[Federal Register Volume 89, Number 15 (Tuesday, January 23, 2024)]

[Rules and Regulations]

[Pages 4196-4200]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA-HQ-OPP-2022-0134; FRL-11402-01-OCSPP]

Linuron; Pesticide Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

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SUMMARY: This regulation establishes tolerances for residues of linuron

in or on alfalfa, forage and alfalfa, hay. Tessenderlo Kerley, Inc.

requested these tolerances under the Federal Food, Drug, and Cosmetic

Act (FFDCA).

DATES: This regulation is effective January 23, 2024. Objections and

requests for hearings must be received on or before March 25, 2024, and

must be filed in accordance with the instructions provided in 40 CFR

part 178 (see also Unit I.C. of the SUPPLEMENTARY INFORMATION).

ADDRESSES: The docket for this action, identified by docket

identification (ID) number EPA-HQ-OPP-2022-0134, is available at

[https://www.regulations.gov](https://www.regulations.gov/) or at the Office of Pesticide Programs

Regulatory Public Docket (OPP Docket) in the Environmental Protection

Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg.,

Rm. 3334, 1301 Constitution Ave. NW, Washington, DC 20460-0001. The

Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through

Friday, excluding legal holidays. The telephone number for the Public

Reading Room and OPP Docket is (202) 566-1744. Please review the

visitor instructions and additional information about the docket

available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: Charles Smith, Director, Registration

Division (7505T), Office of Pesticide Programs, Environmental

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

0001; main telephone number: (202) 566-1030; email address:

[RDFRNotices@epa.gov](mailto:RDFRNotices@epa.gov).

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. How can I get electronic access to other related information?

You may access a frequently updated electronic version of EPA's

tolerance regulations at 40 CFR part 180 through the Federal Register

Office's e-CFR site at <https://www.ecfr.gov/current/title-40>.

C. How can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an

objection to any aspect of this regulation and may also request a

hearing on those objections. You must file your objection or request a

hearing on this regulation in accordance with the instructions provided

in 40 CFR part 178. To ensure proper receipt by EPA, you must identify

docket ID number EPA-HQ-OPP-2022-0134 in the subject line on the first

page of your submission. All objections and requests for a hearing must

be in writing and must be received by the Hearing Clerk on or before

March

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25, 2024. Addresses for mail and hand delivery of objections and

hearing requests are provided in 40 CFR 178.25(b).

In addition to filing an objection or hearing request with the

Hearing Clerk as described in 40 CFR part 178, please submit a copy of

the filing (excluding any Confidential Business Information (CBI)) for

inclusion in the public docket. Information not marked confidential

pursuant to 40 CFR part 2 may be disclosed publicly by EPA without

prior notice. Submit the non-CBI copy of your objection or hearing

request, identified by docket ID number EPA-HQ-OPP-2022-0134, by one of

the following methods:

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

Follow the online instructions for submitting comments. Do not submit

electronically any information you consider to be 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 <https://www.epa.gov/dockets>.

Additional instructions on commenting or visiting the docket, along

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

II. Summary of Petitioned-For Tolerance

In the Federal Register of March 22, 2022 (87 FR 16133) (FRL-9410-

11-OCSPP), EPA issued a document pursuant to FFDCA section 408(d)(3),

21 U.S.C. 346a(d)(3), announcing the filing of a pesticide petition (PP

1F8972) by Tessenderlo Kerley, Inc., 2910 N 44th Street, Suite 100,

Phoenix, AZ 85018. The petition requested that 40 CFR 180.184 be

amended by establishing tolerances for residues of the herbicide

linuron, in or on alfalfa, forage and alfalfa, hay at 1.0 and 3.0 parts

per million (ppm), respectively. That document referenced a summary of

the petition prepared by Tessenderlo Kerley, Inc., the registrant,

which is available in the docket, [https://www.regulations.gov](https://www.regulations.gov/). Comments

were received on the notice of filing. EPA's response to these comments

is discussed in Unit IV.C.

III. Aggregate Risk Assessment and Determination of Safety

Section 408(b)(2)(A)(i) of FDCA allows EPA to establish a tolerance

(the legal limit for a pesticide chemical residue in or on a food) only

if EPA determines that the tolerance is ``safe.'' Section

408(b)(2)(A)(ii) of FFDCA defines ``safe'' to mean that ``there is a

reasonable certainty that no harm will result from aggregate exposure

to the pesticide chemical residue, including all anticipated dietary

exposures and all other exposures for which there is reliable

information.'' This includes exposure through drinking water and in

residential settings, but does not include occupational exposure.

Section 408(b)(2)(C) of FFDCA requires EPA to give special

consideration to exposure of infants and children to the pesticide

chemical residue in establishing a tolerance and to ``ensure that there

is a reasonable certainty that no harm will result to infants and

children from aggregate exposure to the pesticide chemical residue. . .

.''

Consistent with FFDCA section 408(b)(2)(D), and the factors

specified in FFDCA section 408(b)(2)(D), EPA has reviewed the available

scientific data and other relevant information in support of this

action. EPA has sufficient data to assess the hazards of and to make a

determination on aggregate exposure for linuron including exposure

resulting from the tolerances established by this action. EPA's

assessment of exposures and risks associated with linuron follows.

A. Toxicological Profile

EPA has evaluated the available toxicity data and considered its

validity, completeness, and reliability as well as the relationship of

the results of the studies to human risk. EPA has also considered

available information concerning the variability of the sensitivities

of major identifiable subgroups of consumers, including infants and

children. The toxicological database for linuron is robust and the data

requirements are satisfied. With repeated oral dosing in test animals,

linuron produces three primary effects: (1) changes in the

hematopoietic system in dogs, rats, and mice; (2) changes in the male

reproductive system in developing rats; and (3) decreases in

T3 and T4 levels detected in Endocrine Disruptor

Screening Program (EDSP) Tier 1 screening assays in rats. Specific

information on the studies received and the nature of the adverse

effects caused by linuron as well as the no-observed adverse-effect

level (NOAEL) and the lowest-observed adverse-effect level (LOAEL) from

the toxicity studies can be found at [https://www.regulations.gov](https://www.regulations.gov/) in

document Linuron. Human Health Risk Assessment for a New Use on Alfalfa

hereinafter ``Linuron Human Health Risk Assessment'' in docket ID

number EPA-HQ-OPP-2022-0134.

B. Toxicological Points of Departure/Levels of Concern

Once a pesticide's toxicological profile is determined, EPA

identifies toxicological points of departure (POD) and levels of

concern to use in evaluating the risk posed by human exposure to the

pesticide. For hazards that have a threshold below which there is no

appreciable risk, the toxicological POD is used as the basis for

derivation of reference values for risk assessment. PODs are developed

based on a careful analysis of the doses in each toxicological study to

determine the dose at which no adverse effects are observed (the NOAEL)

and the lowest dose at which adverse effects of concern are identified

(the LOAEL). Uncertainty/safety factors are used in conjunction with

the POD to calculate a safe exposure level--generally referred to as a

population-adjusted dose (PAD) or a reference dose (RfD)--and a safe

margin of exposure (MOE). For non-threshold risks, the Agency assumes

that any amount of exposure will lead to some degree of risk. Thus, the

Agency estimates risk in terms of the probability of an occurrence of

the adverse effect expected in a lifetime. For more information on the

general principles EPA uses in risk characterization and a complete

description of the risk assessment process, see <https://www.epa.gov/pesticides/factsheets/riskassess.htm>. A summary of the toxicological

endpoints for linuron used for human risk assessment is shown in the

Linuron Human Health Risk Assessment on pages 16-17.

C. Exposure Assessment

1. Dietary exposure from food and feed uses. In evaluating dietary

exposure to linuron, EPA considered exposure under the petitioned-for

tolerances as well as all existing linuron tolerances in 40 CFR

180.184. EPA assessed dietary exposures from linuron in food as

follows:

i. Acute exposure. Quantitative acute dietary exposure and risk

assessments are performed for a food-use pesticide, if a toxicological

study has indicated the possibility of an effect of concern occurring

as a result of a 1-day or single exposure. Such effects were identified

for linuron. In estimating acute dietary exposure, EPA used food

consumption information from the United States Department of

Agriculture (USDA) National Health and Nutrition Examination Survey,

What We Eat in America, (NHANES/WWEIA). As to residue levels in food,

EPA assumed

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tolerance-level residues, 100% crop treated (PCT) and incorporated

empirical processing factors and default processing factors.

ii. Chronic exposure. In conducting the chronic dietary exposure

assessment EPA used the food consumption data from the USDA NHANES/

WWEIA. As to residue levels in food, EPA assumed tolerance-level

residues, average PCT, and incorporated empirical processing factors

and default processing factors. The chronic dietary analysis

incorporated average PCT data for asparagus (15%), carrots (85%),

celery (20%), corn (<=1.0%), cotton (<=1.0%), dry beans/peas (<=1.0%),

potatoes (10%), grain sorghum (<=1.0%), soybeans (<=1.0%), and wheat

(<=1.0%).

iii. Cancer. Based on the data summarized in Unit III.A., EPA has

concluded that linuron does not pose a cancer risk to humans.

Therefore, a dietary exposure assessment for the purpose of assessing

cancer risk is unnecessary.

iv. Anticipated residue and percent crop treated (PCT) information.

Section 408(b)(2)(F) of FFDCA states that the Agency may use data on

the actual percent of food treated for assessing chronic dietary risk

only if:

Condition a: The data used are reliable and provide a

valid basis to show what percentage of the food derived from such crop

is likely to contain the pesticide residue.

Condition b: The exposure estimate does not underestimate

exposure for any significant subpopulation group.

Condition c: Data are available on pesticide use and food

consumption in a particular area, the exposure estimate does not

understate exposure for the population in such area.

In addition, the Agency must provide for periodic evaluation of any

estimates used. To provide for the periodic evaluation of the estimate

of PCT as required by FFDCA section 408(b)(2)(F), EPA may require

registrants to submit data on PCT.

In most cases, EPA uses available data from United States

Department of Agriculture/National Agricultural Statistics Service

(USDA/NASS), proprietary market surveys, and the National Pesticide Use

Database for the chemical/crop combination for the most recent 6-7

years. EPA uses an average PCT for chronic dietary risk analysis. The

average PCT figure for each existing use is derived by combining

available public and private market survey data for that use, averaging

across all observations, and rounding to the nearest 5%, except for

those situations in which the average PCT is less than one. In those

cases, 1% is used as the average PCT and 2.5% is used as the maximum

PCT. EPA uses a maximum PCT for acute dietary risk analysis. The

maximum PCT figure is the highest observed maximum value reported

within the recent 6 years of available public and private market survey

data for the existing use and rounded up to the nearest multiple of 5%.

The Agency believes that the three conditions discussed in Unit

III.C.1.iv. have been met. With respect to Condition a, PCT estimates

are derived from Federal and private market survey data, which are

reliable and have a valid basis. The Agency is reasonably certain that

the percentage of the food treated is not likely to be an

underestimation. As to Conditions b and c, regional consumption

information and consumption information for significant subpopulations

is taken into account through EPA's computer-based model for evaluating

the exposure of significant subpopulations including several regional

groups. Use of this consumption information in EPA's risk assessment

process ensures that EPA's exposure estimate does not understate

exposure for any significant subpopulation group and allows the Agency

to be reasonably certain that no regional population is exposed to

residue levels higher than those estimated by the Agency. Other than

the data available through national food consumption surveys, EPA does

not have available reliable information on the regional consumption of

food to which linuron may be applied in a particular area.

2. Dietary exposure from drinking water. The Agency used screening

level water exposure models in the dietary exposure analysis and risk

assessment for linuron in drinking water. These simulation models take

into account data on the physical, chemical, and fate/transport

characteristics of linuron. Further information regarding EPA drinking

water models used in pesticide exposure assessment can be found at

<https://www.epa.gov/oppefed1/models/water/index.htm>.

Based on the Pesticide Water Calculator (PWC), a graphical user

interface that runs the Pesticide Root Zone Model (PRZM, v 5, November

15, 2006), PRZM-GW, and the Variable Volume Water Body Model (VVWM, 3/

6/2014), the estimated drinking water concentrations (EDWCs) of linuron

for acute exposures are estimated to be 65 parts per billion (ppb) for

surface water and 40 ppb for ground water, and those for chronic

exposures for non-cancer assessments are estimated to be 47 ppb for

surface water and 37 ppb for ground water.

Modeled estimates of drinking water concentrations were directly

entered into the dietary exposure model. For acute dietary risk

assessment, the water concentration value of 65 ppb was used to assess

the contribution to drinking water. For chronic dietary risk

assessment, the water concentration of value 47 ppb was used to assess

the contribution to drinking water.

3. From non-dietary exposure. The term ``residential exposure'' is

used in this document to refer to non-occupational, non-dietary

exposure (e.g., for lawn and garden pest control, indoor pest control,

termiticides, and flea and tick control on pets).

Linuron is not registered for any specific use patterns that would

result in residential exposure.

4. Cumulative effects from substances with a common mechanism of

toxicity. Section 408(b)(2)(D)(v) of FFDCA requires that, when

considering whether to establish, modify, or revoke a tolerance, the

Agency consider ``available information'' concerning the cumulative

effects of a particular pesticide's residues and ``other substances

that have a common mechanism of toxicity.'' EPA has not found linuron

to share a common mechanism of toxicity with any other substances, and

linuron does not appear to produce a toxic metabolite produced by other

substances. For the purposes of this tolerance action, therefore, EPA

has assumed that linuron does not have a common mechanism of toxicity

with other substances. For information regarding EPA's efforts to

determine which chemicals have a common mechanism of toxicity and to

evaluate the cumulative effects of such chemicals, see EPA's website at

<https://www.epa.gov/pesticides/cumulative>.

D. Safety Factor for Infants and Children

1. In general. Section 408(b)(2)(C) of FFDCA provides that EPA

shall apply an additional tenfold (10X) margin of safety for infants

and children in the case of threshold effects to account for prenatal

and postnatal toxicity and the completeness of the database on toxicity

and exposure unless EPA determines based on reliable data that a

different margin of safety will be safe for infants and children. This

additional margin of safety is commonly referred to as the Food Quality

Protection Act (FQPA) Safety Factor (SF). In applying this provision,

EPA either retains the default value of 10X, or uses a different

additional safety factor when reliable data available to EPA support

the choice of a different factor.

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EPA has determined that reliable data show the safety of infants

and children would be adequately protected if the FQPA SF were reduced

to 1X. That decision is based on the following findings:

i. The toxicity database for linuron is considered adequate. The

requirement for the comparative thyroid assay that was required as part

of the EDSP to evaluate the potential for increased sensitivity in the

young was waived. As a result, the FQPA SF of 10X for linuron has been

removed for all exposure routes and durations.

ii. Although findings were observed in the acute neurotoxicity

study, the concern for neurotoxicity is low since: (1) a clear NOAEL

was established and is 5-fold lower than the dose causing potential

neurotoxic effects; (2) the selected endpoints for risk assessment are

protective of the observed neurotoxicity; (3) no corroborative

neuropathology was associated at the LOAEL or higher dose in the acute

neurotoxicity study; and (4) there were no other neurotoxic-like

effects observed in the linuron database indicating the nervous system

is not the most sensitive for linuron.

iii. There is evidence of quantitative susceptibility in the two-

generation reproduction toxicity study in rats and developmental

effects, but not susceptibility, in the rat and rabbit developmental

studies; however, concern is low since there are clear NOAELs

established for the developmental and offspring effects and the

selected endpoints are protective of these effects.

iv. There are no residual uncertainties identified in the exposure

databases. The acute dietary (food) exposure assessment utilized

conservative upper-bound inputs including assuming 100% of the

registered crops treated, and tolerance-level residues for all

commodities. The chronic dietary exposure assessment was partially

refined, used tolerance-level residues for all commodities and average

PCT estimates when available. The drinking water assessment utilized

water concentration values generated by models and associated modeling

parameters which are designed to produce conservative, health

protective, high-end estimates of water concentrations which are not

likely to be exceeded. The dietary (food and drinking water) exposure

assessment does not underestimate the potential exposure for infants,

children, or women of childbearing age. No residential uses are

proposed or registered for linuron at this time, so no residential

exposure assessment was conducted.

E. Aggregate Risks and Determination of Safety

EPA determines whether acute and chronic dietary pesticide

exposures are safe by comparing aggregate exposure estimates to the

acute PAD (aPAD) and chronic PAD (cPAD). For linear cancer risks, EPA

calculates the lifetime probability of acquiring cancer given the

estimated aggregate exposure. Short-, intermediate-, and chronic-term

risks are evaluated by comparing the estimated aggregate food, water,

and residential exposure to the appropriate PODs to ensure that an

adequate MOE exists.

1. Acute risk. Using the exposure assumptions discussed in this

unit for acute exposure, the acute dietary exposure from food and water

to linuron will occupy 9.5% of the aPAD for infants, the population

group receiving the greatest exposure.

2. Chronic risk. Using the exposure assumptions described in this

unit for chronic exposure, EPA has concluded that chronic exposure to

linuron from food and water will utilize 84% of the cPAD for children

1-2 years old the population group receiving the greatest exposure.

There are no residential uses for linuron.

3. Short-term risk. Short-term aggregate exposure takes into

account short-term residential exposure plus chronic exposure to food

and water (considered to be a background exposure level). A short-term

adverse effect was identified; however, linuron is not registered for

any use patterns that would result in short-term residential exposure.

Short-term risk is assessed based on short-term residential exposure

plus chronic dietary exposure. Because there is no short-term

residential exposure and chronic dietary exposure has already been

assessed under the appropriately protective cPAD (which is at least as

protective as the POD used to assess short-term risk), no further

assessment of short-term risk is necessary, and EPA relies on the

chronic dietary risk assessment for evaluating short-term risk for

linuron.

4. Intermediate-term risk. Intermediate-term aggregate exposure

takes into account intermediate-term residential exposure plus chronic

exposure to food and water (considered to be a background exposure

level). An intermediate-term adverse effect was identified; however,

linuron is not registered for any use patterns that would result in

intermediate-term residential exposure. Intermediate-term risk is

assessed based on intermediate-term residential exposure plus chronic

dietary exposure. Because there is no intermediate-term residential

exposure and chronic dietary exposure has already been assessed under

the appropriately protective cPAD (which is at least as protective as

the POD used to assess intermediate-term risk), no further assessment

of intermediate-term risk is necessary, and EPA relies on the chronic

dietary risk assessment for evaluating intermediate-term risk for

linuron.

5. Aggregate cancer risk for U.S. population. Linuron is considered

a Group C carcinogen requiring no quantification of human cancer risk.

6. Determination of safety. Based on these risk assessments, EPA

concludes that there is a reasonable certainty that no harm will result

to the general population, or to infants and children from aggregate

exposure to linuron residues.

IV. Other Considerations

A. Analytical Enforcement Methodology

Adequate enforcement methods are available for the determination of

linuron residues of concern in/on plant and livestock tissues. The

current enforcement methods determine linuron and all metabolites

hydrolyzable to 3,4-dichloroaniline (3,4-DCA). The method may be

requested from: Chief, Analytical Chemistry Branch, Environmental

Science Center, 701 Mapes Rd., Ft. Meade, MD 20755-5350; telephone

number: (410) 305-2905; email address: [residuemethods@epa.gov](mailto:residuemethods@epa.gov).

B. International Residue Limits

In making its tolerance decisions, EPA seeks to harmonize U.S.

tolerances with international standards whenever possible, consistent

with U.S. food safety standards and agricultural practices. EPA

considers the international maximum residue limits (MRLs) established

by the Codex Alimentarius Commission (Codex), as required by FFDCA

section 408(b)(4). The Codex Alimentarius is a joint United Nations

Food and Agriculture Organization/World Health Organization food

standards program, and it is recognized as an international food safety

standards-setting organization in trade agreements to which the United

States is a party. EPA may establish a tolerance that is different from

a Codex MRL; however, FFDCA section 408(b)(4) requires that EPA explain

the reasons for departing from the Codex level. The Codex has not

established a MRL for linuron.

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C. Response to Comments

EPA received one comment to the notice of filing from March 22,

2022, which opposed the use of linuron on any food. The commenter

expressed a general opposition to the use of ``toxic chemicals'' on

food. The Agency understands the commenter's concerns and recognizes

that some individuals believe that certain pesticide chemicals should

not be permitted in our food. However, the existing legal framework

provided by section 408 of the FFDCA states that tolerances may be set

when the pesticide meets the safety standard imposed by that statute.

The Agency is required by section 408 of the FFDCA to estimate the risk

of the potential exposure to these residues. EPA has concluded, based

on data submitted in support of the petition and other reliable data,

that there is a reasonable certainty that no harm will result from

aggregate human exposure to linuron residues from use on alfalfa.

Testing requirements for pesticide tolerances have been specified by

rulemaking after allowing for notice and comment by the public and peer

review by appropriate scientific bodies. See 40 CFR part 158 for

further information.

V. Conclusion

Therefore, tolerances are established for residues of linuron in or

on alfalfa, forage and alfalfa, hay at 1 and 3 ppm.

VI. Statutory and Executive Order Reviews

This action establishes tolerances under FFDCA section 408(d) in

response to a petition submitted to the Agency. The Office of

Management and Budget (OMB) has exempted these types of actions from

review under Executive Order 12866, entitled ``Regulatory Planning and

Review'' (58 FR 51735, October 4, 1993). Because this action has been

exempted from review under Executive Order 12866, this action is not

subject to Executive Order 13211, entitled ``Actions Concerning

Regulations That Significantly Affect Energy Supply, Distribution, or

Use'' (66 FR 28355, May 22, 2001), or Executive Order 13045, entitled

``Protection of Children from Environmental Health Risks and Safety

Risks'' (62 FR 19885, April 23, 1997). This action does not contain any

information collections subject to OMB approval under the Paperwork

Reduction Act (PRA) (44 U.S.C. 3501 et seq.), 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). Since

tolerances and exemptions that are established on the basis of a

petition under FFDCA section 408(d), such as the tolerance in this

final rule, do not require the issuance of a proposed rule, the

requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 et

seq.), do not apply.

This action directly regulates growers, food processors, food

handlers, and food retailers, not States or tribes, nor does this

action alter the relationships or distribution of power and

responsibilities established by Congress in the preemption provisions

of FFDCA section 408(n)(4). As such, the Agency has determined that

this action will not have a substantial direct effect on States or

tribal governments, on the relationship between the national government

and the States or tribal governments, or on the distribution of power

and responsibilities among the various levels of government or between

the Federal Government and Indian tribes. Thus, the Agency has

determined that Executive Order 13132, entitled ``Federalism'' (64 FR

43255, August 10, 1999), and Executive Order 13175, entitled

``Consultation and Coordination with Indian Tribal Governments'' (65 FR

67249, November 9, 2000), do not apply to this action. In addition,

this action does not impose any enforceable duty or contain any

unfunded mandate as described under Title II of the Unfunded Mandates

Reform Act (UMRA) (2 U.S.C. 1501 et seq.).

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 (NTTAA) (15 U.S.C. 272 note).

VII. Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 et seq.),

EPA will submit a report containing this rule and other required

information to the U.S. Senate, the U.S. House of Representatives, and

the Comptroller General of the United States prior to publication of

the rule in the Federal Register. This action is not a ``major rule''

as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure,

Agricultural commodities, Pesticides and pests, Reporting and

recordkeeping requirements.

Dated: November 7, 2023.

Charles Smith,

Director, Registration Division, Office of Pesticide Programs.

Therefore, for the reasons stated in the preamble, EPA is amending

40 CFR chapter I as follows:

PART 180--TOLERANCES AND EXEMPTIONS FOR PESTICIDE CHEMICAL RESIDUES

IN FOOD

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

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

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2. In Sec. 180.184, amend the table in paragraph (a) by:

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a. Adding a heading for the table; and

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b. Adding in alphabetical order the entries ``Alfalfa, forage'' and

``Alfalfa, hay''.

The additions read as follows:

Sec. 180.184 Linuron; tolerances for residues.

(a) \* \* \*

Table 1 to Paragraph (a)

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Parts per

Commodity million

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Alfalfa, forage............................................. 1

Alfalfa, hay................................................ 3

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[FR Doc. 2024-01109 Filed 1-22-24; 8:45 am]

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