

the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Copies of this Document and Other Related Information?

In addition to using EDOCKET (<http://www.epa.gov/edocket/>), you may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr/>.

II. Background

On July 26, 2004, Syngenta Seeds, 3054 Cornwallis Road, Research Triangle Park, NC 27709-2257 submitted a petition (PP 3G6547) to EPA under the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act of 1996 (FQPA), requesting that the temporary tolerance exemption for *Bacillus thuringiensis* VIP3A protein and the genetic material necessary for its production in cotton found at 40 CFR 180.1247 be amended to include all VIP3A events. As it turns out, however, this particular request was unnecessary as the temporary tolerance exemption found at 40 CFR 180.1247 already includes all VIP3A events. In a subsequent letter dated July 29, 2004, Syngenta Seeds also petitioned the Agency to amend the temporary tolerance exemption found at 40 CFR 180.1247 by extending it from May 1, 2005 to May 1, 2006.

On September 15, 2004, EPA published a Notice in the **Federal Register** (69 FR 55605, FRL-7675-1) announcing the filing of the Syngenta Seeds petition. This Notice of Filing, however, was incorrect in two respects. First, it reiterated in summary fashion Syngenta Seeds request that the temporary tolerance exemption found at 40 CFR 180.1247 be amended to include all VIP3A events. As noted above, this was unnecessary since that temporary tolerance exemption already includes all VIP3A events. Second, the Notice failed to include Syngenta Seeds' petition to extend the approved time frame for the temporary exemption.

III. What Does this Correction Do?

The purpose of this document, therefore, is to clarify that pesticide petition 3G6547 from Syngenta Seeds, as summarized and presented in the Agency's September 15, 2004, Notice of Filing, is solely a proposal to amend the temporary tolerance exemption found at 40 CFR 180.1247 by extending it from May 1, 2005 to May 1, 2006. To the extent there is any language in that Notice of Filing discussing or alluding to Syngenta Seeds' request to make that

temporary tolerance exemption non-event specific, that language is to be disregarded. All the other information contained in that September 15, 2004, Notice of Filing, however, is intended to support Syngenta Seeds' request to extend the time frame of the subject temporary tolerance exemption.

As noted elsewhere in this document, EPA is providing an additional 30 days for parties to comment on Syngenta Seeds' petition as corrected via this document. Any comments received in response to this document or the original Notice of Filing dated September 15, 2004, will be addressed in any Final Rule issued by the Agency concerning this matter.

List of Subjects

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

Dated: March 7, 2005.

Janet L. Andersen,

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

[FR Doc. 05-5212 Filed 3-15-05; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[OPP-2005-0051; FRL-7702-8]

Issuance of an Experimental Use Permit

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has granted an experimental use permit (EUP) to the following pesticide applicant. An EUP permits use of a pesticide for experimental or research purposes only in accordance with the limitations in the permit.

FOR FURTHER INFORMATION CONTACT: Sharlene R. Matten, Biopesticides and Pollution Prevention Division (7511C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 605-0514; e-mail address: matten.sharlene@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general. Although this action may be of particular interest to those persons

who conduct or sponsor research on pesticides, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the information in this action, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established an official public docket for this action under docket identification (ID) number OPP-2005-0051. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr/>.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. Once in the system, select "search," then key in the appropriate docket ID number.

II. EUP

EPA has issued the following EUP: 67979-EUP-5. Issuance. Syngenta Seeds, 3054 Cornwallis Road, Research Triangle Park, NC 27709-2257. This EUP allows the use of 0.14 pounds of the insecticide Vip3A insect control protein as expressed in Events COT 202 and COT 203-derived cotton plants on 467 acres of cotton to evaluate the control of various lepidopteran insect

pests. The program is authorized only in the States of Alabama, Arizona, Arkansas, California, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Texas. Two comments were submitted in response to the notice of receipt for this permit application, which published in the **Federal Register** on July 28, 2004 (69 FR 45051) (FRL-7371-5). One comment from the National Cotton Council supported issuance of the EUP. The other comment by a private citizen objected to issuance of the EUP based on unspecified environmental and human health effects. The Agency understands the commenter's concerns. Pursuant to its authority under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and under the Federal Food, Drug, and Cosmetic Act (FFDCA), EPA has conducted an assessment of the Vip3A insect control proteins and the genetic material necessary for their production in cotton. EPA has concluded that there is a reasonable certainty that no harm will result from dietary exposure to this protein as expressed in cotton. The Vip3A insect control proteins as expressed in cotton tested under this permit are covered by the temporary tolerance exemption under 40 CFR 180.1247. No adverse effects are anticipated as a result of Vip3A expression in transgenic cotton. The EUP is effective from February 1, 2005 to March 31, 2006.

Authority: 7 U.S.C. 136c.

List of Subjects

Environmental protection,
Experimental use permits.

Dated: March 7, 2005.

Janet L. Andersen,

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

[FR Doc. 05-4958 Filed 3-15-05; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[OPP-2005-0030;FRL-7695-8]

Pesticides; Guidance for Pesticide Registrants on Labeling Statements on Products Used for Adult Mosquito Control

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: The Agency is announcing the availability of a Pesticide

Registration Notice (PR Notice) entitled "Labeling Statements on Products Used for Adult Mosquito Control." This PR Notice was issued by the Agency on insert date PR Notice was signed by the OD and is identified as PR Notice 2005-1. PR Notices are issued by the Office of Pesticide Programs (OPP) to inform pesticide registrants and other interested persons about important policies, procedures, and registration related decisions, and serve to provide guidance to pesticide registrants and OPP personnel. This particular PR Notice provides guidance to the registrant concerning EPA's policy on labeling statements for pesticide products used for wide-area applications to control adult mosquitoes. The specific label statements and label organization principles recommended in the draft Notice are intended to improve existing labels by clarifying language conveying environmental hazards posed by these products, as well as specific use directions and instructions to the applicators. The Agency believes that adoption of these recommendations will help pesticide users and pesticide enforcement officials to achieve more effective mosquito control and protection of public health, while ensuring that use of these products will not pose unreasonable risks to the environment.

FOR FURTHER INFORMATION CONTACT: Jim Roelofs, Field and External Affairs Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: 703-308-2964; fax number: 703-308-1850; e-mail address: roelofs.jim@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Does this Action Apply to Me?

This action is directed to pesticide registrants, pesticide regulatory officials, mosquito and vector control agencies, pesticide users and the general public. Although this action may be of particular interest to those persons who have a specific interest in the labeling of pesticide products used for the control of adult mosquitoes, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the information in this notice, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

II. What Guidance Does this PR Notice Provide?

This PR Notice provides guidance to the registrant concerning seven specific

recommendations for labeling statements to be used on pesticide products used for control of adult mosquitoes through ground or aerial application of Ultra-Low Volume (ULV) sprays or fogs.

A. Background

In recent years state pesticide regulators and vector control agencies have raised a variety of concerns about the labeling of pesticides used for adult mosquito control. The class of products of most concern have been those used for control of adult mosquitoes through the application of Ultra-Low Volume (ULV) sprays or fogs. Since state agencies enforce pesticide use regulations under cooperative agreements with EPA, and since FIFRA section 12(a)(2)(G) makes it an unlawful act "to use any registered pesticide in a manner inconsistent with its labeling", the interpretation of label requirements is a critical issue for EPA, its Regional Offices and state pesticide regulatory agencies, as well as for users.

In 2001, EPA sponsored an Inter-Regional Mosquito Control Conference for EPA and state agency representatives. Although labeling was one of many subjects discussed at the conference, participants felt label improvements were an area that should be addressed. It was agreed that a group representing EPA's Office of Pesticide Programs (OPP), Office of Enforcement and Compliance Assurance (OECA), EPA Regions and state lead agency volunteers would develop initial, informal proposals for improving mosquito control product labels, with the focus on adulticides only. The EPA State workgroup developed a paper which included seven recommendations. In April 2003, the initial recommendations were discussed at a public meeting of the Pesticide Program Dialogue Committee (PPDC). The PPDC is chartered under the Federal Advisory Committee Act to advise EPA on pesticide issues. Its members represent a broad spectrum of interests, including the pesticide industry, grower groups, public health agencies, academic researchers, public interest and advocacy organizations. The PPDC recommended that EPA develop the initial recommendations into more formal Agency positions.

After considering the comments and suggestions of state agencies, the PPDC and other interested parties, as well as public comments received on a draft version of the PR Notice, the Agency is making the recommendations in the PR Notice as a means to achieve improvements in the labeling of adult mosquito control products. The