

§ 82.8

40 CFR Ch. I (7-1-07 Edition)

§ 82.8 Grant of essential use allowances and critical use allowances.

(a) Effective January 1, 1996, persons in the following list are allocated essential-use allowances or exemptions

for quantities of a specific class I controlled substance for a specific essential-use (the Administrator reserves the right to revise the allocations based on future decisions of the Parties).

TABLE I—ESSENTIAL USE ALLOWANCES FOR CALENDAR YEAR 2007

Company	Chemical	2007 Quantity (metric tons)
(i) Metered Dose Inhalers (for oral inhalation) for Treatment of Asthma and Chronic Obstructive Pulmonary Disease		
Armstrong Pharmaceuticals	CFC-114 (production of epinephrine MDIs only)	22.4
Inyx (Aventis)	CFC-11 or CFC-12 or CFC-114	39.6
3M Pharmaceuticals	CFC-11 or CFC-12 or CFC-114	65.0
Wyeth	CFC-11 or CFC-12 or CFC-114	40.0

(b) A global exemption for class I controlled substances for essential laboratory and analytical uses shall be in effect through December 31, 2007, subject to the restrictions in appendix G of this subpart, and subject to the record keeping and reporting requirements at § 82.13(u) through (x). There is no amount specified for this exemption.

(c) Effective January 1, 2005, critical use allowances are apportioned as set forth in paragraph (c)(1) of this section for the exempted production and import of class I, Group VI controlled substances specifically for those approved critical uses listed in Appendix L to this subpart for the applicable control period. Every kilogram of production and import in excess of the total number and type of unexpended critical use allowances held for a particular type of use constitutes a separate violation of this subpart. Effective January 1, 2005, critical stock allowances are issued as set forth in paragraph (c)(2) of this section for the sale of class I, Group VI controlled substances from inventory produced or imported before the January 1, 2005 phase-out date specifically for those approved critical uses listed in Appendix L to this subpart for the applicable control period.

(1) Allocated critical use allowances granted for specified control period.

Company	2007 Critical use allowances for pre-plant uses* (kilograms)	2007 Critical use allowances for post-harvest uses* (kilograms)
Great Lakes Chemical Corp	2,401,699	221,167

Company	2007 Critical use allowances for pre-plant uses* (kilograms)	2007 Critical use allowances for post-harvest uses* (kilograms)
Albemarle Corp	987,633	90,949
Ameribrom, Inc	545,787	50,260
TriCal, Inc	16,994	1,565
Total	3,952,114	363,941

*For production or import of class I, Group VI controlled substance exclusively for the Pre-Plant or Post-Harvest uses specified in appendix L to this subpart.

(2) Allocated critical stock allowances granted for specified control period. The following companies are allocated critical stock allowances for 2007 on a pro-rata basis in relation to the inventory held by each.

Company	Company
Albemarle	Industrial Fumigation Company.
Ameribrom, Inc	J.C. Ehrlich Co.
Bill Clark Pest Control, Inc	Pacific Ag.
Blair Soil Fumigation	Pest Fog Sales Corp.
Burnside Services, Inc	Prosource One.
Cardinal Professional Products.	Reddick Fumigants.
Carolina Eastern, Inc.	Royster-Clark, Inc.
Degesch America, Inc	Southern State Cooperative, Inc.
Dodson Bros	Trical Inc.
Great Lakes Chemical Corp ..	Trident Agricultural Products.
Harvey Fertilizer & Gas	UAP Southeast (NC).
Helena Chemical Co.	UAP Southeast (SC).
Hendrix & Dail	Univar.
Hy Yield Bromine	Vanguard Fumigation Co.
	Western Fumigation.

Total—1,914,600 kilograms.

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