

WORLD TRADE ORGANIZATION

G/SPS/N/USA/194
25 October 1999

(99-4627)

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: Pesticides
4.	Title and number of pages of the notified document: Notice of Filing Pesticide Petitions to Establish a Tolerance for Certain Pesticide Chemicals (esbiothrin and S-bioallethrin; combined residues of pirimicarb 2-(dimethylamino)-5,6-dimethyl-4-pyrimidinyl dimethylcarbanage (9CL) and its two carbamate metabolites) in or on Food - (8 pages)
5.	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 as follows: EPA has received a pesticide petition proposing, pursuant to section 408(d) of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 346a(d), to amend 40 CFR part 180 by establishing a tolerance for residues of esbiothrin and S-bioallethrin in or on food/feed items as a result of applications in food/feed handling establishments at 1.0 parts per million (ppm). EPA has determined that the petition contains data or information regarding the elements set forth in section 408(d)(2) of the FFDCA; however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data supports granting of the petition. Additional data may be needed before EPA rules on the petition. EPA has also 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 by establishing a tolerance for combined residues of pirimicarb 2-(dimethylamino)-5, 6-dimethyl-4-pyrimidinyl dimethylcarbamate (9CI) and its two carbamate metabolites: desmethyl pirimicarb and desmethylformamido pirimicarb, expressed as desmethyl pirimicarb in or on the raw agricultural commodities (RAC): potatoes and pre-blossom apples at 0.01 ppm, head lettuce at 0.3 ppm, leaf lettuce at 2.0 ppm, and endive (curly and escarole) at 2.0 ppm. EPA has determined that the petition contains data or information regarding the elements set forth in section 408(d)(2) of the FFDCA; however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data supports granting of the petition. Additional data may be needed before EPA rules on the petition.

6.	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
7.	<p>An international standard, guideline or recommendation does not exist <input type="checkbox"/>.</p> <p>If an international standard, guideline or recommendation exists, give the appropriate reference and briefly identify deviations: There are currently no Codex Maximum Residue Limits (MRLs) for esbiothrin or S-bioallethrin.</p> <p>The CODEX maximum residue levels for pirimicarb and its carbamate metabolites (desmethyl and desmethyl formamido pirimicarb) are: potatoes 0.05 ppm, lettuce 1.0 ppm, endive 1.0 and apples (pome fruit) 1.0 ppm. The U.S. petitioned proposed tolerances are potatoes 0.01 ppm, pre blossom apples 0.01 ppm, head lettuce 0.3 ppm, leaf lettuce 2.0 ppm and endive 2.0 ppm.</p>
8.	Relevant documents and language(s) in which these are available: 64 FR 55914, 15 October 1999 (Available in English)
9.	Proposed date of adoption: To be determined.
10.	Proposed date of entry into force: To be determined.
11.	<p>Final date for comments: 15 November 1999.</p> <p>Agency or authority designated to handle comments: <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: Environmental Protection Agency</p> <p>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>