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[Rules and Regulations]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA-HQ-OPP-2020-0336; FRL-9525-02-OCSPP]

Methoxyfenozide; Pesticide Tolerances; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Correcting amendment.

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SUMMARY: EPA issued a final rule in the Federal Register of October 11,

2022, establishing tolerances for residues of methoxyfenozide in or on

multiple commodities requested by the Interregional Research Project

Number 4 (IR-4) under the Federal Food, Drug, and Cosmetic Act (FFDCA).

That document inadvertently omitted an instruction to add a tolerance

for the commodity ``bean, mung, dry seed''. This document corrects the

final regulation.

DATES: Effective on January 22, 2024.

ADDRESSES: The docket for this action, identified by docket

identification (ID) number EPA-HQ-OPP-2020-0336, 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 the 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. Does this action apply to me?

The Agency included in the October 11, 2022, final rule a list of

those who may be potentially affected by this action.

II. What does this correction do?

EPA issued a final rule in the Federal Register of October 11, 2022

(87 FR 61259) (FRL-9525-01-OCSPP), that established tolerances for

residues of methoxyfenozide in or on multiple commodities and removed

tolerances for certain other commodities in response to a petition

filed by IR-4. EPA inadvertently omitted an instruction directing the

Federal Register to add an entry to the table in paragraph (a)(1) of 40

CFR 180.544 for the commodity ``bean, mung, dry seed''. This document

corrects that omission and adds the commodity ``bean, mung, dry seed''

to the table in paragraph (a)(1) of 40 CFR 180.544.

III. Why is this correction issued as a final rule?

Section 553 of the Administrative Procedure Act (APA) (5 U.S.C.

553(b)(3)(B)) provides that, when an agency for good cause finds that

notice and public procedure are impracticable, unnecessary, or contrary

to the public interest, the agency may issue a final rule without

providing notice and an opportunity for public comment. EPA has

determined that there is good cause for making this correction final

without prior proposal and opportunity for comment, because EPA

inadvertently omitted an instruction to the Federal Register to add a

tolerance for the commodity ``bean, mung, dry seed''. EPA finds that

this constitutes good cause under 5 U.S.C. 553(b)(3)(B).

IV. Do any of the statutory and Executive order review apply to this

action?

No. For a detailed discussion concerning the statutory and

Executive order review refer to Unit VI. of the October 11, 2022, final

rule.

V. 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: January 16, 2024.

Charles Smith,

Director, Registration Division, Office of Pesticide Programs.

Therefore, for the reasons stated in the preamble, 40 CFR part 180

is corrected by making the following correcting amendment:

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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. 180.544, amend table 1 to paragraph (a)(1) by adding, in

alphabetical order, an entry for the commodity ``bean, mung, dry seed''

to read as follows:

Sec. 180.544 Methoxyfenozide; tolerances for residues.

(a) \* \* \*

(1) \* \* \*

Table 1 to Paragraph (a)(1)

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Parts per

Commodity million

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\* \* \* \* \*

Bean, mung, dry seed.................................... 0.5

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[FR Doc. 2024-01015 Filed 1-19-24; 8:45 am]

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