



BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 180

[EPA-HQ-OPP-2020-0053; FRL-10009-84]

### Receipt of a Pesticide Petition Filed for Residues of Pesticide Chemicals in or on Various Commodities

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

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

**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 [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**ADDRESSES:** Submit your comments, identified by docket identification (ID) number 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>.

Please note that due to the public health emergency the EPA Docket Center (EPA/DC) and Reading Room was closed to public visitors on March 31, 2020. Our EPA/DC staff will continue to provide customer service via email, phone, and webform. For further information on EPA/DC services, docket contact information and the current status of the EPA/DC and Reading Room, please visit <https://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). 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* 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 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 FFDCFA 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>.

As specified in FFDCFA 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 Tolerance Exemptions for Inerts (Except PIPS)*

*PP IN-11392.* (EPA-HQ-OPP-2020-0214). Technology Sciences Group Inc. (1150 18th Street, NW Suite 1000, Washington, DC 20036) on behalf of Clorox Professional Products Company, P.O. Box 493, Pleasanton, CA 94566-0803), requests to amend an exemption from the requirement of a tolerance in 40 CFR 180.940 by including an exemption under part (a) for residues of phosphoric acid (CAS Reg. no. 7664-38-2) when used as an inert ingredient in antimicrobial formulations applied to food-contact surfaces in public eating places, dairy-

processing equipment, food-processing equipment and utensils. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. *Contact:* RD.

*B. New Tolerance Exemptions for Inerts (Except PIPS)*

*PP IN-11317.* (EPA-HQ-OPP-2019-0569) Ecolab Inc., 655 Lone Oak Drive, Eagan, MN 55121, requests to establish an exemption from the requirement of a tolerance for residues of adipic acid (CAS Reg. No. 124-04-9), when used as an inert ingredient (acidifier) in pesticide formulations under 40 CFR 180.940(a) at an upper limit of 100 parts per million (ppm). The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. *Contact:* RD

*C. New Tolerances for Non-Inerts*

1. *PP 9E8786.* (EPA-HQ-OPP-2020-0232). Bayer CropScience LP, 800 N. Lindbergh Boulevard, St. Louis, MO 263167, requests to establish a tolerance in 40 CFR part 180 for residues of the fungicide, tebuconazole [ $\alpha$ -[2-(4-Chlorophenyl)ethyl]- $\alpha$ -(1,1-dimethylethyl)-1H-1,2,4-triazole-1-ethanol] in or on rice, grain at 15.0 ppm. High performance liquid chromatography/triple stage quadrupole mass spectrometry (LC/MS/MS) was used to measure and evaluate the chemical tebuconazole. *Contact:* RD.

2. *PP 9E8811.* (EPA-HQ-OPP-2020-0009). American Spice Trade Association, 1101 17th Street, NW, Suite 700, Washington, DC, 20036, requests to establish a tolerance in 40 CFR part 180 for residues of the fungicide, metalaxyl: N-(2,6-dimethylphenyl)-N-(methoxyacetyl) alanine methylester, in or on the raw agricultural commodity black pepper at 1 ppm. Gas chromatography equipped with an alkali flame ionization detector and liquid chromatography/mass spectrometric detection (LC/MS) are used to measure and evaluate the

chemical metalaxyl. *Contact:* RD.

3. *PP 9E8814*. (EPA-HQ-OPP-2020-0082). Syngenta Crop Protection, LLC, P.O. Box 18300, Greensboro, NC 27419-8300, requests to establish a tolerance in 40 CFR part 180 for residues of the fungicide, difenoconazole, in or on olive at 2 ppm. Gas chromatography equipped with a nitrogen-phosphorous detector and liquid chromatography (LC)/mass spectrometry (MS)/(MS) are used to measure and evaluate the chemical difenoconazole. *Contact:* RD.

4. *PP 9F8801*. (EPA-HQ-OPP-2020-0225). Nippon Soda Co., Ltd., Shin-Ohtemachi Bldg. 2-1, 2-Chome Ohtemachi Chiyoda-ku, Tokyo 100-8165, Japan, requests to establish tolerances in 40 CFR part 180 for residues of the fungicide, ipflufenquin [2-[2-(7,8-difluoro-2-methylquinolin-3-yloxy)-6- fluorophenyl]propan-2-ol], in or on almond at 0.10 ppm; almond hulls at 3 ppm; and pome fruit (Crop Group 11-10) at 0.15 ppm; and tolerances for residues for ipflufenquin, QP-1-14, QP-1-10, QP-1-11, and QP-1-15 (in terms of ipflufenquin) on cattle, fat at 0.010 ppm; cattle, meat at 0.01 ppm; cattle, meat byproducts at 0.010 ppm; dairy cattle milk at 0.01 ppm; goat, fat at 0.010 ppm; goat, meat at 0.01 ppm; goat, meat byproducts at 0.010 ppm; horse, fat at 0.010 ppm; horse, meat at 0.01 ppm; horse, meat byproducts at 0.010 ppm; sheep, fat at 0.010 ppm; sheep, meat at 0.01 ppm; and sheep, meat byproducts at 0.010 ppm. High Performance Liquid Chromatography with tandem Mass Spectrometric detection (HPLC-MS/MS) is used to measure and evaluate the chemical ipflufenquin and its metabolites. *Contact:* RD.

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

Dated: May 13, 2020.

**Delores Barber,**

*Director, Information Technology and Resources Management Division, Office of Pesticide*

*Programs.*

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