

WORLD TRADE ORGANIZATION

G/SPS/N/USA/555

25 February 2002

(02-0933)

Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

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| 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 (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 a Pesticide Petition to Establish a Tolerance for a Certain Pesticide Chemical in or on Food - Bifenthrin (5 pages) |
| 5. | <p>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.</p> <p>EPA has received a pesticide petition and an amended pesticide petition proposing, pursuant to section 408(d) of the FFDCA, 21 U.S.C. 346a(d), to amend 40 CFR part 180.442, by establishing a tolerance for residues of bifenthrin, (2-methyl 1,1'-biphenyl-3-yl)methyl-3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethylcyclopropanecarboxylate, in or on agricultural commodities as follows:</p> <ol style="list-style-type: none">1. Petition proposes a tolerance in or on food products in food handling establishments at 0.01 parts per million (ppm).2. Petition proposes a tolerance in or on the raw agricultural commodity pears at 1.0 ppm, in or on almond hulls at 2 ppm and in or on the tree nuts crop group at 0.05 ppm. <p>EPA also received pesticide petitions proposing, pursuant to section 408(d) of the FFDCA, 21 U.S.C. 346a(d), to amend 40 CFR part 180.442, by establishing a tolerance for residues of bifenthrin, in or on raw agricultural commodities as follows:</p> <ol style="list-style-type: none">1. Petition proposes a tolerance for the leaf petioles subgroup (4B) (includes cardoon, celery, Chinese celery, celtuce, Florence fennel, rhubarb, Swiss chard) at 2.0 ppm.2. Petition proposes a tolerance for the herb subgroup (19A) at 0.05 ppm.3. Petition proposes a tolerance for tomato at 0.15 ppm.4. Petition proposes a tolerance for spinach at 0.2 ppm. <p>In addition, EPA received a pesticide petition proposing, pursuant to section 408(d) of the FFDCA, 21 U.S.C. 346a(d), to amend 40 CFR part 180.442, by establishing an import tolerance for residues of bifenthrin in or on carambola (starfruit) at 1.0 ppm.</p> |

	EPA has determined that the petitions contain 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 petitions. Additional data may be needed before EPA rules on the petitions.
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 checked="" type="checkbox"/> . If an international standard, guideline or recommendation exists, give the appropriate reference and briefly identify deviations: There are no Codex residue limits for the residue of bifenthrin in or on pears, the tree nut crop group, foods in food handling establishments, the herb subgroup, the leaf petiole subgroup, spinach, carambola or tomato.
8.	Relevant documents and language(s) in which these are available: 67 FR 7159, 15 February 2002 (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 18 March 2002. 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 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