Environmental Protection Agency

and Cosmetic Act with respect to toler-
ances or other clearance of ingredients.

[53 FR 15989, May 4, 1988, as amended at 60
FR 32096, June 19, 1995]

Subpart H—Coloration and
Discoloration of Pesticides

SOURCE: 53 FR 15990, May 4, 1988, unless
otherwise noted.

§ 153.140 General.

Section 25(c)(5) of the Act authorizes
the Administrator to prescribe regula-
tions requiring coloration or discolora-
tion of any pesticide if the Adminis-
trator determines that such require-
ments are feasible and necessary for
the protection of health and the envi-
ronment. This subpart describes those
pesticide products which must be col-
ored or discolored.

[60 FR 32096, June 19, 1995]

§ 153.155 Seed treatment products.

(a) Pesticide products intended for
use in treating seeds must contain an
EPA-approved dye to impart an un-
natural color to the seed, unless appro-
priate tolerances or other clearances
have been established under the Fed-
eral Food, Drug and Cosmetic Act for
residues of the pesticide.

(b) The following products are ex-
empt from the requirement of para-
graph (a) of this section:

(1) Products intended and labeled for
use solely by commercial seed treaters,
provided that the label bears a state-
ment requiring the user to add an EPA-
approved dye with the pesticide during
the seed treatment process.

(2) Products intended and labeled for
use solely as at-planting or hopper box
treatments.

(3) Products which are gaseous in
form or are used as fumigants.

(c) EPA-approved dyes for seed treat-
ment are listed in:

(1) Sections 180.910, 180.920, and
180.950 if an exemption from the re-
quirement of a tolerance has been es-
ablished.

(2) Section 180.2010 if EPA has deter-
mined that residues of the dye will be
present, if at all, at levels that are
below the threshold of regulation.

(3) Section 180.2020 if it has been de-
temined that no tolerance or exemp-
tion from the requirement of a toler-
ance is needed as a result of a deter-
mination by EPA that the use is un-
likely to result in residues in food/feed.

[53 FR 15990, May 4, 1988, as amended at 66
FR 66772, Dec. 27, 2001; 69 FR 23117, Apr. 28,
2004]