

WORLD TRADE ORGANIZATION

G/SPS/N/USA/313

4 August 2000

(00-3195)

Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

1.	Member to Agreement notifying: <u>UNITED STATES</u> If applicable, name of local government involved:
2.	Agency responsible: Environmental Protection Agency - EPA
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers may be provided in addition, where applicable). Regions or countries likely to be affected, to the extent relevant or practicable: Microbial pesticides
4.	Title and number of pages of the notified document: Notice of Filing Pesticide Petitions to Establish an (Exemption From) Tolerance for Certain Pesticide Chemicals in or on Food - Microbial Pesticides - <i>Streptomyces lydicus</i> WYEC 108 and <i>Colletotrichum gloeosporioides</i> f. <i>sp. malvae</i> . (5 pages)
5.	<p>Description of content: This notice announces the initial filing of pesticide petitions proposing the establishment of regulations for residues of certain pesticide chemicals in or on various food commodities.</p> <p>EPA has received a pesticide petition proposing pursuant to section 408(d) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(d), to amend 40 CFR part 180 to establish an exemption from the requirement of a tolerance for microbial pesticide <i>Streptomyces lydicus</i> WYEC 108. Pursuant to section 408(d)(2)(A)(i) of the FFDCA, as amended, the petitioner has submitted a summary of information, data, and arguments in support of their pesticide petition. This summary was prepared by the petitioner and EPA has not fully evaluated the merits of the pesticide petition. The summary may have been edited by EPA if the terminology used was unclear, the summary contained extraneous material, or the summary unintentionally made the reader conclude that the findings reflected EPA's position and not the position of the petitioner. According to the product name and proposed use practices part the summary, the active ingredient <i>Streptomyces lydicus</i> WYEC 108 is intended for use as a biological fungicide for the control of soil borne plant root rot and damping-off fungi. Fungi controlled include: <i>Fusarium</i>, <i>Rhizoctonia</i>, <i>Pythium</i>, <i>Phytophthora</i>, <i>Phytophthora</i>, <i>Aphanomyces</i>, <i>Monosporascus</i>, <i>Armillaria</i> and other root-decay fungi. The active ingredient colonizes the root system, thus out competing other harmful fungi, and enhances plant vitality.</p> <p>EPA has received a pesticide petition proposing pursuant to section 408(d) of the FFDCA, 21 U.S.C. 346a(d), to amend 40 CFR part 180 to establish an exemption from the requirement of a tolerance for microbial pesticide <i>Colletotrichum gloeosporioides</i> f. <i>sp. malvae</i>. Pursuant to section 408(d)(2)(A)(i) of the FFDCA, as amended, the petitioner has submitted a summary of information, data, and arguments in support of their pesticide petition. This summary was prepared by the petitioner and EPA has not fully evaluated the merits of the pesticide petition. The summary may have been edited by EPA if the terminology used was unclear, the summary contained extraneous material, or the summary unintentionally made the reader</p>

	<p>conclude that the findings reflected EPA's position and not the position of the petitioner. According to the product name and proposed use practices part of the summary <i>Colletotrichum gloeosporioides</i> f. sp. <i>malvae</i> is a naturally occurring fungus that is pathogenic to the weeds round-leaved mallow (<i>Malva pusila</i>), small flowered mallow (<i>Malva parviflora</i>), common mallow (<i>Malva neglecta</i>), and velvet leaf (<i>Abutilon theophrasti</i>), all of which are members of the family Malvaceae. The organism will infect and kill round-leaved and small flowered mallows at any stage of growth, from seedling to mature plant. <i>Colletotrichum gloeosporioides</i> f. sp. <i>malvae</i> causes disease lesions that will completely encircle the stems and petioles of mallow, causing the plant to collapse in 2 to 4 weeks. The product is applied to field crops at an early stage to control target weeds.</p>
6.	<p>Objective and rationale: <input checked="" type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests</p>
7.	<p>An international standard, guideline or recommendation does not exist <input checked="" type="checkbox"/> . If an international standard, guideline or recommendation exists, give the appropriate reference and briefly identify deviations: A Codex Alimentarius Commission Maximum Residue Level is not required for <i>Streptomyces lydicus</i> WYEC 108 or for <i>Colletotrichum gloeosporioides</i> f. sp. <i>malvae</i>.</p>
8.	<p>Relevant documents and language(s) in which these are available: 65 FR 46912, 1 August 2000 (Available in English)</p>
9.	<p>Proposed date of adoption: To be determined.</p>
10.	<p>Proposed date of entry into force: To be determined.</p>
11.	<p>Final date for comments: 31 August 2000 Agency or authority designated to handle comments: Environmental Protection Agency <input type="checkbox"/> National notification authority, <input type="checkbox"/> National enquiry point, or address, fax number and E-mail address (if available) of other body: Detailed instruction on where and how to send comments is in the body of the full text - which will be sent upon request to the address in paragraph 12.</p>
12.	<p>Texts available from: <input checked="" type="checkbox"/> National notification authority, <input checked="" type="checkbox"/> National enquiry point or address, fax number and E-mail address (if available) of other body:</p> <p>United States SPS Enquiry Point/Notification Authority USDA/FAS/FSTSD Attn: Carolyn F. Wilson Room 5545 South Agriculture Building Stop 1027 1400 Independence Avenue, S.W. Washington, D.C. 20250 Phone (202) 720-2239 Fax (202) 690-0677 E-mail Address: ofsts@fas.usda.gov</p>