

40 CFR Part 180

[PH-FRL 2237-5; PP 2E2584/R483]

Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; Chlorpyrifos**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

SUMMARY: This rule establishes a tolerance for the combined residues of the insecticide chlorpyrifos and its metabolite in or on the raw agricultural commodity grapes. This regulation to establish a maximum permissible level for residues of the insecticide in or on grapes was requested pursuant to a petition by the Interregional Research Project No. 4 (IR-4).

DATE: Effective on November 3, 1982.

ADDRESS: Written objections may be submitted to the: Hearing Clerk (A-110), Environmental Protection Agency, Rm. 3708, 401 M St., SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Donald Stubbs, Emergency Response Section (TS-767), Registration Division Office of Pesticide Programs, Environmental Protection Agency, Rm. 716D, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-1192).

SUPPLEMENTARY INFORMATION: EPA issued a notice of proposed rulemaking published in the *Federal Register* of August 25, 1982 (47 FR 37256) which announced that the Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experimental Station, P.O. Box 231, Rutgers University, New Brunswick, NJ 08903, had submitted pesticide petition 2E2584 to EPA on behalf of the IR-4 Technical Committee and the Agricultural Experiment Stations of Alabama, Arkansas, Georgia, Missouri, North Carolina, and South Carolina. The petition requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act, propose the establishment of a tolerance for the combined residues of the insecticide chlorpyrifos (0,0-diethyl 0-(3,5,6-trichloro-2-pyridyl) phosphorothioate) and its metabolite 3,5,6-trichloro-2-pyridinol in or on the raw agricultural commodity grapes at 0.5 part per million (ppm).

There were no comments or requests

for referral to an advisory committee received in response to the notice of proposed rulemaking.

The data submitted in the petition and other relevant material have been evaluated and discussed in the notice of proposed rulemaking. The pesticide is useful for the purpose for which the tolerance is sought. Therefore, the tolerance is established as set forth below.

Any person adversely affected by this regulation may, on or before December 3, 1982, file written objections with the Hearing Clerk, at the address given above. Such objections should specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

(Sec. 408(d)(2), 68 Stat. 512 (21 U.S.C. 346a(d)(2))).

List of Subjects in 40 CFR Part 180

Administrative practice and procedures, Agricultural commodities, Pesticides and pests.

Dated: October 23, 1982.

Edwin L. Johnson,

Director, Office of Pesticide Programs.

PART 180—[AMENDED]

Therefore, 40 CFR 180.342 is amended by adding and alphabetically inserting the raw agricultural commodity grapes to read as follows:

§ 180.342 Chlorpyrifos; tolerances for residues.

Commodities					Parts per million
Grapes	*	*	*	*	0.5

[FR Doc. 82-29983 Filed 11-2-82; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 180

[PH-FLR 2236-3; PP OF2317/R486]

Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; 5-Ethoxy-3-(Trichloromethyl)-1, 2, 4-Thiadiazole**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

SUMMARY: This rule establishes tolerances for the combined residues of the fungicide 5-ethoxy-3-(trichloromethyl)-1,2,4-thiadiazole and its monoacid metabolite 3-carboxy-5-ethoxy-1,2,4-thiadiazole in or on certain raw agricultural commodities. This regulation to establish maximum permissible levels for residues of the fungicide in or on the commodities was requested pursuant to a petition by Olin Corporation.

EFFECTIVE DATE: Effective on November 3, 1982.

ADDRESS: Written objections may be submitted to the: Hearing Clerk (A-110), Environmental Protection Agency, Rm. M-3708, 401 M St., SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Henry Jacoby, Product Manager (PM) 21, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 227, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-1900).

SUPPLEMENTARY INFORMATION: EPA issued a notice published in the *Federal Register* of March 14, 1980 (45 FR 16556) that Olin Corporation, 120 Long Ridge Road, Stamford, CT 06904, had submitted pesticide petition OF2317 to the EPA. The petition proposed that tolerances be established for the combined residues of the fungicide 5-ethoxy-3-(trichloromethyl)-1,2,4-thiadiazole and its monoacid metabolite 3-carboxy-5-ethoxy-1,2,4-thiadiazole in or on the raw agricultural commodities field corn grain; the meat, fat, and meat byproducts of cattle, goats, hogs, horses, and sheep; milk; and wheat grain at 0.05 part per million (ppm); and corn fodder and forage and wheat forage and straw at 0.1 ppm. The petition was subsequently amended increasing the proposed tolerances for meat, fat, and meat byproducts of cattle, goats, hogs, horses, and sheep to 0.10 ppm and to include poultry. Non comments were

evaluated. The pesticide is considered useful for the purpose for which the tolerances are sought. Based on the data submitted, there are expectations of residues occurring in eggs, milk, meat, fat and meat byproducts of livestock. However, the tolerances being established are adequate and will cover residues which could occur in these items.

The toxicology data considered in support of the tolerances included a 2-year dog feeding study with a no-observed-effect level (NOEL) of 100 ppm; a 2-year rat feeding study with a NOEL of 80 ppm and no significant oncogenic effect; a rabbit teratology study with a NOEL 15 mg/kg/day; a 3-generation reproduction study in rats with a NOEL of 80 ppm. Also considered as supplementary information were a rat teratology study with a NOEL of 100 mg/kg/day and a mouse oncogenicity study. The mouse study showed no significant oncogenic effects that could be conclusively attributed to the fungicide. Based on the dog feeding study, the NOEL is 100 ppm or 2.5 mg/kg of body weight (bw). Using a 100 fold safety factor, the acceptable daily intake (ADI) is 0.025 mg/kg/bw/day and the maximum permissible intake (MPI) is 1.5 mg/day for a 60-kg person. The proposed and established tolerances will result in a maximum theoretical exposure of 4.28 percent of the ADI.

No actions are currently pending against the continued registration of 5-ethoxy-3-(trichloromethyl)-1,2,4-thiadiazole. The nature of the residues is adequately understood and an adequate analytical method for determining residues of the fungicide, gas chromatography with an electron capture detector, is available for enforcement purposes. It is concluded that the tolerances will protect the public health, and are established as set forth below.

Any person adversely affected by this regulation may, on or before December 3, 1982, file written objections with the Hearing Clerk, at the address given above. Such objections should specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-

received in response to the notice of filing.

The data submitted in the petition and other relevant material have been 534, 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).

(Sec. 408(d)(2), 68 Stat. 512 (21 U.S.C. 346a(d)(2)))

List of Subjects in 40 CFR Part 180

Administrative practice and procedures, Raw agricultural commodities, Pesticides and pests.

Dated: October 21, 1982.

Edwin L. Johnson,

Director, Office of Pesticide Programs.

PART 180—[AMENDED]

Therefore, 40 CFR 180.370 is revised to read as follows:

§ 180.370 5-Ethoxy-3-(trichloromethyl)-1,2,4-thiadiazole; tolerances for residues.

Tolerances are established for residues of the fungicide 5-ethoxy-3-(trichloromethyl)-1,2,4-thiadiazole and its monoacid metabolite 3-carboxy-5-ethoxy-1,2,4-thiadiazole in or on the following raw agricultural commodities:

Commodities	Parts per million
Avocados	0.15
Cattle, fat	.10
Cattle, mby	.10
Cattle, meat	.10
Corn, field, grain	.05
Corn, fodder	.10
Corn, forage	.10
Cottonseed	.20
Eggs	.05
Goats, fat	.10
Goats, mby	.10
Goats, meat	.10
Hogs, fat	.10
Hogs, mby	.10
Hogs, meat	.10
Horses, fat	.10
Horses, mby	.10
Horses, meat	.10
Milk	.05
Poultry, fat	.10
Poultry, mby	.10
Poultry, meat	.10
Sheep, fat	.10
Sheep, mby	.10
Sheep, meat	.10
Strawberries	.20
Wheat, forage	.10
Wheat, grain	.05
Wheat, straw	.10

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40 CFR Part 180

[PH-FRL 2237-3; OPP-300066A]

Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; Ethoxylated Lignosulfonic Acid, Sodium Salt

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule exempts ethoxylated lignosulfonic acid, sodium salt from the requirement of a tolerance when used as an inert ingredient in pesticide formulations. This regulation was requested by Westvaco.

EFFECTIVE DATE: Effective on November 3, 1982.

ADDRESS: Written objections may be submitted to the: Hearing Clerk (A-110), Environmental Protection Agency, Rm. 3708, 401 M St., SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Roland Blood, Process Coordination Branch (TS-767C), Registration Division, Office of Pesticide Programs, Environmental Protection Agency, Rm. 716D, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202. (703-557-7700).

SUPPLEMENTARY INFORMATION: EPA issued a notice of proposed rulemaking published in the Federal Register of September 22, 1982 (47 FR 41769), which announced that at the request of Westvaco, Chemical Division, PO Box 70848, Charleston Heights, SC 29405, the Administrator proposed to amend 40 CFR 180.1001 (c) by establishing an exemption from the requirement of a tolerance for ethoxylated lignosulfonic acid, sodium salt when used as inert ingredient in pesticide formulations.

There were no comments or requests for referral to an advisory committee received in response to the proposed rulemaking.

The bases for establishing the exemption were discussed in the notice of proposed rulemaking. The pesticide is considered useful for the purpose for which the exemption is sought. It is concluded that the exemption will protect the public health and is established as set forth below.

Any person adversely affected by this regulation may, on or before December 3, 1982, file written objections with the Hearing Clerk, at the address given above. Such objections should specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the

objections must state the issues for the hearing and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

(Sec. 408(d)(2), 68 Stat. 512 (21 U.S.C. 346a(d)(2)))

List of Subjects in 40 CFR Part 180

Administrative practice and procedures, Raw agricultural commodities, Pesticides and pests.

Dated: October 23, 1982.

Edwin L. Johnson,
Director, Office of Pesticide Programs.

PART 180—[AMENDED]

Therefore, 40 CFR 180.1001(c) is amended by adding and alphabetically inserting ethoxylated lignosulfonic acid, sodium salt to read as follows:

§ 180.1001 Exemptions from the requirement of a tolerance.

(c) * * *

Inert ingredients	Limits	Uses
Ethoxylated lignosulfonic acid, sodium salt.		Surfactant.

[FR Doc. 82-29981 11-2-82; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 180

[PH-FRL 2236-5; OPP-300067A]

Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities; Secondary Alkyl (C₁₁-C₁₅) Poly (Oxyethylene) Acetate, Sodium Salt

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule exempts secondary alkyl (C₁₁-C₁₅) poly (oxyethylene) acetate, sodium salt from the requirement of a tolerance when used as inert ingredient in pesticide formulations. This regulation was requested by Sandoz, Colors and Chemicals.

EFFECTIVE DATE: Effective on November 3, 1982.

ADDRESS: Written objections may be submitted to the Hearing Clerk (A-110), Environmental Protection Agency, Rm. 3708, 401 M St., SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Peter Gray, Process Coordination Branch (TS-767C), Registration Division, Office of Pesticide Programs, Environmental Protection Agency, Rm. 716D, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202. (703-557-7700)

SUPPLEMENTARY INFORMATION: The EPA issued a notice of proposed rulemaking published in the *Federal Register* of September 29, 1982 (47 FR 42671) which announced that at the request of the Sandoz, Colors and Chemicals, the Administrator proposed to amend 40 CFR 180.1001 (c) and (e) by establishing exemptions from the requirement of a tolerance for secondary alkyl (C₁₁-C₁₅) poly (oxyethylene) acetate, sodium salt; the ethylene oxide content averages 5 moles.

There were no comments or requests for referral to an advisory committee received in response to the notice of filing.

The basis for establishing the exemption were discussed in the notice of proposed rulemaking. The pesticide is considered useful for the purpose for which the exemption is sought. It is concluded that the exemption will protect the public health and is established as set forth below.

Any person adversely affected by this regulation may, on or before December 3, 1982, file written objections with the Hearing Clerk, at the address given above. Such objections should specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

(Sec. 408(d)(2), 68 Stat. 512 (21 U.S.C. 346a(d)(2)))

List of Subjects in 40 CFR Part 180

Administrative practice and procedures, Raw agricultural commodities, Pesticides and pests.

Dated: October 19, 1982.

Edwin L. Johnson,
Director, Office of Pesticide Programs.

PART 180—[AMENDED]

Therefore, 40 CFR 180.1001 is amended by adding and alphabetically inserting the inert ingredient secondary alkyl (C₁₁-C₁₅) poly (oxyethylene) acetate, sodium salt to the tables in paragraphs (c) and (e) to read as follows:

§ 180.1001 Exemptions from the requirement of a tolerance.

(c) * * *

Inert Ingredients	Limits	Uses
Secondary alkyl (C ₁₁ -C ₁₅) poly (oxyethylene) acetate, sodium salt; the ethylene oxide content averages 5 moles.		Surfactant

(e) * * *

Inert Ingredients	Limits	Uses
Secondary alkyl (C ₁₁ -C ₁₅) poly (oxyethylene) acetate, sodium salt; the ethylene oxide content averages 5 moles.		Surfactant

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Part 405

Medicare Program; Assistants at Surgery

Correction

In FR Doc. 82-27148, beginning on page 43650 in the issue of Friday, October 1, 1982, the first line of § 405.580(c)(1) on page 43654 should read, "(1) Are required due to exceptional".

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