

# WORLD TRADE ORGANIZATION

G/SPS/N/USA/413

4 April 2001

(01-1694)

Committee on Sanitary and Phytosanitary Measures

Original: English

## NOTIFICATION

1.	<b>Member to Agreement notifying:</b> <u>UNITED STATES</u> <b>If applicable, name of local government involved:</b>
2.	<b>Agency responsible:</b> Environmental Protection Agency - EPA
3.	<b>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:</b> Pesticides
4.	<b>Title and number of pages of the notified document:</b> Notice of Filing Pesticide Petitions to Establish a Tolerance for a Certain Pesticide Chemical in or on Food - Esfenvalerate (6 pages)
5.	<b>Description of content:</b> This notice announces the initial filing of a pesticide petition proposing the establishment of regulations for residues of a certain pesticide chemical in or on food commodities.  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 by establishing a tolerance for residues of esfenvalerate in or on the raw agricultural commodities unshelled peanut kernels, 0.20 parts per million (ppm); unshelled cocoa beans, 1.00 ppm; shelled almonds, 50 ppm; and shelled walnuts, 15 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 support granting of the petition. Additional data may be needed before EPA rules on the petition.
6.	<b>Objective and rationale:</b> <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.	<b>An international standard, guideline or recommendation does not exist</b> <input type="checkbox"/> . <b>If an international standard, guideline or recommendation exists, give the appropriate reference and briefly identify deviations:</b> Codex maximum residue levels (MRLs) have been established for residues of fenvalerate on a number of crops that also have US tolerances.
8.	<b>Relevant documents and language(s) in which these are available:</b> 66 FR 16926, 28 March 2001 (Available in English)
9.	<b>Proposed date of adoption:</b> To be determined.
10.	<b>Proposed date of entry into force:</b> To be determined.

- |            |   |
|------------|---|
| <b>11.</b> | <b>Final date for comments:</b> 27 April 2001<br><b>Agency or authority designated to handle comments:</b> Environmental Protection Agency<br><b>[ ] National notification authority, [ ] National enquiry point, or address, fax number and E-mail address (if available) of other body:</b> 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.        |
| <b>12.</b> | <b>Texts available from: [ X ] National notification authority, [ X ] National enquiry point or address, fax number and E-mail address (if available) of other body:</b><br><br>United States SPS Enquiry Point/Notification Authority<br>Attn: Carolyn F. Wilson<br>Room 5545 South Agriculture Building<br>Stop 1027<br>1400 Independence Avenue, S.W.<br>Washington, D.C.20250<br>Tel: (202) 720-2239<br>Fax: (202) 690-0677<br>E-mail: ofsts@fas.usda.gov |