

WORLD TRADE ORGANIZATION

G/SPS/N/USA/127
20 July 1998

(98-2858)

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
3.	Products covered (tariff item number(s) as specified in national schedules deposited with the WTO. ICS numbers may be provided in addition, where applicable): Food and food by-products used as pesticides
4.	Title and number of pages of the notified document: Food and Food By-Products Used as a Pesticide; Proposed Exemption From the Requirement of a Tolerance.
5.	Description of content: The US Environmental Protection Agency (EPA) is proposing to establish an exemption from the requirement of a tolerance for residues of any edible food commodity (except peanuts, tree nuts, milk, soybean, eggs, fish, crustacea, and wheat) used as a pesticide, when applied in accordance with good agricultural practices, in or on all food commodities. Any edible food commodity used as a pesticide under this exemption must not be "adulterated food" as defined in the Federal Food Drug and Cosmetic Act (FFDCA) Section 402. 21 U.S.C. 342. The exemption from the requirement of a tolerance is being proposed by the Agency on its own initiative, since the Agency believes that the exemption for edible food commodities will be safe.
6.	Objective and rationale: Food safety
7.	An international standard, guideline or recommendation does not exist [X]. If an international standard, guideline or recommendation exists, whenever possible, identify deviations:
8.	Relevant documents and language(s) in which these are available: 63 FR 37307, 10 July 1998 (available in English, 3 pages); 40 CFR Part 180
9.	Proposed date of adoption: To be determined
10.	Proposed date of entry into force: The effective date will be given upon publication of the Final Rule in the Federal Register.

11. Final date for comments: 8 September 1998

Agency or authority designated to handle comments: Environmental Protection Agency

12. Texts available from: National enquiry point [X] or address, telefax number and E-mail address (if available) of other body:

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