Revocation of Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This document proposes to revoke specific tolerances for residues of the insecticides carbofuran, phosphamidon, and trimethacarb; the herbicides atrazine, S-(O,O-diisopropyl phosphorodithioate) ester of N-(2-mercaptoethyl)benzenesulfonylamide, known as bensulide, mercaptoethyl)benzenesulfonamide, herbicides atrazine, dipropylthiocarbamate, and OPPTS Harmonized Guidelines – Environmental Documents.

You may be affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected categories and entities may include, but are not limited to:

<table>
<thead>
<tr>
<th>Category</th>
<th>NAICS</th>
<th>Examples of Potentially Affected Entities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industry</td>
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<td>311</td>
<td>Food manufacturing</td>
</tr>
<tr>
<td></td>
<td>32532</td>
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</table>

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in the table could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether or not this action might apply to certain entities. If you have questions regarding the applicability of this action to a particular entity, consult the person listed under FOR FURTHER INFORMATION CONTACT.

B. How Can I Get Additional Information, Including Copies of this Document and Other Related Documents?

1. Electronically. You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at http://www.epa.gov/. To access this document, on the Home Page select “Laws and Regulations.” “Regulations and Proposed Rules,” and then look up the entry for this document under the “Federal Register—Environmental Documents.” You can also go directly to the Federal Register listings at http://www.epa.gov/opptsfrs/home/guidelin.htm. A frequently updated electronic version of 40 CFR part 180 is available at http://www.access.gpo.gov/nara/cfr/cfrhtml_180/Title_40/40cfr180_00.html, a beta site currently under development.

2. In person. The Agency has established an official record for this action under docket control number OPP–301137. The official record consists of the documents specifically referenced in this action, and other information related to this action, including any information claimed as Confidential Business Information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall®2, 1921 Jefferson Davis Hwy., Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305–5805.

C. How and to Whom Do I Submit Comments?

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP–301137 in the subject line of your response.

1. By mail. Submit your comments to: Public Information and Records...
Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

2. In person or by courier. Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305–5805.

3. Electronically. You may submit your comments electronically by e-mail to: opp-docket@epa.gov, or you can submit a computer disk as described in this unit. Do not submit any information electronically that you consider to be CBI. Electronic comments must be submitted as an ASCII file avoiding use of special characters and any form of encryption. Comments and data will also be accepted on standard disks in WordPerfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket control number OPP–301137. Electronic comments may also be filed online at many Federal Depository Libraries.

D. How Should I Handle CBI that I Want to Submit to the Agency?

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this document as CBI 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. In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public version of the official record. Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person listed under FOR FURTHER INFORMATION CONTACT.

E. What Should I Consider as I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Provide specific examples to illustrate your concerns.
6. Offer alternative ways to improve the proposed rule or collection activity.
7. Make sure to submit your comments by the deadline in this document.
8. To ensure proper receipt by EPA, be sure to identify the docket control number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and Federal Register citation.

F. What Can I do if I Wish the Agency to Maintain a Tolerance that the Agency Proposes to Revoke?

This proposed rule provides a comment period of 60 days for any person to state an interest in retaining a tolerance proposed for revocation. If EPA receives a comment within the 60-day period to that effect, EPA will not proceed to revoke the tolerance immediately. However, EPA will take steps to ensure the submission of any needed supporting data and will issue an order in the Federal Register under FFDCA section 408(f) if needed. The order would specify data needed and the time frames for its submission, and would require that within 90 days some person or persons notify EPA that they will submit the data. If the data are not submitted as required in the order, EPA will take appropriate action under FIFRA or FFDCA.

EPA issues a final rule after considering comments that are submitted in response to this proposed rule. In addition to submitting comments in response to this proposal, you may also submit an objection at the time of the final rule. If you fail to file an objection to the final rule within the time period specified, you will have waived the right to raise any issues resolved in the final rule. After the specified time, issues resolved in the final rule cannot be raised again in any subsequent proceedings.

II. Background

A. What Action is the Agency Taking?

EPA is proposing to revoke specific tolerances and/or exemptions for residues of the insecticides carbophuran, phosphamidon, and trimethacarb; the herbicides atrazine,bensulide, diphenamid, and vernolate; the fungicides fumicaric acid and imazalil; and the fungicide/insecticide oxythioquinox in or on commodities listed in the regulatory text because these pesticides are not registered under FIFRA for uses on those commodities or because use of the pesticide is otherwise prohibited. The registrations for these pesticide chemicals, except for carbofuran, were canceled because the registrant failed to pay the required maintenance fee or the registrant voluntarily canceled one or more registered uses of the pesticide. It is EPA’s general practice to propose revocation of those tolerances for residues of pesticide active ingredients on crop uses for which there are no active registrations under FIFRA, unless any person in comments on the proposal indicates a need for the tolerance to cover residues in or on imported commodities or domestic commodities legally treated.

1. Atrazine. The Agency is proposing to revoke and remove the tolerances in 40 CFR 180.220(a)(2) for use of atrazine and its metabolites on grass, range; orchardgrass; and orchardgrass, hay because atrazine is no longer registered for these uses. EPA had proposed these tolerance revocations previously on February 5, 1998 in the Federal Register (63 FR 5907) (FRL–5743–9). However, in response to a comment from the Washington State Department of Agriculture that active registrations for atrazine use on grass existed, EPA did not revoke the tolerances in 40 CFR 180.220(a)(2) for use of atrazine on grass, range; orchardgrass; and orchardgrass, hay; as published in the Federal Register (63 FR 57067, October 26, 1998) (FRL–6035–6). However, subsequent communications from Drexel Chemical Company and Novartis Crop Protection, Inc. (now called Syngenta Crop Protection, Inc.) confirmed that no active registrations exist and that the tolerances should be revoked. Also, in 40 CFR 180.220, EPA is proposing to remove the “(N)” designation from all remaining entries to conform to current Agency administrative practice (“N” designation means negligible residues).

2. Bensulide. EPA is proposing to revoke the tolerance for residues of the herbicide S(O,O-Diisopropyl phosphorodithioate) ester of N(2-mercaptoethyl) benzensulfonamide, known as bensulide, and its oxygen analog in or on cottonseed by revising 40 CFR 180.241 because bensulide is not registered under FIFRA for use on cotton. On September 30, 1994, a 6(f)(1)
notice of receipt of the voluntary use
deletion request by the registrant was
published in the Federal Register (50
FR 34065) (FRL–4912–1). EPA believes that
existing stocks have been used and
treated commodity has passed through
the channels of trade.

3. Carbofuran. EPA is proposing to
revise tolerances for residues of the
insecticide carbofuran and its
metabolites in or on rice and straw, in
40 CFR 180.254 by adding an
expiration/revocation date of August 31,
2002 to allow treated commodities to
pass through the channels of trade.

In 1991, EPA and FMC Corporation,
the registrant of carbofuran, reached a
settlement agreement to phase out the
use of granular carbofuran (trade name
Furadan) on rice by 1994 because of its
acute toxicity to birds. However, due to
the unavailability of effective substitutes
in 1994 and subsequent years, and in
order to allow a reasonable transition
period, that phase out was extended until
August, 1998 for most states. In 1999, EPA
and FMC Corporation that the Agency would not authorize
any further production of granular
carbofuran for rice in the 1999 season
and beyond. Existing 24(c) registrations and
labels concerning Arkansas,
California, Louisiana, Missouri,
Mississippi, and Texas were to prohibit
distribution, sale, and use of existing
stocks of granular carbofuran on rice
after August 31, 1999. However, due to
unique transition issues in California,
rice growers in California were
permitted to use existing stocks of
carbofuran on rice until August 31, 2000.
Based on discussions with the
California Rice Commission, EPA
believes that rice commodities in
California treated with carbofuran until
August, 2000 will have passed through
the channels of trade by August, 2002.
There are now two registered
alternatives and EPA has not granted
further extensions to the phase out of
granular carbofuran for use on rice.
Therefore, after the effective date of the
final rule adopting these changes and
once the expiration/revocation date of
these tolerances has been reached, these
tolerances will no longer be effective.

4. Diphenamid. Diphenamid has not
had active registrations under FIFRA
since 1991. EPA believes that existing
stocks have been used and treated
commodities have passed through the
channels of trade. EPA is proposing to
revise tolerances in 40 CFR 180.230
for residues of the herbicide
diphenamid and its metabolite in or on
apples; cattle, fat; cattle, mbyp; cattle,
meat; cotton forage; cottonseed; fruiting
vegetables; goats, fat; goats, mbyp; goats,
meat; hogs, fat; hogs, mbyp; hogs, meat;
horses, fat; horses, mbyp; horses, meat;
milk; okra; peaches; peanut forage;
peanut hay; peanuts; potatoes; sheep,
fat; sheep, mbyp; sheep, meat;
raspberries; soybean forage; soybean
hay; soybeans; strawberries; and sweet
potatoes. Therefore, the Agency is
proposing to remove §180.230 in its
entirety.

5. Fumaric acid. Fumaric acid has not
had active registrations under FIFRA
since 1989. EPA believes that existing
stocks have been used and treated
commodities have passed through the
channels of trade. EPA is proposing to
revise the tolerances in 40 CFR
180.254 by adding an
expiration/revocation date of
August 31, 2002 to allow treated
commodities to pass through the
channels of trade. EPA is proposing to
revise the tolerances in 40 CFR
180.230 for residues of the fungicide
fumaric acid on rice and
agricultural commodities and on animal
products and in §180.1001(d) for residues
of fumaric acid-isophthalic acid-styrene-
ethylene/proplylene glycol copolymer
(minimum average molecular weight (in
amu) 1 x 10^6) on raw agricultural
commodities because active
registrations do not exist.

6. Imazalil. EPA is proposing to
revise the tolerance for imazalil in or on
apples with an
expiration/revocation date of
December 31, 2002, to allow any treated commodities to pass through the
channels of trade.

Therefore, EPA is proposing to
remove the tolerance for
Comments were received from the
Washington State Department of
Agriculture and Northwest Wholesale,
Inc. which requested that EPA not
revoke the tolerance for phosphamidon
on apples due to concerns about
existing stocks. The Agency did not
revoke the tolerance for phosphamidon
on apples at that time (63 FR 57062,
Subsequently, the Agency was informed by the Washington State Department of
Agriculture that based on review of the
pests controlled by phosphamidon,
efficacy of registered alternatives,
estimates of remaining stocks of
phosphamidon, and use/disposal of
remaining unused stocks, retention of
the tolerance for phosphamidon on
apples until December 31, 2002 would
allow growers to use up existing stocks
and would be adequate.
Therefore, EPA is proposing to
revise the tolerances in 40 CFR
180.338 for residues of phosphamidon including all of its
related cholinesterase-inhibiting
compounds in or on apples by
adding an expiration/revocation date of
December 31, 2002. Because the tolerance with its revocation date will continue to appear in future issues of Title 40, EPA is also proposing to revise the commodity name from “apples” to “apple” in order to conform to current Agency administrative practice. After the effective date of the final rule adopting these changes and once the expiration/revocation date of these tolerances has been reached, these tolerances will no longer be effective. 9.S-Propyl dipropylthiocarbamate (vernolate). Because there are no registered uses for S-Propyl dipropylthiocarbamate (vernolate), EPA is proposing to revise the tolerances in 40 CFR 180.240 by adding an expiration/revocation date of May 1, 2002 for S-Propyl dipropylthiocarbamate (vernolate) residues in or on corn, fodder; corn, forage; corn, fresh (inc. sweet)(K+CWHR); corn, grain; peanuts; peanut, forage; peanut, hay; potatoes; soybeans; soybean, forage; soybean, hay; and sweet potatoes. In the March 3, 1999 Federal Register notice of receipt of the request for voluntary cancellation of S-Propyl dipropylthiocarbamate (vernolate), EPA agreed that registrants were permitted to sell and distribute existing stocks of vernolate until February 1, 2000, that distributors were permitted to sell and distribute existing stocks of vernolate until February 1, 2001, and that end users are permitted to use existing stocks until February 1, 2002 (64 FR 10296, March 3, 1999)[FRL-6061–9].

Because the tolerances with a revocation date will continue to appear in future issues of Title 40, commodity terminology changes are proposed to conform with current Agency administrative practice as follows: “corn, fresh (inc. sweet)(K+CWHR)” to “corn, sweet, kernel plus cob with husks removed,” “peanuts” to “peanut,” “potatoes” to “potato,” “soybeans” to “soybean,” and “sweet potatoes” to “sweet potato.” No other commodity name changes are proposed because current Agency practice is to split certain names into two names (e.g., “corn, grain” to “corn, field, grain” and “corn, pop, grain”) and while it would not establish any new tolerances, such a change here could incorrectly be viewed as doing so. Therefore, such name changes are not proposed in order to avoid possible confusion. After the effective date of the final rule adopting these changes and once the expiration/revocation date of these tolerances has been reached, these tolerances will no longer be effective.

10. Trimethacarb. EPA is proposing to revoke the tolerances for residues of the insecticide 3,4,5-Trimethylphenyl methylcarbamate and 2,3,5-Trimethylphenyl methylcarbamate, known as trimethacarb, in or on corn, field, grain; corn, fodder; corn, forage; and corn, pop, grain in 40 CFR 180.305 because trimethacarb is not registered under FIFRA for use on corn. Therefore, the Agency is proposing to remove §180.305 in its entirety.

EPA proposed to revoke the tolerances for trimethacarb on January 21, 1998 (63 FR 3057). A comment on the proposed rule was received from Drexel Chemical Company which requested that EPA not revoke the tolerances for trimethacarb until Drexel determined the state of existing stocks. As a result of that comment, the Agency did not take action on trimethacarb at that time (63 FR 57062, October 26, 1998). Subsequently, the Agency was informed by Drexel that end-users would exhaust existing stocks of trimethacarb by mid-May, 1999. Therefore, the Agency is proposing to revoke §180.305 in its entirety.

B. What is the Agency’s Authority for Taking this Action?

A “tolerance” represents the maximum level for residues of pesticide chemicals legally allowed in or on raw agricultural commodities and processed foods. Section 408 of FFDCA, 21 U.S.C. 346(a), allows the establishing of tolerances, exemptions from tolerance requirements, modifications in tolerances, and revocation of tolerances for residues of pesticide chemicals in or on raw agricultural commodities and processed foods. 21 U.S.C. 346(a). Without a tolerance or exemption, food containing pesticide residues is considered to be unsafe and therefore “adulterated under section 402(a) of the FFDCA. If food containing pesticide residues is considered to be “adulterated,” it may not be distributed in interstate commerce (21 U.S.C. 331(a) and 342(a)). For a food-use pesticide to be sold and distributed, the pesticide must not only have appropriate tolerances under the FFDCA, but also must be registered under FIFRA (7 U.S.C. et seq.). Food-use pesticides not registered in the United States have tolerances for residues of pesticides in or on commodities imported into the United States.

It is EPA’s general practice to propose revocation of tolerances for residues of pesticide active ingredients on crop uses for which FIFRA registrations no longer exist and the pesticide no longer be used. EPA has historically been concerned that retention of tolerances that are not necessary to cover residues in or on legally treated foods may encourage misuse of pesticides within the United States. Nonetheless, EPA will establish and maintain tolerances even when corresponding domestic uses are canceled if the tolerances, which EPA refers to as “import tolerances,” are necessary to allow importation into the United States of food containing such pesticide residues. However, where there are no imported commodities that require these import tolerances, the Agency believes it is appropriate to revoke tolerances for unregistered pesticides in order to prevent potential misuse.

Furthermore, as a general matter, the Agency believes that retention of import tolerances not needed to cover any imported food may result in unnecessary restriction on trade of pesticides and foods. Under section 408 of the FFDCA, a tolerance may only be established or maintained if EPA determines that the tolerance is safe based on a number of factors, including an assessment of the aggregate exposure to the pesticide and of the cumulative effects of such pesticide and other substances that have a common mechanism of toxicity. In doing so, EPA must consider potential contributions to the exposure from all tolerances. If the cumulative risk is such that the tolerances in aggregate are not safe, then every one of these tolerances is potentially vulnerable to revocation. Furthermore, if unneeded tolerances are included in the aggregate and cumulative risk assessments, the estimated exposure to the pesticide would be inflated. Consequently, it may be more difficult for others to obtain needed tolerances or to register needed new uses. To avoid these trade-restricting situations, the Agency is proposing to revoke tolerances for uses for which FIFRA registrations no longer exist, unless someone expresses a need for such tolerances. Through this proposed rule, the Agency is inviting individuals who need these import tolerances to identify themselves and the tolerances that are needed to cover imported commodities.

Parties interested in retention of the tolerances should be aware that additional data may be needed to support retention. These parties should be aware that, under FFDCA section 408(f), if the Agency determines that additional information is reasonably required to support the continuation of a tolerance, EPA may require that parties interested in maintaining the tolerances provide the necessary information. If the requisite information
D. What Is the Contribution to Tolerance Reassessment?

By law, EPA is required to reassess 66% or about 6,400 of the tolerances in existence on August 2, 1996, by August 2002. EPA is also required to assess the remaining tolerances by August, 2006. As of May 31, 2001, EPA has reassessed over 3,630 tolerances. This document proposes to revoke 81 tolerances and/or exemptions. However, since one has been previously reassessed, 80 tolerance/exemption reassessments would be counted toward the August, 2002 review deadline of FFDCAct section 408(q), as amended by FQPA in 1996.

IV. Regulatory Assessment Requirements

In this proposed rule, EPA is proposing to revoke specific tolerances established under FFDCAct section 408. The Office of Management and Budget (OMB) has exempted this type of action; i.e., a tolerance revocation for which extraordinary circumstances do not exist, from review under Executive Order 12866, entitled Regulatory Planning and Review (58 FR 51735, October 4, 1993). This proposed rule does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 et seq., or impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Public Law 104–4). Nor does it require any special considerations under Executive Order 12898, entitled Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (59 FR 7629, February 16, 1994); or OMB review or any other Agency action under Executive Order 13045, entitled Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997). This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104–113, section 12(d) (15 U.S.C. 272 note). Pursuant to the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 et seq.), the Agency previously assessed whether revocations of tolerances might significantly impact a substantial number of small entities and concluded that, as a general matter, these actions do not impose a significant economic impact on a substantial number of small entities. This analysis was published on December 17, 1997 (62 FR 66020), and was provided to the Chief Counsel for Advocacy of the Small Business Administration. Taking into account this analysis, and available information concerning the pesticides listed in this rule, I certify that this action will not have a significant economic impact on a substantial number of small entities. Specifically, as per the 1997 notice, EPA has reviewed its available data on imports and foreign pesticide usage and concludes that there is a reasonable international supply of food not treated with canceled pesticides. Furthermore, for the pesticides named in this proposed rule, the Agency knows of no extraordinary circumstances that exist as to the...
present proposed revocations that would change EPA’s previous analysis. Any comments about the Agency’s determination should be submitted to EPA along with comments on the proposal, and will be addressed prior to issuing a final rule.

In addition, the Agency has determined that this action will not have a substantial direct effect on States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132, entitled Federalism (64 FR 43255, August 10, 1999). Executive Order 13132 requires EPA to develop an accountable process to ensure “meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.” “Policies that have federalism implications” is defined in the Executive Order to include regulations that have “substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.” This proposed rule directly regulates growers, food processors, food handlers and food retailers, not States. This action does not alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). For these same reasons, the Agency has determined that this rule does not have any “tribal implications” as described in Executive Order 13175, entitled Consultation and Coordination with Indian Tribal Governments (65 FR 67249, November 6, 2000). Executive Order 13175 requires EPA to develop an accountable process to ensure “meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.” “Policies that have tribal implications” is defined in the Executive Order to include regulations that have “substantial direct effects on one or more Indian tribes, on the relationship between the Federal government and the Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes.” This rule will not have substantial direct effects on tribal governments, on the relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this rule.

List of Subjects in 40 CFR Part 180

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

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(b) Section 18 emergency exemptions. [Reserved]

(c) Tolerances with regional registrations. [Reserved]

(d) Indirect or inadvertent residues. [Reserved]

§ 180.240 Vernolate; tolerances for residues.

(a) General. Tolerances are established for the herbicide vernolate;

<table>
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<th>Commodity</th>
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S-Propyl dipropyl thiocarbamate in or on the following raw agricultural commodities:


Marcia E. Mulkey,
Director, Office of Pesticide Programs.

Therefore, it is proposed that 40 CFR part 180 be amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346(a) and 371.

§ 180.2 [Amended]

2. Section 180.2 is amended by removing the term “fumaric acid,” in paragraph (a).

§ 180.220 [Amended]

3. Section 180.220 is amended by redesignating paragraph (a)(1) as paragraph (a); removing the “[N]” designation wherever it appears in the “Parts per million” column in the table under newly designated paragraph (a); and by removing paragraph (a)(2).

§ 180.230 [Removed]

4. Section 180.230 is removed.

5. Section 180.239 is revised to read as follows:

§ 180.239 Phosphamidon; tolerances for residues.

(a) General. Tolerances (expressed as phosphamidon) for residues of the insecticide phosphamidon (2-chloro-2-diethylcarbamoyl-1-methylvinyl dimethyl phosphate) including all of its related cholinesterase-inhibiting compounds in or on raw agricultural commodities are established as follows:

(b) Section 18 emergency exemptions. [Reserved]

(c) Tolerances with regional registrations. [Reserved]

(d) Indirect or inadvertent residues. [Reserved]


(b) Section 18 emergency exemptions.

(c) Tolerances with regional registrations. [Reserved]

(d) Indirect or inadvertent residues. [Reserved]

§180.413 [Amended]
11. Section 180.413 is amended by removing the entry for “cottonseed” from the table in paragraph (a)(1).

§180.241 [Amended]
7. Section 180.241 is amended by removing the word “cottonseed.”.

8. In §180.254, paragraph (a) is amended by adding a third column titled “Expiration/Revocation Date.” to the table, by adding the word “None” in the new third column for all entries except “Rice” and “Rice straw,” and by revising the entries for “Rice” and “Rice straw” to read as follows:

§ 180.254 Carbofuran; tolerances for residues.

(a) General. * * *

§180.305 [Removed]
9. Section 180.305 is removed.

10. Section 180.338 is revised to read as follows:

§180.338 6-Methyl-1,3-dithiolo[4,5-b]quinoxalin-2-one; tolerances for residues.

(a) General. Tolerances are established for residues of the fungicide and insecticide 6-methyl-1,3-

<table>
<thead>
<tr>
<th>Commodity</th>
<th>Parts per million</th>
<th>Expiration/Revocation Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sweet potato</td>
<td>0.1</td>
<td>5/1/02</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Commodity</th>
<th>Parts per million</th>
<th>Expiration/Revocation Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rice</td>
<td>0.2</td>
<td>8/31/02</td>
</tr>
<tr>
<td>Rice straw (of which no more than 0.2 ppm is carbamates)</td>
<td>1.0</td>
<td>8/31/02</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Commodity</th>
<th>Parts per million</th>
<th>Expiration/Revocation Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apple</td>
<td>0.05</td>
<td>8/1/02</td>
</tr>
<tr>
<td>Apricot</td>
<td>0.02</td>
<td>8/1/02</td>
</tr>
<tr>
<td>Cattle, fat</td>
<td>0.05</td>
<td>8/1/02</td>
</tr>
<tr>
<td>Cattle, meat byproducts</td>
<td>0.05</td>
<td>8/1/02</td>
</tr>
<tr>
<td>Fruit, citrus</td>
<td>0.05</td>
<td>8/1/02</td>
</tr>
<tr>
<td>Goat, fat</td>
<td>0.05</td>
<td>8/1/02</td>
</tr>
<tr>
<td>Goat, meat byproducts</td>
<td>0.05</td>
<td>8/1/02</td>
</tr>
<tr>
<td>Hog, fat</td>
<td>0.05</td>
<td>8/1/02</td>
</tr>
<tr>
<td>Hog, meat</td>
<td>0.05</td>
<td>8/1/02</td>
</tr>
<tr>
<td>Hog, meat byproducts</td>
<td>0.05</td>
<td>8/1/02</td>
</tr>
<tr>
<td>Horse, fat</td>
<td>0.05</td>
<td>8/1/02</td>
</tr>
<tr>
<td>Horse, meat byproducts</td>
<td>0.05</td>
<td>8/1/02</td>
</tr>
<tr>
<td>Horse, meat byproducts</td>
<td>0.05</td>
<td>8/1/02</td>
</tr>
<tr>
<td>Milk</td>
<td>0.01</td>
<td>8/1/02</td>
</tr>
<tr>
<td>Nut, macadamia</td>
<td>0.1</td>
<td>8/1/02</td>
</tr>
<tr>
<td>Pear</td>
<td>0.05</td>
<td>8/1/02</td>
</tr>
<tr>
<td>Sheep, fat</td>
<td>0.05</td>
<td>8/1/02</td>
</tr>
<tr>
<td>Sheep, meat byproducts</td>
<td>0.05</td>
<td>8/1/02</td>
</tr>
<tr>
<td>Sheep, meat byproducts</td>
<td>0.05</td>
<td>8/1/02</td>
</tr>
<tr>
<td>Walnut</td>
<td>0.1</td>
<td>8/1/02</td>
</tr>
</tbody>
</table>