

WORLD TRADE ORGANIZATION

G/SPS/N/USA/583

24 April 2002

(02-2348)

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: Pesticide
4.	Title and number of pages of the notified document: Notice of Filing Pesticide Petitions to Establish a Tolerance for Certain Pesticide Chemicals in or on Food - Glyphosate (6 pages)
5.	<p>Description of content: This Environmental Protection Agency (EPA) 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 several 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 part 180 by establishing several tolerances for residues of glyphosate (N-(phosphonomethyl) glycine). In the Federal Register of 25 July 2000 EPA issued a notice (notified to the WTO as G/SPS/N/USA/312) pursuant to section 408 of the FFDCA announcing the filing of a pesticide petition for tolerance by the petitioner; that petition has been amended and is accordingly re-notified. The petitioner requests that 40 CFR 180.364 be amended by establishing tolerances for residues of glyphosate (N-(phosphonomethyl) glycine) per se resulting from the application of glyphosate, the isopropylamine salt of glyphosate, the ethanolamine salt of glyphosate, the potassium salt of glyphosate, and/or the ammonium salt of glyphosate in or on the listed raw agricultural commodities, (RACs) to include: grass, forage, fodder, and hay group at 300 parts per million (ppm); aspirated grain fractions at 100 ppm; corn, field, forage at 6.0 ppm; wheat, forage at 10.0 ppm; wheat, hay at 10.0 ppm; animal feeds, nongrass group at 400 ppm; rice, grain at 15.0 ppm; rice, bran at 30.0 ppm; and rice, hulls at 25.0 ppm and to increase the established tolerance for wheat, grain to 6.0 ppm. In addition the petitioner requests to revise the present tolerance for cereal grains group to be "grain, cereal group (except barley, field corn, grain sorghum, oats, rice, and wheat)". Finally, the petitioner seeks to delete the existing tolerance for soybean, aspirated grain fractions at 50.0 ppm since this tolerance will be included in the "aspirated grain fractions" described above, and the petitioner seeks to delete the existing tolerance for animal, feeds, nongrass group (except alfalfa), which will be included in the above proposed "animal feeds, nongrass group" tolerance.</p> <p>The tolerances proposed for rice and wheat commodities, and the grass, forage, fodder, and hay group include both conventional and glyphosate tolerant rice, wheat, and creeping bentgrass. EPA has determined that the petitions 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 petitions. Additional data may be needed before EPA rules on the petitions.</p>

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: Several maximum residue limits (MRLs) for glyphosate have been established by Codex in or on various commodities. These limits are based on the residue definition of glyphosate per se, without reference to the cation used in product formulations. Based on toxicological considerations, EPA has determined that AMPA no longer needs to be regulated and has deleted AMPA from the US tolerance expression, so that the US residue definition is harmonized with that of Codex. The proposed rice grain tolerance of 15.0 ppm, is based on crop field trial data obtained using glyphosate-tolerant rice and therefore cannot be lowered to maintain harmonization with the Codex MRL of 0.1 ppm, for residues of glyphosate in or on this commodity. A Codex MRL exists for "hay or fodder (dry) of grasses" at 50.0 ppm, and on "maize forage" at 1.0 ppm, however the proposed US tolerance for "grass, forage, fodder, and hay group" at 300 ppm, and "corn, field, forage" at 6.0 ppm, are based on higher application rates than those used in the residue studies considered by Codex, so that harmonization cannot be maintained in these cases. Other than for these specific commodities, the agreement between US tolerances and Codex international residue standards is unaffected by this action.</p>
8.	Relevant documents and language(s) in which these are available: 67 FR 18894 17 April 2002 (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: Comments must be received on or before 17 May 2002.</p> <p>Agency or authority designated to handle comments: Environmental Protection Agency</p> <p>[] National notification authority, [] 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 style="padding-left: 40px;">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 Tel: (202) 720-2239 Fax: (202) 690-0677 E-mail: ofsts@fas.usda.gov</p>