

# WORLD TRADE ORGANIZATION

G/SPS/N/USA/707

10 June 2003

(03-2971)

Committee on Sanitary and Phytosanitary Measures

Original: English

## NOTIFICATION

<b>1. Member to Agreement notifying:</b> <u>UNITED STATES</u> <b>If applicable, name of local government involved:</b>
<b>2. Agency responsible:</b> Environmental Protection Agency (EPA)
<b>3. Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):</b> Products that use the pesticide Fludioxonil in or on the raw agricultural commodities brassica, turnip, longan, lychee, pulasan, rambutan, Spanish lime.
<b>4. Regions or countries likely to be affected, to the extent relevant or practicable:</b> Any US trading partners
<b>5. Title, language and number of pages of the notified document:</b> Fludioxonil; Notice of Filing Pesticide Petitions to Establish a Tolerance for a Certain Pesticide Chemical in or on Food (available in English, 4 pages).
<b>6. Description of content:</b> EPA has received pesticide petitions 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 180.516 by establishing tolerances for residues of fludioxonil, 4-(2,2-difluoro-1,3-benzodioxol-4-yl)-H-pyrrole-3-carbonitrile, in or on the following raw agricultural commodities: <ol style="list-style-type: none"><li>1. PP 2E6486 proposes tolerances as follows:<ul style="list-style-type: none"><li>• Brassica, head and stem subgroup 5a at 1.5 parts per million (ppm).</li><li>• Brassica, leafy greens subgroup 5b at 9.0 ppm.</li><li>• Turnip, greens at 9.0 ppm.</li></ul></li><li>2. PP 2E6462 proposes a tolerance for carrot at 0.5 ppm.</li><li>3. PP 3E6526 proposes a tolerance for herb subgroup 19a at 33.0 ppm.</li><li>4. PP 2E6448 proposes a tolerance for the following:<ul style="list-style-type: none"><li>• Longan at 2.0 ppm.</li><li>• Lychee at 2.0 ppm.</li><li>• Pulasan at 2.0 ppm.</li><li>• Rambutan at 2.0 ppm.</li><li>• Spanish lime at 2.0 ppm.</li></ul></li></ol> <p>Pending PP 3E6526 proposes a tolerance for herb subgroup 19a at 33.0 ppm. A tolerance currently exist for fludioxonil on herbs and spices at 0.02 ppm (40 CFR 180.516). This notice proposes amending 40 CFR 180.516 as follows:</p> <ol style="list-style-type: none"><li>1. Delete existing herbs and spices tolerance of 0.02 ppm and establish a separate herb subgroup 19a tolerance at 33.0 ppm.</li><li>2. Establish a separate spice subgroup 19b tolerance at 0.02 ppm.</li></ol>

<p>As the result of this proposed amendment, the pending herb subgroup 19a tolerance at 33.0 ppm precludes the need for the existing herbs tolerance of 0.02 ppm. Moreover, the existing spices tolerance of 0.02 ppm is changed to spice subgroup 19b at 0.02 ppm.</p> <p>Additional data may be needed before EPA rules on the petitions. This summary does not necessarily reflect the findings of EPA.</p>
<p><b>7. Objective and rationale:</b> <input checked="" type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input checked="" type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests</p>
<p><b>8. International standard, guideline or recommendation:</b>  <input type="checkbox"/> Codex Alimentarius Commission, <input type="checkbox"/> Office International des Epizooties,  <input type="checkbox"/> International Plant Protection Convention, <input checked="" type="checkbox"/> None</p> <p><b>If an international standard, guideline or recommendation exists, give the appropriate reference and briefly identify deviations:</b></p>
<p><b>9. Relevant documents and language(s) in which these are available:</b> DOCID: fr02ap03-76, <u>Federal Register</u>: 2 April 2003 (Volume 68, Number 63) Pages 16046-16050;  <a href="http://www.epa.gov/fedrgstr/EPA-PEST/2003/April/Day-02/p7977.htm">http://www.epa.gov/fedrgstr/EPA-PEST/2003/April/Day-02/p7977.htm</a>; Available in English</p>
<p><b>10. Proposed date of adoption:</b> not applicable</p>
<p><b>11. Proposed date of entry into force:</b> not applicable</p>
<p><b>12. Final date for comments:</b> 2 May 2003</p> <p><b>Agency or authority designated to handle comments:</b> <input checked="" type="checkbox"/> National notification authority, <input type="checkbox"/> National enquiry point, or address, fax number and E-mail address (if available) of other body:</p> <p>Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. <a href="mailto:opp-docket@epa.gov">opp-docket@epa.gov</a>  Note: Identify docket name "OPP-2003-0102" in subject line of your response.</p>
<p><b>13. Texts available from:</b> <input 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>Mr. Bill Janis, U.S. Department of Agriculture, Stop 1027, Washington, DC 20250.  Tel (202) 720-9047, (202) 720-0677, <a href="mailto:fstd@usda.gov">fstd@usda.gov</a></p>