List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: July 9, 1999.

James Jones,

Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

2. In § 180.482, paragraph (a) is amended by redesignating the introductory text to paragraph (a) as paragraph (a)(1); by adding alphabetically four commodities to the table in newly designated paragraph (a)(1); and adding paragraph (a)(2) to read as follows:

§ 180.482 Tebufenozide; tolerances for residues.

(a) *General.* (1) * * *

Commodity	Parts per million
* * * * *	
Apple pomace	3.0
Cotton	1.5
Cotton, gin byproducts	30
* * * * *	
Pome Fruit	1.5
* * * * *	

(2) Tolerances are established for the combined residues of tebufenozide and its metabolites benzoic acid, 3,5-dimethyl-1-(1,1-dimethylethyl)-2-((4-carboxymethyl)benzoyl)hydrazide), benzoic acid, 3-hydroxymethyl,5-methyl-1-(1,1-dimethylethyl)-2-(4-ethylbenzoyl)hydrazide, the stearic acid conjugate of benzoic acid, 3-hydroxymethyl,5-methyl-1-(1,1-dimethylethyl)-2-(4-ethylbenzoyl)hydrazide and benzoic acid, 3-hydroxymethyl-5-methyl-1-(1,1-dimethylethyl)-2-(4-(1-hydroxyethyl)benzoyl)hydrazide.

Commodity	Parts per million
Fat of cattle, goats, hogs, horses, and sheep	0.1
Meat of cattle, goats, hogs, horses and sheep	0.08
Meat byproducts of cattle, goats, hogs, horses and sheep	0.08
Milk	0.04

* * * * *

[FR Doc. 99–18483 Filed 7–20–99; 8:45 am]

BILLING CODE 6560–50–F

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 180 and 185

[OPP–300891; FRL–6089–7]

RIN 2070–AB78

Propargite; Revocation of Certain Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This final rule revokes tolerances for residues of the pesticide propargite in or on the following commodities: apples; apricots; beans, succulent; cranberries; figs; figs, dried; peaches; pears; plums (fresh prunes); and strawberries. EPA is revoking these tolerances because the uses associated with the tolerances have been canceled voluntarily from propargite labels by Uniroyal Chemical Company. Uniroyal deleted the uses to address dietary risk concerns raised by EPA. The regulatory actions in this document are part of the Agency's reregistration program under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), and the tolerance reassessment requirements of the Federal Food, Drug, and Cosmetic Act (FFDCA). By law, EPA is required to reassess 33% of the tolerances in existence on August 2, 1996, by August 1999, or about 3,200 tolerances. This document revokes 10 tolerances which will be counted among reassessments made toward the August 1999 review deadline of FFDCA section 408(q), as amended by the Food Quality Protection Act (FQPA) of 1996.

DATES: This final rule becomes effective October 19, 1999. Objections and requests for hearings, identified by docket control number [OPP–300891] must be received by EPA on or before September 20, 1999.

ADDRESSES: Objections and hearing requests can be submitted by mail or in person. Please follow the detailed instructions provided in Unit V, of the SUPPLEMENTARY INFORMATION section of this document. To ensure proper identification of your objection or hearing request, you must identify the docket control number [OPP–300891] in the subject line on the first page of your request.

FOR FURTHER INFORMATION CONTACT: For technical information contact: Joseph Nevola, Special Review Branch (7508C), Special Review and Reregistration Division, Office of Pesticide Programs, U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Special Review Branch, CM#2, 6th floor, 1921 Jefferson Davis Hwy., Arlington, VA, (703) 308–8037; e-mail: nevola.joseph@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Does this Action Apply to Me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected categories and entities may include, but are not limited to:

Categories	NAICS	Examples of Potentially Affected Entities
Industry	111	Crop production
	112	Animal production
	311	Food manufacturing
	32532	Pesticide manufacturing

This listing is not exhaustive, but is a guide to entities likely to be regulated by this action. The North American Industrial Classification System (NAICS) codes will assist you in determining whether this action applies to you. If you have questions regarding the applicability of this action to a particular entity, consult the person listed in the FOR FURTHER INFORMATION CONTACT section.

II. How Can I Get Additional Information or Copies of this or Other Support Documents?

A. Electronically

You may obtain electronic copies of this document and various support documents from the EPA Internet Home

Page at http://www.epa.gov/. On the Home Page select ''Laws and Regulations'' and then look up the entry for this document under ''Federal Register Environmental Documents.'' You can also go directly to the ''Federal Register'' listings at http://www.epa.gov/homepage/fedrgstr/.

B. In Person or by Phone

If you have any questions or need additional information about this action, please contact the technical person identified in the ''FOR FURTHER INFORMATION CONTACT'' section. In addition, the official record for this action, including the public version, has been established under docket control number [OPP–300891], (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of any electronic comments, which does not include any information claimed as Confidential Business Information (CBI), is available for inspection in Rm. 119, Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Public Information and Records Integrity Branch telephone number is 703–305–5805.

III. What Action is being Taken?

A. Action in this Document

In this final rule, EPA is revoking the FFDCA tolerances in 40 CFR 180.259 for residues of propargite in or on apples; apricots; beans, succulent; cranberries; figs; peaches; pears; plums (fresh prunes); and strawberries; and in 40 CFR 185.5000 for residues of propargite in or on figs, dried, by removing 185.5000 and transferring the remaining tolerances for hops, dried; and tea, dried into section 180.259. EPA is revoking these tolerances because registered uses for propargite on these commodities have been voluntarily canceled. Thus, the tolerances for these commodities are no longer necessary to cover residues of propargite in or on domestically treated commodities or commodities treated outside but imported into the United States. Propargite is no longer used on those specified commodities within the United States and no person has provided comment identifying a need for EPA to retain the tolerances to cover residues in or on imported foods. EPA has historically expressed a concern that retention of tolerances that are not necessary to cover residues in or on legally treated foods has the potential to encourage misuse of pesticides within the United States. Thus, it is EPA's policy to issue a final rule revoking those tolerances for residues of pesticide chemicals for which there are no active registrations under FIFRA, unless any person in comments on the proposal demonstrates a need for the tolerance to cover residues in or on imported commodities or domestic commodities legally treated.

EPA is not issuing today a final rule to revoke those tolerances for which EPA received comments demonstrating a need for the tolerance to be retained. Generally, EPA will proceed with the revocation of these tolerances on the grounds discussed above only if, 1) prior to EPA's issuance of a section 408(f) order requesting additional data or issuance of a section 408(d) or (e) order revoking the tolerances on other grounds, commenters retract the comment identifying a need for the tolerance to be retained, 2) EPA independently verifies that the tolerance is no longer needed, 3) the tolerance is not supported by data, or 4) the tolerance does not meet the requirements under FQPA.

B. Background

Propargite (trade names Comite and Omite) is a pesticide that was registered in 1969 for the control of mites on a number of agricultural commodities and ornamental plants. EPA classifies propargite as a B_2 (probable) human carcinogen.

EPA published a Registration Standard for propargite in 1986, and FIFRA reregistration is ongoing. Through the reregistration process, in 1992 EPA received from Uniroyal Chemical Company, the sole propargite registrant in the United States, a market basket survey examining residue levels in selected commodities in a nation-wide cross section of grocery stores. The survey attempted to better reflect propargite residues in these commodities as purchased by consumers. Uniroyal's market basket survey, as well as other sampling data used by EPA, indicated propargite residues on certain foods such as apples and peaches that were far below tolerance levels but nevertheless resulted in dietary risks of concern for those foods. Based on this and other information, EPA conducted an intensive dietary risk assessment and concluded that long-term exposure to propargite posed an unreasonable dietary cancer risk to persons who consume propargite-treated foods.

EPA discussed its risk findings with Uniroyal, which responded in an April 5, 1996 letter by requesting, among other things, voluntary deletion of the following uses from all applicable propargite labels: apples, apricots, cranberries, figs, green beans, lima beans, peaches, pears, plums (including plums grown for prune production), and strawberries. EPA agreed to this request, and the deletions were announced in a **Federal Register** notice dated May 3, 1996 (61 FR 19936) (FRL–5367–4). EPA received comments both supporting and opposing the use deletions; those comments were considered prior to the requested use deletions taking effect on August 1, 1996. The comments are available in the public record under docket number OPP–64029. As part of its use-deletion agreement with EPA, Uniroyal also agreed not to challenge revocation of tolerances for any of the deleted uses.

In the **Federal Register** of February 13, 1997 (62 FR 6750) (FRL–5381–9), EPA issued a proposed rule for propargite announcing the proposed revocation of tolerances for canceled food uses and inviting public comment for consideration and for support of tolerance retention under FFDCA standards. The tolerance for propargite residues in or on figs, dried was among the tolerances proposed for revocation. Although food additive regulations for propargite use in or on figs, dried and tea, dried had been revoked pursuant to pre-FQPA provisions of FFDCA, (61 FR 11994, March 22, 1996) (FRL–5357–7), those revocations were stayed (61 FR 25153, May 20, 1996) (FRL–5372–2), and later withdrawn (61 FR 50684, September 26, 1996) (FRL–5397–4) subsequent to the passage of FQPA. However, not until recently were the tolerances for figs, dried and tea, dried reinstated in 40 CFR 185.5000 (64 FR 3044, January 20, 1999). Also, proposed tolerance revocations of February 13, 1997 (62 FR 6750) included a tolerance in 40 CFR 186.5000 for propargite residues in or on apple pomace, dried, which has been revoked (62 FR 66020, December 17, 1997) (FRL–5753–1).

The following comments were received by the Agency in response to the document published in the **Federal Register** of February 13, 1997:

EPA received comments from Uniroyal Chemical and several grower groups in response to the proposed rule. All comments, and EPA's response to each individual comment, are located in the OPP Docket under docket number OPP–300432. In general, the comments stated that EPA should use the pre-FQPA approach of setting an effective date (such as 3 years from publication of the final rule) for tolerance revocations in order to allow legally treated commodities to clear the channels of trade, instead of following the approach outlined in FFDCA section 408(l)(5) of revoking immediately and

allowing legally treated foods to clear trade channels.

Comments cited EPA's statement at the time of the cancellation that EPA ''will propose effective dates for the revocations that provide the time needed for appropriate and orderly movement of crops already legally treated with propargite through the channels of trade.'' Immediate revocation, some commenters argued, will cause confusion in the marketplace and impose a burden on growers and processors, because section 408(l)(5) would require growers and processors to provide evidence showing that propargite residues on their commodities resulted from legal application. Uniroyal Chemical was particularly concerned with the effect of the channels of trade provision on foreign growers and processors. Uniroyal contended that requiring such growers to document that pesticide applications are lawful under FIFRA is a retroactive regulatory requirement.

EPA believes that revoking the tolerances at this time is consistent with its statement at the time of the use deletions. A delayed effective date is no longer needed because the statute, as amended, provides for the orderly movement through the channels of trade of legally treated commodities. Further, EPA does not believe that this approach is unduly burdensome to growers. EPA is revoking the tolerances almost 3 years after the uses were deleted from propargite labels and over 2 years from when the Agency proposed revoking the propargite tolerances for these commodities on February 13, 1997 (62 FR 6750). EPA believes this should be more than adequate, given that very few stocks of propargite existed for use even in the 1996 growing season. EPA acknowledges that processed commodities may not have cleared the channels of trade within that timeframe. However, the provisions of FFDCA section 408(l)(5) will provide for the legal movement of those commodities through the channels of trade. Additionally, it is fairly easy to identify the date the commodity was processed. If the commodity was processed before the effective date of the tolerance revocation, the presumption will be that any residue of propargite is the result of legal application.

Uniroyal has also raised concerns that this tolerance revocation will have unfair impacts on foreign growers and processors. EPA does not believe this action will unfairly affect foreign growers and processors. When EPA published its May 3, 1996 use deletion notice for propargite, foreign and domestic growers and processors were notified that EPA intended to revoke the tolerances associated with the deleted uses and that such revocation would make unlawful distribution of any of the specified foods (including import) containing residues of propargite. Subsequent adoption of section 408(l)(5) of the FQPA assures that residues of propargite on the specified commodities are permitted if the commodities are legally treated under FIFRA, are treated prior to expiration of the tolerance, and residues are consistent with the tolerance in place at the time of treatment. The requirement that food be legally treated under FIFRA imposes no obligation on foreign growers because FIFRA does not impose requirements on application of pesticides outside the United States. Thus, such applications are, by operation of statute, lawful under FIFRA. The second requirement, that food be treated prior to expiration of the tolerance and be consistent with the tolerance, applies equally to domestic and foreign commodities, resulting from time to time in different consequences. For example, EPA anticipates that there will be no legally treated domestic fresh produce in commerce after the tolerance expires. Therefore, after the tolerance expiration date, the presence of propargite residues on the subject fresh commodities treated in the United States will be presumptively unlawful under section 408(l)(5). In contrast, for imported fresh commodities, there is no such presumption. Propargite residues on imported fresh commodities may be present on imported food after the expiration date and may be legal because there is no foreign restriction on use of propargite similar to that imposed by the United States. This is because propargite residues may be present as the result of a legal application prior to expiration of the tolerance. For purposes of processed commodities containing residues of propargite, as noted earlier, such commodities, whether domestic or imported, will be presumptively legal if processed before the expiration date of the tolerance.

IV. When Do these Actions Become Effective?

These actions become effective 90 days following publication in the **Federal Register**. EPA has delayed the effectiveness of these revocations for 90 days following publication to ensure that all affected parties receive notice of EPA's action. Consequently, the effective date is October 19, 1999. For this particular final rule, the actions will affect uses which have been canceled for almost 3 years. Therefore, commodities should have cleared the channels of trade.

Any commodities listed in the regulatory text of this document that are treated with the pesticides subject to this final rule, and that are in the channels of trade following the tolerance revocations, shall be subject to FFDCA section 408(l)(5), as established by the FQPA. Under section 408(l)(5), any residue of these pesticides in or on such food shall not render the food adulterated so long as it is shown to the satisfaction of FDA that the residue is present as the result of an application or use of the pesticide at a time and in a manner that was lawful under FIFRA, and the residue does not exceed the level that was authorized at the time of the application, or use to be present on the food under a tolerance or exemption from a tolerance. Evidence to show that food was lawfully treated may include records that verify the dates that the pesticide was applied to such food.

V. Can I Submit Objections or Hearing Requests?

Yes. Any person can file written objections to any aspect of this regulation and can also request a hearing on those objections. Objections and hearing requests are currently governed by the procedures in 40 CFR part 178, modified as needed to reflect the requirements of FFDCA section 408(g).

A. When and Where to Submit

Objections and hearing requests must be mailed or delivered to the Hearing Clerk no later than September 20, 1999. The address of the Hearing Clerk is Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460.

B. Fees for Submission

1. Each objection must be accompanied by a fee of $3,275 or a request for waiver of fees. Fees accompanying objections and hearing requests must be labeled ''Tolerance Petition Fees'' and forwarded to EPA Headquarters Accounting Operations Branch, OPP (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251.

2. EPA may waive any fee when a waiver or refund is equitable and not contrary to the purposes of the Act. A request for a waiver of objection fees should be submitted to James Hollins, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. The request for a waiver must be accompanied by a fee of $1,650, unless the objector has no financial

interest in the matter. The fee, if required, must be submitted to the address in B.1 of this unit. For additional information on tolerance objection fee waivers, contact James Tompkins, Registration Division (7505C), at the same mailing address, or by phone at 703–305–5697; or e-mail: tompkins.jim@epa.gov.

C. Information to be Submitted

Objections must specify the provisions of the regulation considered objectionable and the grounds for the objections. If a hearing is requested, the objections must include a statement of the factual issue(s) on which a hearing is requested, the requestor's contentions on such issues, and a summary of any evidence relied upon by the objector. You may claim information that you submit in response to this document as confidential by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

D. Granting a Hearing Request

A request for a hearing will be granted if the Administrator determines that the material submitted shows the following:

1. There is a genuine and substantial issue of fact.

2. There is a reasonable possibility that available evidence identified by the requestor would, if established, resolve one or more of such issues in favor of the requestor, taking into account uncontested claims or facts to the contrary.

3. Resolution of the factual issue(s) in the manner sought by the requestor would be adequate to justify the action requested.

VI. How Do the Regulatory Assessment Requirements Apply to this Final Action?

A. Is this a ''Significant Regulatory Action''?

No. Under Executive Order 12866, entitled *Regulatory Planning and Review* (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action.'' The Office of Management and Budget (OMB) has determined that tolerance actions, in general, are not ''significant'' unless the action involves the revocation of a tolerance that may result in a substantial adverse and material affect on the economy. In addition, this action is not subject to Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997), because this action is not an economically significant regulatory action as defined by Executive Order 12866. Nonetheless, environmental health and safety risks to children are considered by the Agency when determining appropriate tolerances. Under FQPA, EPA is required to apply an additional 10-fold safety factor to risk assessments in order to ensure the protection of infants and children unless reliable data supports a different safety factor.

B. Does this Action Contain Any Reporting or Recordkeeping Requirements?

No. This action does not impose any information collection requirements subject to OMB review or approval pursuant to the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

C. Does this Action Involve Any ''Unfunded Mandates''?

No. This action does not impose any enforceable duty, or contain any ''unfunded mandates'' as described in Title II of the Unfunded Mandates Reform Act of 1995 (Public Law 104–4).

D. Do Executive Orders 12875 and 13084 Require EPA to Consult with States and Indian Tribal Governments Prior to Taking the Action in this Document?

No. Under Executive Order 12875, entitled *Enhancing the Intergovernmental Partnership* (58 FR 58093, October 28, 1993), EPA may not issue a regulation that is not required by statute and that creates a mandate upon a State, local or tribal government, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by those governments. If the mandate is unfunded, EPA must provide to the Office of Management and Budget (OMB) a description of the extent of EPA's prior consultation with representatives of affected State, local and tribal governments, the nature of their concerns, copies of any written communications from the governments, and a statement supporting the need to issue the regulation. In addition, Executive Order 12875 requires EPA to develop an effective process permitting elected officials and other representatives of State, local and tribal governments ''to provide meaningful and timely input in the development of regulatory proposals containing significant unfunded mandates.''

Today's rule does not create an unfunded Federal mandate on State, local or tribal governments. The rule does not impose any enforceable duties on these entities. Accordingly, the requirements of section 1(a) of Executive Order 12875 do not apply to this rule.

Under Executive Order 13084, entitled *Consultation and Coordination with Indian Tribal Governments* (63 FR 27655, May 19, 1998), EPA may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments. If the mandate is unfunded, EPA must provide OMB, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected and other representatives of Indian tribal governments ''to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities.''

Today's rule does not significantly or uniquely affect the communities of Indian tribal governments. This action does not involve or impose any requirements that affect Indian Tribes. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this rule.

E. Does this Action Involve Any Environmental Justice Issues?

No. This final rule does not involve special considerations of environmental-justice related issues pursuant to Executive Order 12898, entitled ''*Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*'' (59 FR 7629, February 16, 1994).

F. Does this Action Have a Potentially Significant Impact on a Substantial Number of Small Entities?

No. The Agency has certified that tolerance actions, including the tolerance actions in this document, are not likely to result in a significant adverse economic impact on a substantial number of small entities. The factual basis for the Agency's determination, along with its generic certification under section 605(b) of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), appears at 63 FR

55565, October 16, 1998. This generic certification has been provided to the Chief Counsel for Advocacy of the Small Business Administration.

G. Does this Action Involve Technical Standards?

No. This tolerance action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104–113, section 12(d) (15 U.S.C. 272 note). Section 12(d) directs EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, business practices, etc.) that are developed or adopted by voluntary consensus standards bodies. The NTTAA requires EPA to provide Congress, through OMB, explanations when the Agency decides not to use available and applicable voluntary consensus standards.

H. Are There Any International Trade Issues Raised by this Action?

EPA is working to ensure that the U.S. tolerance reassessment program under FQPA does not disrupt international trade. EPA considers Codex Maximum Residue Limits (MRLs) in setting U.S. tolerances and in reassessing them. MRLs are established by the Codex Committee on Pesticide Residues, a committee within the Codex Alimentarius Commission, an international organization formed to promote the coordination of international food standards. When possible, EPA seeks to harmonize U.S. tolerances with Codex MRLs. EPA may establish a tolerance that is different from a Codex MRL; however, FFDCA section 408(b)(4) requires that EPA explain in a **Federal Register** document the reasons for departing from the Codex level. EPA's effort to harmonize with Codex MRLs is summarized in the tolerance reassessment section of individual REDs. The U.S. EPA has developed guidance concerning submissions for import tolerance support. This guidance will be made available to interested persons.

I. Is this Action Subject to Review under the Congressional Review Act?

Yes. The Congressional Review Act, 5 U.S.C. Sec. 801 *et seq.*, as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects

40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

40 CFR Part 185

Environmental protection, Food additives, Pesticides and pests.

Dated: July 13, 1999.

Jack E. Housenger,

Acting Director, Special Review and Reregistration Division, Office of Pesticide Programs.

Therefore, 40 CFR parts 180 and 185 are amended to read as follows:

PART 180—[AMENDED]

1. In part 180:

a. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

§ 180.259 [Amended]

b. Section 180.259, is amended as follows:

i. By adding a heading to paragraph (a).

ii. By redesignating the text after the heading as paragraph (a)(1).

iii. By removing from the table in newly designated paragraph (a)(1), the entries for Apples; Apricots; Beans, succulent; Cranberries; Figs; Peaches; Pears; Plums (fresh prunes); and Strawberries.

iv. By adding paragraph (a)(2).

v. By redesignating paragraph (b) as paragraph (c) and revising newly designated paragraph (c).

vi. By adding and reserving with headings paragraphs (b) and (d).

§180.259 Propargite; tolerances for residues.

(a) *General.* (1) * * *

(2) Tolerances are established for residues of the insecticide propargite (2-(*p*-tert-butylphenoxy)cyclohexyl 2-propynyl sulfite) in or on the following processed foods when present therein as a result of the application of this insecticide to growing crops:

Food	Parts per million
Hops, dried	30
Tea, dried	10

(b) *Section 18 emergency exemptions.* [Reserved]

(c) *Tolerances with regional registrations.* Tolerances with regional registration, as defined in §180.1(n), are established for residues of propargite in or on the following raw agricultural commodities:

Commodity	Parts per million
Corn, sweet, kernel plus cob with husks removed	0.1

(d) *Indirect or inadvertent residues.* [Reserved]

PART 185—[AMENDED]

2. In part 185:

a. The authority citation for part 185 continues to read as follows:

Authority: 21 U.S.C. 348.

§185.5000 [Removed]

b. By removing §185.5000.

[FR Doc. 99–18610 Filed 7–20–99; 8:45 am]

BILLING CODE 6560–50–F

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 180, 185 and 186

[OPP–300841A; FRL–6093–6]

RIN 2070–AB78

Dalapon, Fluchloralin, et al.; Various Tolerance Revocations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This final rule announces the revocation of tolerances for residues of the pesticides listed in the regulatory text for the herbicides dalapon, fluchloralin, metobromuron, paraquat,