

WORLD TRADE ORGANIZATION

G/SPS/N/USA/464

20 July 2001

(01-3629)

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: Vinclozolin; Notice of Proposed Pesticide Tolerance Revocations and Channels of Trade Provision Guidance (5 pages)
5.	<p>Description of content: This document proposes to revoke the tolerances for the fungicide vinclozolin on strawberries, stonefruits, cucumbers, and bell peppers. Foods legally treated with vinclozolin may continue to be marketed under the provisions of the FFDCA. The regulatory actions proposed in this document are part of the Agency's reregistration program under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), and the tolerance reassessment requirements of the Federal Food, Drug, and Cosmetic Act (FFDCA). By law, EPA is required to reassess 66 per cent of the tolerances in existence on 2 August 1996, by August 2002, or about 6,400 tolerances. These tolerances were established under section 408 of the Federal Food, Drug, and Cosmetic Act ("FFDCA"), 21 U.S.C. 346a. EPA is proposing to revoke the strawberry and stonefruit tolerances because the Agency has canceled the pesticide registrations under Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA"), 7 U.S.C. 136 et seq., associated with them. In addition, the registrant for vinclozolin is no longer supporting the tolerances on cucumbers and bell peppers, which were established for importation purposes only.</p> <p>The Food and Drug Administration (FDA) in a related document published elsewhere in this issue of the Federal Register (notified as G/SPS/N/USA/465) is announcing the availability of a proposed guidance document presenting FDA's policy on its planned enforcement approach for foods containing vinclozolin residues. This guidance will assist firms in understanding the types of showing under 408(1)(5) of the FFDCA (hereinafter referred to as the "channels of trade provision") that FDA may find satisfactory in accordance with its planned enforcement approach for such section. EPA and FDA are cooperating on this effort. FDA will be asking for comment on this proposed guidance and EPA also encourages you to comment on this guidance.</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.	An international standard, guideline or recommendation does not exist <input type="checkbox"/> . If an international standard, guideline or recommendation exists, give the appropriate reference and briefly identify deviations: It is EPA's policy to harmonize US tolerances with Codex MRLs to the extent possible, provided that the MRLs achieve the level of protection required under the Federal Food, Drug and Cosmetic Act. Differences exist between the levels proposed under this US measure and the current levels in Codex.
8.	Relevant documents and language(s) in which these are available: 66 FR 35921, 10 July 2001 (Available in English)
9.	Proposed date of adoption: To be determined.
10.	Proposed date of entry into force: To be determined.
11.	Final date for comments: Comments must be received on or before 10 September 2001. Agency or authority designated to handle comments: Environmental Protection Agency [] 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.
12.	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: United States SPS Enquiry Point/Notification Authority 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