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[Proposed Rules]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA-HQ-OPP-2020-0053; FRL-10013-78]

Receipt of a Pesticide Petition Filed for Residues of Pesticide

Chemicals in or on Various Commodities (July 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 October 13, 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 <https://www.epa.gov/dockets/where-send-comments-epa-dockets>.

Due to the public health concerns related to COVID-19, the EPA

Docket Center (EPA/DC) and Reading Room is closed to visitors with

limited exceptions. The staff continues to provide remote customer

service via email, phone, and webform. For the latest status

information on EPA/DC services and docket access, visit <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: Marietta Echeverria, Registration

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

[RDFRNotices@epa.gov](mailto:RDFRNotices@epa.gov). The mailing address 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's name, division, and mail code.

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 <https://www.epa.gov/dockets/commenting-epa-dockets>.

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,

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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.

New Tolerance Exemptions for Inerts (Except PIPS)

PP IN-11369. (EPA-HQ-OPP-2020-0349) Valagro S.p.A., c/o SciReg,

Inc., 12733 Director's Loop, Woodbridge, VA 22192, requests to

establish an exemption from the requirement of a tolerance for residues

of potassium acetate (CAS Reg. No. 127-08-2), when used as an inert

ingredient (nutrient) in pesticide formulations under 40 CFR 180.920.

The petitioner believes no analytical method is needed because it is

not required for an exemption from the requirement of a tolerance.

Contact: RD

New Tolerance for Non-Inerts

1. PP 0E8832. (EPA-HQ-OPP-2020-0347). The Interregional Research

Project #4 (IR-4), Rutgers, The State University of New Jersey, 500

College Road East, Suite 201W, Princeton, NJ 08540, requests to

establish a tolerance in 40 CFR 180.499 for residues of the fungicide

propamocarb, propyl N-[3-(dimethylamino)propyl]carbamate, in or on

vegetable, Brassica, head and stem, group 5-16 at 15 parts per million

(ppm). An adequate gas chromatography/nitrogen-phosphorus detection

(GC/NPD) method is available for enforcing the proposed tolerance.

Contact: RD

2. PP 0E8834. EPA-HQ-OPP-2020-0345. American Spice Trade

Association, Inc., 1101 17th St. NW, Suite 700, Washington, DC 20036,

requests to establish a tolerance in 40 CFR part 180 for residues of

the fungicide, difenoconazole, in or on pepper, black at 0.1 ppm.

Liquid chromatography (LC)/mass spectrometry (MS)/(MS) is used to

measure and evaluate the chemical difenoconazole (1 [2-[2-chloro-4-(4-

chlorophenoxy)]phenyl-4-methyl-1,3- dioxolan-2-ylmethyl]-1H-1,2,4,-

triazole). Contact: RD.

3. PP 9E8792. EPA-HQ-OPP-2020-0038. Bayer CropScience, 800 N.

Lindbergh Blvd., St. Louis, MO 63141, requests to establish import

tolerances in 40 CFR part 180 for residues of the fungicide

trifloxystrobin in or on the raw agricultural commodities: Caneberry,

cop Subgroup 13-07A at 3.0 ppm; Currant, black and red, at 4.0 ppm;

edible-podded legume vegetables, crop subgroup 6A, at 1.5 ppm; oil,

olive, refined at 0.5 ppm; pea, dry, seed at 0.2 ppm; succulent shelled

pea and bean, crop subgroup 6B at 0.15 ppm; and tropical and

subtropical, small fruit, edible peel, crop subgroup 23A at 0.2 ppm.

The analytical methodology column liquid chromatography-mass

spectrometry-mass spectrometry (LC/MS-MS) with an electro spray

interface, operated in the positive ion mode is used to measure and

evaluate the chemical trifloxystrobin (benzeneacetic acid, (E,E)-

[alpha]-(methoxyimino)-2-[[[[1-[3- (trifluoromethyl) phe-

nyl]ethylidene]amino]oxy]methyl]-methyl ester) and the free form of its

acid metabolite CGA-321113 ((E,E)-methoxyimino-[2-[1-(3-

trifluoromethyl-phenyl)-ethylideneaminooxymethyl]-phenyl]acetic acid)].

Contact: RD.

4. PP 9F8815. EPA-HQ-OPP-2020-0226. Nichino America, Inc., 4550

Linden Hill Rd., Suite 501, Wilmington, DE 19808, requests to establish

tolerance in 40 CFR part 180 for residues of the fungicide

pyraziflumid; N-(3',4'-difluoro[1,1'-biphenyl]-2-yl)-3-

(trifluoromethyl)-2-pyrazinecarboxamide in or on the following raw

agricultural commodities: almond hulls at 5 parts per million (ppm);

apple wet pomace at 0.6 ppm; bushberry (crop subgroup 13-07B) at 7.0

ppm; caneberry (crop subgroup 13-07A) at 4.0 ppm; cattle, fat at 0.01

ppm; cattle, meat at 0.01 ppm; cattle, meat byproducts at 0.01 ppm;

goat, fat at 0.01 ppm; goat, meat byproducts at 0.01 ppm; goat, meat at

0.01 ppm; horse, fat at 0.01 ppm; horse, meat byproducts at 0.01 ppm;

horse, meat at 0.01 ppm; milk at 0.01 ppm; pome fruit (crop group 11-

10) at 0.4 ppm; raisins at 1.6 ppm; sheep, fat at 0.01 ppm; sheep meat

at 0.01 ppm; sheep, meat byproducts at 0.01 ppm; small fruit vine

climbing subgroup, except fuzzy kiwifruit (crop subgroup 13-07F) at 1.5

ppm; stone fruit (crop group 12-12) at 2.0 ppm; and tree nuts (crop

group 14-12) at 0.03 ppm. The independent validation method of HPLC-MS/

MS was used for the analysis of pyraziflumid and the metabolite BC-01

in raw agricultural commodities (RAC) and processed commodities (PC) to

measure and evaluate the chemical pyraziflumid. Contact: RD.

5. PP 9F8818. (EPA-HQ-OPP-2020-0202). BASF Corporation, 26 Davis

Drive, Research Triangle Park, NC 27709, requests to establish

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

isoxaflutole, in or on cottonseed at 0.02 ppm and cotton gin byproducts

at 0.02 ppm. Tandem mass spectrometry (LC/MS/MS) is used to measure and

evaluate the chemical isoxaflutole. Contact: RD.

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

Dated: August 25, 2020.

Hamaad Syed,

Acting Director, Information Technology and Resources Management

Division, Office of Pesticide Programs.

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