

# WORLD TRADE ORGANIZATION

G/SPS/N/USA/859

24 February 2004

(04-0760)

Committee on Sanitary and Phytosanitary Measures

Original: English

## NOTIFICATION

<b>1. Member to Agreement notifying:</b> <u>UNITED STATES</u> <b>If applicable, name of local government involved:</b>
<b>2. Agency responsible:</b> Environmental Protection Agency (EPA)
<b>3. Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):</b> Products that use the pesticide Cyfluthrin
<b>4. Regions or countries likely to be affected, to the extent relevant or practicable:</b> Any US trade partners
<b>5. Title, language and number of pages of the notified document:</b> Cyfluthrin, Notice of Filing of Pesticide Petitions to Establish a Tolerance for a Certain Pesticide Chemical in or on Food (available in English, 4 pages)
<b>6. Description of content:</b> EPA has received pesticide petitions (PP 1F6290, PP 2F6445, PP 2F6479) and pesticide petitions (PP 1E6318, PP 3E6583, PP 3E6776) proposing to amend 40 CFR 180.436 by establishing a tolerance for residues of cyfluthrin (cyano (4-fluoro-3-phenoxyphenyl)methyl-3-(2,2-dichloroethenyl)-2,2-dimethyl-cyclopropanecarboxylate) in or on raw agricultural commodities as follows: <ol style="list-style-type: none"><li>PP 1F6290 proposes tolerances for tree nuts, Crop Group 14 at 0.01 parts per million (ppm), almond hulls at 1.0 ppm, and pistachio at 0.01 ppm.</li><li>PP 1E6318 proposes tolerances for tuberous and corm vegetable subgroup at 0.01 ppm.</li><li>PP 2F6445 proposes tolerances for wheat forage, wheat hay and wheat straw at 5.0 ppm, wheat shorts at 3.5 ppm, leafy vegetable group at 6.0 ppm, leafy brassica greens subgroup at 7.0 ppm, fruiting vegetable group at 0.5 ppm, cucurbit vegetable crop group at 0.10 ppm, pome fruit group at 0.10 ppm, pome fruit wet pomace at 0.30 ppm, and stone fruit group at 0.30 ppm.</li><li>PP 2F6479 proposes tolerances for grape at 0.8 ppm, grape, raisin at 3.5 ppm, peanut at 0.01 ppm, and peanut, hay at 6.0 ppm.</li><li>PP 3E6583 proposes tolerances for turnip greens at 7 ppm.</li><li>PP 3E6776 proposes tolerances for grass forage at 6 ppm, grass hay at 8 ppm, and pea and bean, dried shelled, except soybean, subgroup 6C at 0.15 ppm.</li></ol> 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.
<b>7. Objective and rationale:</b> <input checked="" type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input checked="" type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests

<p><b>8. International standard, guideline or recommendation:</b>  <input type="checkbox"/> Codex Alimentarius Commission, <input type="checkbox"/> World Organization for Animal Health (OIE), <input type="checkbox"/> International Plant Protection Convention, <input checked="" type="checkbox"/> None</p> <p><b>If an international standard, guideline or recommendation exists, give the appropriate reference and briefly identify deviations:</b> There are no Codex maximum residue levels established for cyfluthrin on the commodities proposed in these petitions.</p>
<p><b>9. Relevant documents and language(s) in which these are available:</b> DOCID: fr28ja04-54, <u>Federal Register</u>: 28 January 2004 (Volume 69, Number 18), pages 4143-4147; <a href="http://www.epa.gov/fedrgstr/EPA-PEST/2004/January/Day-28/p1240.htm">http://www.epa.gov/fedrgstr/EPA-PEST/2004/January/Day-28/p1240.htm</a>; Available in English</p>
<p><b>10. Proposed date of adoption:</b> n.a.</p>
<p><b>11. Proposed date of entry into force:</b> n.a.</p>
<p><b>12. Final date for comments:</b> Comments must be received on or before 27 February 2004.</p> <p><b>Agency or authority designated to handle comments:</b> <input checked="" type="checkbox"/> National notification authority, <input type="checkbox"/> National enquiry point, or address, fax number and E-mail address (if available) of other body: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460. opp-docket@epa.gov Note: Identify docket name "OPP-2003-0407" in subject line of your response.</p>
<p><b>13. Texts available from:</b> <input 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>Ms. Julie Morin, United States SPS Enquiry Point Officer, USDA Foreign Agricultural Service, Food Safety and Technical Services Division, Stop 1027, Washington, DC 20250. Tel: (202) 720-4051, Fax: (202) 720-7772, E-mail: <a href="mailto:fstd@fas.usda.gov">fstd@fas.usda.gov</a></p>