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## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Part 180**

**[EPA-HQ-OPP-2014-0008; FRL-9949-53]**

### **Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of filing of petitions and request for comment.

**SUMMARY:** This document announces the Agency's receipt of several initial filings of pesticide petitions 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 *[insert date 30 days after date of publication in the Federal Register]*.

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number and the pesticide petition number (PP) of interest as shown in the body of this document, by one of the following methods:

- *Federal eRulemaking Portal:* <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:** Susan Lewis, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; main telephone number: (703) 305-7090; 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).

If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT** for the division listed at the end of the pesticide petition summary of interest.

*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 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 <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 its receipt of several pesticide petitions 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 180 for residues of pesticide chemicals in or on various food commodities. The Agency is taking public comment on the requests before responding to the petitioners. EPA is not proposing any particular action at this time. EPA has determined that the pesticide petitions described in this document contain the 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 support granting of the pesticide petitions. 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 these pesticide petitions.

Pursuant to 40 CFR 180.7(f), a summary of each of the petitions that are the subject of this document, prepared by the petitioner, is included in a docket EPA has created for each rulemaking. The docket for each of the petitions is available at <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.

1. *PP 6F8443*. (EPA-HQ-OPP-2015-0561). ISK Biosciences Corporation, 7470 Auburn Road, Suite A, Concord, Ohio, 44077, requests to establish a tolerance for residues of the combined residues of the insecticide flonicamid [N-(cyanomethyl)-4-trifluoromethyl]-3-pyridinecarboxamide (CA) or N-cyanomethyl-4-trifluoromethylnicotinamide (IUPAC)] and its metabolites, TFNA [4-trifluoromethylnicotinic acid], TFNA-AM [4-trifluoromethylnicotinamide) and TFNG [N(4-trifluoromethylnicotinoyl)-glycine] in or on the raw agricultural commodity crop group 10-10, citrus at 1.5 parts per million (ppm). Adequate enforcement methodology is available to enforce the tolerance expression for flonicamid and its metabolites in/on appropriate raw agricultural commodities and processed commodities are available for the established and proposed tolerances. *Contact*: Carmen Rodia, (703) 306-0327, *rodia.carmen@epa.gov*.

2. *PP 6E8466*. (EPA-HQ-OPP-2016-0029). Gowan Company, P.O. Box 5569, Yuma, AZ 85366-5569, requests to establish an import tolerance for residues of fenazaquin, [3-[2-[4-(1, 1-dimethylethyl) phenyl] ethoxy] quinazoline] in/on the raw agricultural commodity for tea at 9 ppm and pineapple at 0.2 ppm. The analytical method for the analysis of fenazaquin in/on tea was conducted by GC-MS in selected ion monitoring mode. The analytical method used for the determination of fenazaquin in or on pineapple was conducted by UPLC employing mass spectrometric detection (LC-MS/MS). *Contact*: Carmen Rodia, (703) 306-0327, *rodia.carmen@epa.gov*.

3. *PP 6F8468*. (EPA-HQ-OPP-2016-0416). BASF Corporation, 26 Davis Drive, P.O. Box 13528, Research Triangle Park, NC 27709-3528, requests to establish a

tolerance for residues of the insecticide afidopyropen, [(3*S*,4*R*,4*aR*,6*S*, 6*aS*, 12*R*,12*aS*,12*bS*)-3-(cyclopropanecarbonyloxy)-6,12-dihydroxy-4,6*a*,12*b*-trimethyl-11-oxo-9-(pyridin-3-yl)-1,2,3,4,4*a*,5,6,6*a*,12*a*,12*b*-decahydro-11*H*,12*H*-benzo[*f*]pyrano[4,3-*b*]chromen-4-yl]methyl cyclopropanecarboxylate, its metabolites, and degradates, in or on the raw agricultural commodities almond hulls at 0.15 ppm; apple, wet pomace at 0.05 ppm; citrus oil at 0.3 ppm; cotton, gin byproducts at 2 ppm; cotton, undelinted seed at 0.1 ppm; fruit, citrus, group 10-10 at 0.15 ppm; fruit, pome, group 11-10 at 0.03 ppm; fruit, stone, group 12-12 at 0.03 ppm; nut, tree, group 14-12 at 0.01 ppm; plum, prune at 0.06 ppm; soybean, aspirated fractions at 0.4 ppm; soybean, forage at label restriction ppm; soybean, hay at label restriction ppm; soybean, seed at 0.01 ppm; vegetable, brassica, head and stem group 5-13 at 0.5 ppm; vegetable, cucurbit, group 9 at 0.7 ppm; vegetable, fruiting, group 8-10 at 0.15 ppm; vegetable, leaf petioles, subgroup 22B at 3 ppm; vegetable, leafy, subgroup 4-13A at 2 ppm; vegetable leafy, subgroup 4-13B at 5 ppm; and vegetable tuberous and corm, subgroup 1C at 0.01 ppm.

An independently validated analytical method has been submitted for analyzing residues of parent afidopyropen (BAS 440 I) plus metabolite M440I007 with appropriate sensitivity in all crop and processed commodities. An independently validated analytical method has been submitted for analyzing residues of parent afidopyropen (BAS 440 I) plus metabolite M440I001, M440I003, and M440I060 in animal meat, fat and liver and egg and for BAS 440 I and metabolites M440I001, M440I005, and M440I060 in milk with appropriate sensitivity in the event tolerances are established. A multi-residue method using modified AOAC Official method 2007.01 for the determination of residues of afidopyropen (BAS 440 I) and metabolite M440I007 in

plant matrices was successfully validated. *Contact:* Carmen Rodia, (703) 306-0327, *rodia.carmen@epa.gov*.

4. *PP 6E8463*. (EPA-HQ-OPP-2007-0099). Nichino America, Inc., 4550 New Linden Hill Road, Suite 501, Wilmington, DE 19808-2951, requests to establish an import tolerance for residues of flubendiamide,  $N^2$ -[1,1-dimethyl-2-(methylsulfonyl)ethyl-3-iodo- $N^1$ -[2-methyl-4-[1,2,2,2-tetrafluoro-1-(trifluoromethyl)ethyl]phenyl]-1,2-benzenedicarboxamide, in/on the processed commodity dried tea at 60 ppm. Independently validated, analytical methods for crop matrices have been submitted for measuring flubendiamide. Typically, plant matrices samples are extracted, concentrated, and quantified by LC/MS/MS using deuterated internal standards. *Contact:* Carmen Rodia, (703) 306-0327, *rodia.carmen@epa.gov*.

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

Dated: August 5, 2016.

Daniel J. Rosenblatt,

*Acting Director, Registration Division, Office of Pesticide Programs.*  
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