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[Proposed Rules]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA-HQ-OPP-2020-0053; FRL-10005-58]

Receipt of a Pesticide Petition Filed for Residues of Pesticide

Chemicals in or on Various Commodities (January 2020)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of filing of petition and request for comment.

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SUMMARY: This document announces the Agency's receipt of an initial

filing of a pesticide petition requesting the establishment or

modification of regulations for residues of pesticide chemicals in or

on various commodities.

DATES: Comments must be received on or before April 2, 2020.

ADDRESSES: Submit your comments, identified by docket identification

(ID) number by one of the following methods:

Federal eRulemaking Portal: [http://www.regulations.gov](http://www.regulations.gov/).

Follow the online instructions for submitting comments. Do not submit

electronically any information you consider to be Confidential Business

Information (CBI) or other information whose disclosure is restricted

by statute.

Mail: OPP Docket, Environmental Protection Agency Docket

Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW, Washington, DC

20460-0001.

Hand Delivery: To make special arrangements for hand

delivery or delivery of boxed information, please follow the

instructions at <http://www.epa.gov/dockets/contacts.html>.

Additional instructions on commenting or visiting the docket, along

with more information about dockets generally, is available at <http://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: Michael Goodis, Registration Division

(7505P), main telephone number: (703) 305-7090, email address:

[RDFRNotices@epa.gov](mailto:RDFRNotices@epa.gov); or Robert McNally, Biopesticides and Pollution

Prevention Division (7511P), main telephone number: (703) 305-7090,

email address: [BPPDFRNotices@epa.gov](mailto:BPPDFRNotices@epa.gov). The mailing address for each

contact person is: Office of Pesticide Programs, Environmental

Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-

0001. As part of the mailing address, include the contact person's

name, division, and mail code. The division to contact is listed at the

end of each pesticide petition summary.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an

agricultural producer, food manufacturer, or pesticide manufacturer.

The following list of North American Industrial Classification System

(NAICS) codes is not intended to be exhaustive, but rather provides a

guide to help readers determine whether this document applies to them.

Potentially affected entities may include:

Crop production (NAICS code 111).

Animal production (NAICS code 112).

Food manufacturing (NAICS code 311).

Pesticide manufacturing (NAICS code 32532).

B. What should I consider as I prepare my comments for EPA?

1. Submitting CBI. Do not submit this information to EPA through

[regulations.gov](http://regulations.gov/) or email. Clearly mark the part or all of the

information that you claim to be CBI. For CBI information in a disk or

CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as

CBI and then identify electronically within the disk or CD-ROM the

specific information that is claimed as CBI. In addition to one

complete version of the comment that includes 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 docket.

Information so marked will not be disclosed except in accordance with

procedures set forth in 40 CFR part 2.

2. Tips for preparing your comments. When preparing and submitting

your comments, see the commenting tips at

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<http://www.epa.gov/dockets/comments.html>.

3. Environmental justice. EPA seeks to achieve environmental

justice, the fair treatment and meaningful involvement of any group,

including minority and/or low-income populations, in the development,

implementation, and enforcement of environmental laws, regulations, and

policies. To help address potential environmental justice issues, the

Agency seeks information on any groups or segments of the population

who, as a result of their location, cultural practices, or other

factors, may have atypical or disproportionately high and adverse human

health impacts or environmental effects from exposure to the pesticides

discussed in this document, compared to the general population.

II. What action is the Agency taking?

EPA is announcing receipt of a pesticide petition filed under

section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21

U.S.C. 346a, requesting the establishment or modification of

regulations in 40 CFR part 174 and/or part 180 for residues of

pesticide chemicals in or on various food commodities. The Agency is

taking public comment on the request before responding to the

petitioner. EPA is not proposing any particular action at this time.

EPA has determined that the pesticide petition described in this

document contains data or information prescribed in FFDCA section

408(d)(2), 21 U.S.C. 346a(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 pesticide petition. After considering the

public comments, EPA intends to evaluate whether and what action may be

warranted. Additional data may be needed before EPA can make a final

determination on this pesticide petition.

Pursuant to 40 CFR 180.7(f), a summary of the petition that is the

subject of this document, prepared by the petitioner, is included in a

docket EPA has created for this rulemaking. The docket for this

petition is available at [http://www.regulations.gov](http://www.regulations.gov/).

As specified in FFDCA section 408(d)(3), 21 U.S.C. 346a(d)(3), EPA

is publishing notice of the petition so that the public has an

opportunity to comment on this request for the establishment or

modification of regulations for residues of pesticides in or on food

commodities. Further information on the petition may be obtained

through the petition summary referenced in this unit.

A. Amended Tolerances for Non-Inerts

1. PP 9F8761. (EPA-HQ-OPP-2020-0046). Syngenta Crop Protection,

LLC, P.O. Box 18300, Greensboro, NC 27419, requests to amend the

tolerances in 40 CFR 180.662 for residues of the herbicide trinexapac-

ethyl in or on Sugarcane, cane at 1.5 parts per million (ppm) and

Sugarcane, molasses at 5.0 ppm. The method for determining the residues

in crops, expressed as major metabolite CGA-179500 is LC-MS-MS and is

used to measure and evaluate the chemical trinexapac-ethyl. Contact:

RD.

2. PP 9F8764. (EPA-HQ-OPP-2020-0047). Syngenta Crop Protection,

LLC. P.O. Box 18300, Greensboro, NC 27419, requests to amend the

tolerances in 40 CFR 180.368 for residues of the herbicide S-

metolachlor in or on soybeans at 1.0 ppm and grain, aspirated fractions

at 2.0 ppm. The analytical method of gas chromatography-nitrogen

phosphorus detection (GC/NPD) is used to measure and evaluate the

chemical S-metolachlor. Contact: RD.

B. New Tolerances for Non-Inerts

1. PP 9F8753. (EPA-HQ-OPP-2020-0010). Valent BioSciences LLC, 870

Technology Way, Libertyville, IL 60048, requests to establish a

tolerance in 40 CFR part 180 for residues of the plant regulator,

Aminoethoxyvinylglycine in or on apple and pear at 0.065 ppm. The high-

performance liquid chromatography analytical method is used to measure

and evaluate the chemical Aminoethoxyvinylglycine. Contact: BPPD.

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Commodity Level

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Apple................................................... 0.065

Pear.................................................... 0.065

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2. PP 9F8776. EPA-HQ-OPP-2019-0580. Nichino America, Inc., 4550

Linden Hill Road, Suite 501, Wilmington, Delaware 19808, requests to

amend the tolerances in 40 CFR part 180 for residues of the herbicide,

orthosulfamuron, in or on almonds hulls at 0.03 ppm; small fruit vine

climbing subgroup, except fuzzy kiwifruits (crop subgroup 13-07F) at

0.01 ppm; and tree nuts (crop group 14-12) at 0.01 ppm. An

independently validated analytical method was used to measure and

evaluate the chemical orthosulfamuron. Contact: RD.

3. PP 9F8777. EPA-HQ-OPP-2019-0542. Syngenta Crop Protection, LLC,

P.O. Box 18300, Greensboro, NC 27419, requests to establish a tolerance

in 40 CFR part 180 for residues of the herbicide, bicyclopyrone, in or

on lemongrass, dried at 0.5 ppm; lemongrass, fresh at 0.3 ppm;

rosemary, dried at 0.3 ppm; rosemary, fresh at 0.3 ppm; wormwood, dried

at 0.09 ppm; and wormwood, fresh at 05 ppm. Analytical methods:

GRM030.05A, GRM030.05B, and GRM030.08A were used to measure and

evaluate the chemical bicyclopyrone. Contact: RD.

4. PP 9F8804. (EPA-HQ-OPP-2020-0022). Clarke Mosquito Control

Products, Inc., 675 Sidwell Court, St. Charles, IL 60174, requests to

establish tolerances in 40 CFR part 180 for the combined residues of

the insecticide spinetoram, expressed as a combination of XDE-175-J: 1-

H-as-indaceno[3,2-d]oxacyclododecin-7,15-dione, 2-[6-deoxy-3-O-ethyl-

2,4-di-O-methyl-[alpha]-L-mannopyranosyl)oxy]-13-[[(2R,5S,6R)-5-

(dimethylamino)tetrahydro-6-methyl-2H-pyran-2-yl]oxy]-9ethyl-

2,3,3a,4,5,5a,5b,6,9,10,11,12,13,14,16a,16b-hexadecahydro 14-methyl-,

(2R,3aR,5aR,5bS,9S,13S,14R,16aS,16bR); XDE-175-L: 1H-as-indaceno[3,2-

d]oxacyclododecin-7,15-dione, 2-[(6deoxy-3-O-ethyl-2,4-di-O-methyl-

[alpha]-L-mannopyranosyl)oxy]-13-[[(2R,5S,6R)-

5(dimethylamino)tetrahydro-6-methyl-2H-pyran-2-yl]oxy]-9-ethyl-

2,3,3a,5a,5b,6,9,10,11,12,13,14,16a,16b-tetradecahydro-4,14-dimethyl-

(2S,3aR,5aS,5bS,9S,13S,14R,16aS,16bS); ND-J:

(2R,3aR,5aR,5bS,9S,13S,14R,16aS,16bR)-9-ethyl-14-methyl-13[[(2S,5S,6R)-

6-methyl-5-(methylamino)tetrahydro-2H-pyran-2-yl]oxy]-7,15-dioxo-

2,3,3a,4,5,5a,5b,6,7,9,10,11,12,13,14,15,16a,16b-octadecahydro-1H-as-

indaceno[3,2-d]oxacyclododecin-2-yl6-deoxy-3-O-ethyl-2,4-di-O-methyl-

[alpha]-L-mannopyranoside; and NF-J: (2R,3S,6S)-6-

([(2R,3aR,5aR,5bS,9S,13S,14R,16aS,16bR)-2-[(6-deoxy-3-O-ethyl-2,4-di-O-

methyl-[alpha]-L-mannopyranosyl)oxy]-9-ethyl-14-methyl-7,15-dioxo-

2,3,3a,4,5,5a,5b,6,7,9,10,11,12,13,14,15,16a,16b-octadecahydro-1H-as-

indaceno[3,2-d]oxacyclododecin-13-yl]oxy)-2-methyltetrahydro-2H-pyran-

3-yl(methyl)formamide in or on fish at 4.0 ppm; fish-shellfish,

crustacean at 4.0 ppm; fish-shellfish, mollusc at 4.0 ppm; grass,

forage, fodder, and hay, group 17 forage at 10.0 ppm; grass, forage,

fodder, and hay, group 17 hay at 5.0 ppm; animal feed, nongrass, group

18, forage at 35.0 ppm; and animal feed, nongrass, group 18, hay at

30.0 ppm. The EPA has determined adequate tolerance enforcement methods

are available for spinetoram residues in a variety of plant and animal

matrices including a number of high-performance liquid chromatography

(HPLC)/Mass Spectrometry (MS)/MS methods. Additional details on the

analytical

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methods can be found in the supporting documentation in Docket ID: EPA-

HQ-OPP-2011-0666-0025. Contact: RD.

5. PP 9F8809. (EPA-HQ-OPP-2020-0004). Nichino America, Inc., 4550

Linden Hill Road, Suite 501, Wilmington, DE 19808, requests to

establish a tolerance in 40 CFR part 180 for residues of the herbicide,

pyraclonil in or on tice at 0.01 ppm. An independently validated

analytical method is used to measure and evaluate the chemical

pyraclonil. Contact: RD

Authority: 21 U.S.C. 346a.

Dated: February 19, 2020.

Delores Barber,

Director, Information Technology and Resources Management Division,

Office of Pesticide Programs.

[FR Doc. 2020-04265 Filed 3-2-20; 8:45 am]

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