## § 180.1 Definitions and interpretations.

(a) Administrator, without qualification, means the Administrator of the Environmental Protection Agency.

(b) Agency, without qualification, means the Environmental Protection Agency.

(c) [Reserved]

(d) Registration Division means the unit established within the Environmental Protection Agency charged with administration of the Pesticide Residue amendment to the Federal Food, Drug, and Cosmetic Act (section 408).

(e) Raw agricultural commodities include, among other things, fresh fruits, whether or not they have been washed and colored or otherwise treated in their unpeeled natural form; vegetables in their raw or natural state, whether or not they have been stripped of their outer leaves, waxed, prepared into fresh green salads, etc.; grains, nuts, eggs, raw milk, meats, and similar agricultural produce. It does not include foods that have been processed, fabricated, or manufactured by cooking, freezing, dehydrating, or milling.

(f) Where raw agricultural commodities bearing residues that have been exempted from the requirement of a tolerance, or which are within a tolerance permitted under section 408 are

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### GLOSSARY

- **APPLI** = APPLICATION
- **C-1 MET** = CHOLINESTERASE-INHIBITING METABOLITES
- **CARR** = CARBAMATES
- **EPWR** = EDIBLE PORTION WITH RIND REMOVED
- **EXC** = EXCEPT
- **EXC = EXCEPT**
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used, the processed foods will not be considered unsafe within the meaning of section 406 if:

(1) The poisonous or deleterious pesticide residues have been removed to the extent possible in good manufacturing practice; and

(2) The concentration of the pesticide in the preserved or processed food when ready to eat is not greater than the tolerance permitted on the raw agricultural commodity.

(g) For the purpose of computing fees as required by §180.33, each group of related crops listed in §180.34(e) and each crop group or subgroup listed in §180.41 is counted as a single raw agricultural commodity in a petition or request for tolerances or exemption from the requirement of a tolerance.

(h) Tolerances and exemptions established for pesticide chemicals in or on the general category of raw agricultural commodities listed in column A apply to the corresponding specific raw agricultural commodities listed in column B. However, a tolerance or exemption for a specific commodity in column B does not apply to the general category in column A.

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alfalfa</td>
<td>Medicago sativa, (alfalfa, lucerne); Onobrychis vicicifolia (sainfoin, holy clover, esparcet); and Lotus corniculatus (birdsfoot trefoil); and varieties and/or hybrids of these.</td>
</tr>
<tr>
<td>Bananas</td>
<td>Bananas, plantains.</td>
</tr>
<tr>
<td>Beans (dry)</td>
<td>Cicer arietinum (chick peas, garbanzo beans); Lupinus spp. (including sweet lupine, white sweet lupine, white lupine, and grain lupine); Phaseolus spp. (including kidney beans, lima beans, mung beans, navy beans, pinto beans, snap beans, and waxbeans); Vicia faba (broad beans, fava beans); Tilia spp. (including asparagus beans, blackeyed peas and cowpeas).</td>
</tr>
<tr>
<td>Beans (dry)</td>
<td>All beans above in dry form only.</td>
</tr>
<tr>
<td>Blackberries</td>
<td>Rubus eubatus (including bingleberries, black satin berries, boysenberries, Cherokee blackberries, Cheyenne blackberries, cowberries, darrowberries, dewberries, Dirksen thornless berries, Himalayaberries, hulberries, Lavacaberries, lowberries, Lucretiaberries, mammoth blackberries, marionberries, nectarberries, ollalieberries, Oregon evergreen berries, phenomenalberries, rangenberries, ravennberries, rossberries, Shawnee blackberries, and varieties and/or hybrids of these).</td>
</tr>
<tr>
<td>Broccoli</td>
<td>Broccoli, chinese broccoli (gla ion, white flowering broccoli).</td>
</tr>
<tr>
<td>Cabbage</td>
<td>Cabbage, Chinese cabbage (light-heading varieties only).</td>
</tr>
<tr>
<td>Cranberries</td>
<td>Rubus spp. (including blackberries: Rubus caesius (youngberry); Rubus loganbaccus (loganberry); Rubus occidentalis, idaeus, and stigmosus (red and black raspberries); and varieties and/or hybrids of these.</td>
</tr>
<tr>
<td>Celery</td>
<td>Celery, Florence fennel (sweet arise, sweet fennel, finochio) (fresh leaves and stalks only).</td>
</tr>
<tr>
<td>Cherries</td>
<td>Sour cherries, sweet cherries.</td>
</tr>
<tr>
<td>Citrus fruits</td>
<td>Grapefruit, lemons, limes, oranges, tangelos, tangerines, citrus citron, kumquats, and hybrids of these.</td>
</tr>
<tr>
<td>Endive</td>
<td>Endive, escarole.</td>
</tr>
<tr>
<td>Lettuce</td>
<td>Lettuce, head; and lettuce, leaf.</td>
</tr>
<tr>
<td>Lettuce, leaf</td>
<td>Lettuce, head; crisphead varieties only</td>
</tr>
<tr>
<td>Lettuce, leaf</td>
<td>Lettuce, leaf; cos (romaine), butterhead varieties.</td>
</tr>
<tr>
<td>Marjoram</td>
<td>Origanum spp. (includes sweet or annual marjoram, wild marjoram or oregano, and pot marjoram).</td>
</tr>
<tr>
<td>Melons</td>
<td>Muskmelons, including hybrids and/or varieties of Cucumis melo (including true cantaloupe, cantelope, casaba, Santa Claus melon, crenshaw melon, honeydew melon, honey balls, Persian melon, golden peshaw melon, mango melon, pineapple melon, snake melon); and watermelons, including hybrids and/or varieties of (Citrus spp.).</td>
</tr>
<tr>
<td>Muskmelons</td>
<td>Cucumis melo (includes true cantaloupe, cantelope, casaba, Santa Claus melon, crenshaw melon, honeydew melon, honey balls, Persian melon, golden peshaw melon, mango melon, pineapple melon, snake melon, and other varieties and/or hybrids of these.)</td>
</tr>
<tr>
<td>Onions</td>
<td>Dry bulb onions, green onions, and garlic.</td>
</tr>
<tr>
<td>Onions (dry bulbs only)</td>
<td>Garlic, onions (dry bulbs only), shallots (dry bulbs only).</td>
</tr>
<tr>
<td>Onions, green</td>
<td>Green onions, leeks, spring onions or scallions, Japanese bunching onions, green shallots, or green eschalots.</td>
</tr>
<tr>
<td>Oriental radish (root and tops)</td>
<td>Raphanus sativus var. longipinnatus (root and tops), including Chinese or Japanese radish (both white and red), winter radish, daikon, lob, lo pak, and other cultivars and/or hybrids of these.</td>
</tr>
<tr>
<td>Peaches</td>
<td>Peaches, nectarines</td>
</tr>
</tbody>
</table>
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<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peas</td>
<td>Cajanus cajan (includes pigeon peas); Cicer spp. (includes chick peas and garbanzo beans); Lens culinaris (lentils); Pisum spp. (includes dwarf peas, garden peas, green peas, English peas, field peas, and edible pod peas). [Note: A variety of pesticide tolerances have been previously established for peas and/or beans. Chick peas/garbanzo beans are now classified in both the bean and the pea categories. For garbanzo beans/chick peas ONLY, the highest established pea or bean tolerance will apply to pesticide residues found in this commodity.]</td>
</tr>
<tr>
<td>Peas (dry)</td>
<td>All peas in dry form only.</td>
</tr>
<tr>
<td>Peas (succulent)</td>
<td>All peas in succulent form only.</td>
</tr>
<tr>
<td>Peppers</td>
<td>All varieties of peppers including pimientos and bell, hot, and sweet peppers.</td>
</tr>
<tr>
<td>Repseed</td>
<td>Brassica napus, B. campestris, and Crambe abyssinica (oilseed-producing varieties only which include canola and crambe.)</td>
</tr>
<tr>
<td>Sorghum (grain)</td>
<td>Sorghum spp. (sorghum (grain), sudangrass (seed crop), and hybrids of these grown for its seed).</td>
</tr>
<tr>
<td>Sorghum (fodder, forage)</td>
<td>Sorghum spp. ([sorghum (fodder, forage), sudangrass, and hybrids of these grown for fodder and/or forage]).</td>
</tr>
<tr>
<td>Squash</td>
<td>Pumpkins, summer, and winter squash.</td>
</tr>
<tr>
<td>Sugar apple</td>
<td>Annona squamosa L. (sugar apple, sweettart, anon), and its hybrid A. squamosa L. x A. cheesimoya M. (atemoya). Also A. reticulata L. (true custard apple).</td>
</tr>
<tr>
<td>Summer squash</td>
<td>Fruits of the gourd (Cucurbitaceae) family that are consumed when immature, 100% of the fruit is edible either cooked or raw, once picked it cannot be stored, has a soft rind which is easily penetrated, and if seeds were harvested they would not germinate; e.g., Cucurbita pepo (i.e., crookneck squash, straightneck squash, scallop squash, and vegetable marrow); Lagenaria spp. (i.e., spaghetti squash, hyotan, cucuzza); Luffa spp. (i.e., hechima, Chinese cucumber, orok); Momordica spp. (i.e., bitter melon, balsam pear, balsam apple, Chinese cucumber); Sechium edule (chayote); and other cultivars and/or hybrids of these.</td>
</tr>
<tr>
<td>Sweet potatoes</td>
<td>Sweet potatoes, yams.</td>
</tr>
<tr>
<td>Tangerines</td>
<td>Tangerines (mandarin or mandarin oranges); tangors, and other hybrids of tangerine with other citrus.</td>
</tr>
<tr>
<td>Tomatoes</td>
<td>Tomatoes, tomatillos.</td>
</tr>
<tr>
<td>Turnip tops or turnip greens</td>
<td>Broccoli raab (raab, raab salad), hanover salad, turnip tops (turnip greens).</td>
</tr>
<tr>
<td>Wheat</td>
<td>Wheat, triticale.</td>
</tr>
</tbody>
</table>

(1) Unless otherwise specified, tolerances and exemptions established under the regulations in this part apply to residues from only preharvest application of the chemical.

(j) Unless otherwise specified in this paragraph or in tolerance regulations prescribed in this part for specific pesticide chemicals, the raw agricultural commodity to be examined for pesticide residues, shall consist of the whole raw agricultural commodity.

(1) The raw agricultural commodity bananas, when examined for pesticide residues, shall not include any crown tissue or stalk.

(2) Shell shall be removed and discarded from nuts before examination for pesticide residues.

(3) Caps (hulls) shall be removed and discarded from strawberries before examination for pesticide residues.

(4) Stems shall be removed and discarded from melons before examination for pesticide residues.

(5) Roots, stems, and outer sheaths (or husks) shall be removed and discarded from garlic bulbs and dry bulb onions, and only the garlic cloves and onion bulbs shall be examined for pesticide residues.

(6) Where a tolerance is established on a root vegetable including tops and/or with tops, and the tops and the roots are marketed together, they shall be analyzed separately and neither the pesticide residue on the roots nor the pesticide residue on the tops shall exceed the tolerance level, except that in the case of carrots, parsnips, and rutabagas, the tops shall be removed and discarded before analyzing roots for pesticide residues.

(7) The crowns (leaves at the top of the fruit) shall be removed and discarded from pineapples before examination for pesticide residues.

(8) The term lima beans means the beans and the pod.

(9) The term peanuts means the peanut meat after removal of the hulls.

(k) The term pesticide chemical means any substance that is a pesticide within the meaning of the Federal Insecticide, Fungicide, and Rodenticide Act, including all active and inert ingredients of such pesticide.
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(l) The term *negligible residue* means any amount of a pesticide chemical remaining in or on a raw agricultural commodity or group of raw agricultural commodities that would result in a daily intake regarded as toxicologically insignificant on the basis of scientific judgment of adequate safety data. Ordinarily this will add to the diet an amount which will be less than 1/2,000th of the amount that has been demonstrated to have no effect from feeding studies on the most sensitive animal species tested. Such toxicity studies shall usually include at least 90-day feeding studies in two species of mammals.

(m) The term *nonperishable raw agricultural commodity* means any raw agricultural commodity not subject to rapid decay or deterioration that would render it unfit for consumption. Examples are cocoa beans, coffee beans, field-dried beans, field-dried peas, grains, and nuts. Not included are eggs, milk, meat, poultry, fresh fruits, and vegetables such as onions, parsnips, potatoes, and carrots.

(n) The term *tolerance with regional registration* means any tolerance which is established for pesticide residues resulting from the use of the pesticide pursuant to a regional registration. Such a tolerance is supported by residue data from specific growing regions for a raw agricultural commodity. Individual tolerances with regional registration are designated in separate subsections in 40 CFR 180.101 through 180.999, as appropriate. Additional residue data which are representative of the proposed use area are required to expand the use area.

(o) The term *pesticide chemical residue* means a residue on or in a raw agricultural commodity or processed food of:

1. A pesticide chemical; or
2. Any other added substance that is present on or in the commodity or food primarily as a result of the metabolism or other degradation of a pesticide chemical.

(p) The term *food commodity* means:

1. Any raw agricultural commodity (food or feed) as defined in section 201(r) of the Federal Food, Drug, and Cosmetic Act (FFDCA); and
2. Any processed food or feed as defined in section 201(gg) of the FFDCA.

[36 FR 22540, Nov. 25, 1971]

EDITORIAL NOTE: For Federal Register citations affecting § 180.1, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 180.2 Pesticide chemicals considered safe.

(a) As a general rule, pesticide chemicals other than benzaldehyde (when used as a bee repellant in the harvesting of honey), ferrous sulfate, lime, lime-sulfur, potassium sorbate, sodium carbonate, sodium chloride, sodium hypochlorite, sulfur, and when used as plant desiccants, sodium metasilicate (not to exceed 4 percent by weight in aqueous solution) and when used as postharvest fungicide, citric acid, fumaric acid, oil of lemon, and oil of orange are not for the purposes of section 408(a) of the Act generally recognized as safe.

(b) Upon written request, the Registration Division will advise interested persons whether a pesticide chemical should be considered as poisonous or deleterious, or one not generally recognized by qualified experts, as safe.

(c) The training and experience necessary to qualify experts to evaluate the safety of pesticide chemicals for the purposes of section 408(a) of the Act are essentially the same as training and experience necessary to qualify experts to serve on advisory committees prescribed by section 408(g) of the Act. (See § 180.11.)


§ 180.3 Tolerances for related pesticide chemicals.

(a) Pesticide chemicals that cause related pharmacological effects will be regarded, in the absence of evidence to
§ 180.3 40 CFR Ch. I (7–1–02 Edition)

the contrary, as having an additive deleterious action. (For example, many pesticide chemicals within each of the following groups have related pharmacological effects: Chlorinated organic pesticides, arsenic-containing chemicals, metallic dithiocarbamates, cholinesterase-inhibiting pesticides.)

(b) Tolerances established for such related pesticide chemicals may limit the amount of a common component (such as As$_2$O$_3$) that may be present, or may limit the amount of biological activity (such as cholinesterase inhibition) that may be present, or may limit the total amount of related pesticide chemicals (such as chlorinated organic pesticides) that may be present.

(c) (1) Where tolerances for inorganic bromide in or on the same raw agricultural commodity are set in two or more sections in this part (example: §§ 180.123 and 180.199), the overall quantity of inorganic bromide to be tolerated from use of the same pesticide in different modes of application or from two or more pesticide chemicals for which tolerances are established is the highest of the separate applicable tolerances. For example, where the bromide tolerance on asparagus from methyl bromide commodity fumigation is 100 parts per million (40 CFR 180.123) and on asparagus from methyl bromide soil treatment is 300 parts per million (40 CFR 180.199), the overall inorganic bromide tolerance for asparagus grown on methyl bromide-treated soil and also fumigated with methyl bromide after harvest is 300 parts per million.

(2) Where tolerances are established for residues of both O,O-diethyl S-[2-(ethylthio)ethyl] phosphorodithioate and demeton (a mixture of O,O-diethyl O-(and S-) [2-(ethylthio)ethyl] phosphorothioates) on the same raw agricultural commodity, the total amount of such pesticides shall not exceed the residue than that permitted by the larger of the two tolerances, calculated as demeton.

(3) Where tolerances are established for both terpene polychlorinates (chlorinated mixture of camphene, pinene, and related terpenes, containing 65–66 percent chlorine) on the same raw agricultural commodities, the total amount of such pesticides shall not yield more residue than that permitted by the larger of the two tolerances, calculated as a chlorinated terpene of molecular weight 396.8 containing 67 percent chlorine.

(4) Where a tolerance is established for more than one pesticide containing arsenic found in, or on a raw agricultural commodity, the total amount of such pesticide shall not exceed the highest established tolerance calculated as As$_2$O$_3$.

(5) Where tolerances are established for residues of both S,S,S-tributyl phosphorotrithioate and tributyl phosphorotrithioite in or on the same raw agricultural commodity, the total residue of such pesticides shall not exceed the higher of the two tolerances, calculated as S,S,S-tributyl phosphorotrithioate.

(6) Where tolerances are established for residues of both S,S,S-di-naphthaleneacetamide and/or di-naphthaleneacetic acid in or on the same raw agricultural commodity, the total amount of such pesticides shall not yield more residue than that permitted by the higher of the two tolerances, calculated as S,S,S-di-naphthaleneacetamide and/or di-naphthaleneacetic acid.
shall not yield more residue than that permitted by the higher of the two tolerances, calculated as α-naphthaleneacetic acid.

(8) Where tolerances are established for residues of O,S-dimethyl phosphoramidithioate, resulting from the use of acephate (O,S-dimethyl acetylphosphoramidiothioate) and/or O,S-dimethylphosphoramidiothioate on the same agricultural commodity, the total amount of such residues shall not yield more residue than that permitted by the higher of the two tolerances.

(9) Where a tolerance is established for more than one pesticide having the metabolites 1-(3,4-dichlorophenyl)-3-methylurea (DCPMU) and 3,4-dichlorophenylurea (DCPU) found in or on a raw agricultural commodity, the total amount of such residues shall not exceed the highest established tolerance for a pesticide having these metabolites.

(10) Where a tolerance is established for more than one pesticide having as metabolites compounds containing the benzimidazole moiety found in or on a raw agricultural commodity, the total amount of such residues shall not exceed the highest established tolerance for a pesticide having these metabolites.

(11) Where a tolerance is established for triclopyr, chloropyrifos, and chlorpyrifos-methyl having the common metabolite 3,5,6-trichloro-2-pyridinol on the same raw agricultural commodity, the total amount of such residues shall not exceed the highest established tolerance for any of the pesticides having these metabolites.

(12) Where tolerances are established for more than one pesticide having the metabolite 3,5,6-trichloro-2-pyridinol found in or on a raw agricultural commodity, the total amount of such residues shall not exceed the highest established tolerance for a pesticide having this metabolite.

(13) Where tolerances are established for residues of both 1-(4-chlorophenoxy)-3,3-dimethyl-1-(1H-1,2,4-triazol-1-yl)-2-butanone (triadimefon) and beta-(4-chlorophenoxy)-alpha-(1,1-dimethyl-ethyl)-1H-1,2,4-triazole-1-ethanol (triazinol) including its butanediol metabolite, 4-(4-chlorophenoxy)-2,2-di-
combined residues that are within the tolerance may be determined as follows:

(i) Determine the quantity of each determinable residue present.

(ii) Deduct the amounts of such residues from the total amount of residues present and consider the remainder to have the same tolerance as that for the chemical having the lowest numerical tolerance in that class.

(iii) Divide the quantity of each determinable residue by the tolerance that would apply if it occurred alone and the quantity of the remaining residue by the chemical for the chemical having the lowest numerical tolerance in that class and multiply by 100 to determine the percentage of the permitted amount of residue present.

(iv) Add the percentages so obtained for all residues present.

(v) The sum of the percentages shall not exceed 100 percent.

(3) The following pesticides are members of the class of chlorinated organic pesticides:

Aldrin.  
Chlordane.  
Heptachlor.  
Carbofuran.  
Mirex.  
Permethrin.  
Endosulfan.  
Endosulfan sulfate.  
Heptachlor epoxide.  
Toxaphene.  
Terpine polychlorinates.

(4) The following are members of the class of dithiocarbamates:

A mixture of 5.2 parts by weight of ammoniates of [ethylenbis (dithiocarbamate)] zinc with 1 part by weight ethylenbis [dithiocarbamic acid] bimolecular and trimolecular cyclic anhydrosulfides and disulfides.

2-Chloroallyl diethylthiocarbamate.  
Coordination product of zinc ion and maneb containing 20 percent manganese, 2.5 percent zinc, and 75.5 percent ethylenebisdithiocarbamate.

Ferbam.  
Maneb.  
Manganous dimethyldithiocarbamate.  
Thiram.  
Ziram.

(5) The following are members of the class of cholinesterase-inhibiting pesticides:

Acephate (O,S-dimethyl acetyl-phosphoramidate) and its cholinesterase-inhibiting metabolite O,S-dimethyl phosphoramide.

Aldicarb (2-methyl-2-(methylcarbamoyl)oxime) and its cholinesterase-inhibiting metabolites 2-methyl-2-(methylsulfinyl)propionaldehyde O-(methylcarbamoyl)oxime and 2-methyl-2-(methylsulfonyl)propionaldehyde O-(methylcarbamoyl)oxime.

4-tert-Butyl-2-chlorophenyl methyl methylphosphonate.

S-((tert-Butyl)thiomethyl) O,O-diethyl phosphorothioate and its cholinesterase-inhibiting metabolites.

Carbaryl (1-naphthyl N-methylcarbamate).

Carbophenothion (S-((p-chlorophenyl) thiomethyl) O,O-diethyl phosphorodithioate) and its cholinesterase-inhibiting metabolites.
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Chlorpyrifos (O,O-diethyl O-(3,5,6-trichloro-2-pyridyl)phosphorothioate).
Chlorpyrifos-methyl (O,O-dimethyl O-(3,5,6-trichloro-2-pyridyl) phosphorothioate).
2-Chloro-1-(2,4,5-trichlorophenyl)vinyl dimethyl phosphate.
2-Chloro-1-(2,4-dichlorophenyl) vinyl diethyl phosphate.
Coumaphos (O,O-diethyl O-3-chloro-4-methyl-2-oxo-2H-1-benzopyran-7-yl phosphorothioate).
Coumaphos oxygen analog (O,O-diethyl O-3-chloro-4-methyl-2-oxo-2H-1-benzopyrophosphorothioate).
Dialifor (O,O-diethyl O-3,4-dimethyl-2-oxo-2H-1-benzopyrophosphorothioate).
Coumaphos (O,O-diethyl O-3-chloro-4-methyl-2-oxo-2H-1-benzopyrophosphorothioate).

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O,O-Dimethyl 2,2,2-trichloro-1-hydroxyethyl phosphonate.
O,O-Dimethyl phosphorothioate, S-ester with 4-(mercaptopropyl)-2-methoxy-1,2,3-triazolyl-5-one.

Dioxathion (2,3-p-dioxanediethyl S,S-bis (O,O-diethylphosphorodithioate)) containing approximately 70 percent cis and trans isomers and approximately 30 percent related compounds.

EPN.
Ethion (2-chloroethyl) phosphonic acid.
Ethion.

Ethion oxygen analog (S-[(diethylthiophosphinothioyl)thio] methyl O,O-diethyl phosphorothioate).
O-Ethyl S,S-dipropylphosphorodithioate.
Ethyl 3-methyl-4-(methylthio)phenyl (1-methylthio)phenyl phosphonodiamidate and its cholinesterase-inhibiting metabolites.
O-Ethyl S-phenyl ethylphosphonothioate.
O Ethyl S-phenyl ethylphosphonothioate.

-m-(1-Ethylpropyl)phenyl methylcarbamate.

Fenthion (O,O-diethyl O-3-methyl-4-(methylthio)phenyl phosphorothioate and its cholinesterase-inhibiting metabolites.
Malathion.
N-(Mercaptomethyl)phthalimide S-(O,O-dimethyl phosphorothioate).
N-(Mercaptomethyl)phthalimide S-(O,O-dimethyl phosphorothioate).

Methomyl (S-methyl N-(methylcarbamoyl)oxythioacetimidate).
1-Methoxy carbonyl-1-propen-2-yl dimethyl phosphate and its beta isomer.
-m-(1-Methylbutyl)phenyl methylcarbamate.
Methyl parathion.
Naled (1,2-dibromo-2,2-dichloroethyl dimethyl phosphate).

Oxamyl (methyl N,N′-dimethyl-N′-(methylcarbamoyl)oxy)-1-thiooxamidate)
Parathion.
Phorate (O,O-diethyl S-(ethylthiomethyl phosphorodithioate) and its cholinesterase-inhibiting metabolites.
Phosphamidon (S-(6-chloro-3-mercaptomethyl)-2-benzoxazolinone) O,O-diethyl phosphorodithioate).
Phosphamidon (2-chloro-3-diethylcarbamoyl-1-methylvinyl dimethyl phosphate) including all of its related cholinesterase-inhibiting compounds.

Pirimiphos-methyl O-(2-diethylamino-6-methyl-pyrimidinyl) O,O-dimethyl phosphorothioate Ronnel.

Schradan (octamethylpyrophosphoramide).
Tetraethyl pyrophosphate.
§ 180.4 Exceptions.

The substances listed in this section are excepted from the definitions of "pesticide chemical" and "pesticide chemical residue" under FFDCA section 201(q)(3) and are therefore exempt from regulation under FFDCA section 402(a)(2)(B) and 408. These substances are subject to regulation by the Food and Drug Administration as food additives under FFDCA section 409.

(a) Inert ingredients in food packaging impregnated with an insect repellent when such inert ingredients are the components of the food packaging material (e.g., paper and paperboard, coatings, adhesives, and polymers).

(b) [Reserved]

§ 180.5 Zero tolerances.

A zero tolerance means that no amount of the pesticide chemical may remain on the raw agricultural commodity when it is offered for shipment. A zero tolerance for a pesticide chemical in or on a raw agricultural commodity may be established because, among other reasons:

(a) A safe level of the pesticide chemical in the diet of two different species of warm-blooded animals has not been reliably determined.

(b) The chemical is carcinogenic to or has other alarming physiological effects upon one or more of the species of the test animals used, when fed in the diet of such animals.

(c) The pesticide chemical is toxic, but is normally used at times when, or in such manner that, fruit, vegetables, or other raw agricultural commodities will not bear or contain it.

(d) All residue of the pesticide chemical is normally removed through good agricultural practice such as washing or brushing or through weathering or other changes in the chemical itself, prior to introduction of the raw agricultural commodity into interstate commerce.

§ 180.6 Pesticide tolerances regarding milk, eggs, meat, and/or poultry; statement of policy.

(a) When establishing tolerances for pesticide residues in or on raw agricultural commodities, consideration is always given to possible residues of those pesticide chemicals or their conversion products entering the diet of man through the ingestion of milk, eggs, meat, and/or poultry produced by animals fed agricultural products bearing such pesticide residues. In each instance an evaluation of all available data will result in a conclusion either:

1. That finite residues will actually be incurred in these foods from feed use of the raw agricultural commodity including its byproducts; or

2. That it is not possible to establish with certainty whether finite residues will be incurred, but there is a reasonable expectation of finite residues; or

3. That it is not possible to establish with certainty whether finite residues will be incurred, but there is no reasonable expectation of finite residues.

(b) When the data show that finite residues will actually be incurred in milk, eggs, meat, and/or poultry, a tolerance will be established on the raw agricultural commodity used as feed provided that tolerances can be established at the same time, on the basis of the toxicological and other data available, for the finite residues incurred in milk, eggs, meat, and/or poultry. When
Subpart B—Procedural Regulations

§ 180.7 Petitions proposing tolerances or exemptions for pesticide residues in or on raw agricultural commodities.

(a) Petitions to be filed with the Agency under the provisions of section 408(d) shall be submitted in duplicate to the Registration Division. If any part of the material submitted is in a foreign language, it shall be accompanied by an accurate and complete English translation. The petition shall be accompanied by an advance deposit for fees described in §180.33. The petition shall state petitioner’s mail address to which notice of objection under section 408(d)(5) may be sent.

(b) Petitions shall include the following data and be submitted in the following form:

(Date)

Registration Division,
Environmental Protection Agency,
Washington, DC 20460

Dear Sirs:

The undersigned, ___________, submits this petition pursuant to section 408(d)(1) of the Federal Food, Drug, and Cosmetic Act with respect to the pesticide chemical ___________.

Attached hereto, in duplicate and constituting a part of this petition, are the following:

A. The name, chemical identity, and composition of the pesticide chemical. (If the pesticide chemical is an ingredient of an economic poison, the complete quantitative formula of the resulting economic poison should be submitted. The submission of this information does not restrict the application of any tolerance or exemption granted to the specific formula(s) submitted.)

B. The amount, frequency, and time of application of the pesticide chemical.

C. Full reports of investigations made with respect to the safety of the pesticide chemical. (These reports should include, where necessary, detailed data derived from appropriate animal or other biological experiments in which the methods used and the results obtained are clearly set forth.)

D. The results of tests on the amount of residue remaining, including a description of the analytical method used. (See §180.34 for further information about residue tests.)

E. Practicable methods for removing residue that exceeds any proposed tolerance.