



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 3 1993

OFFICE OF
PESTICIDES AND TOXIC
SUBSTANCES

MEMORANDUM

SUBJECT: ID. No. 2F04132, Boric Acid Tolerance Petition

Tox. Chem. No.: 109
DP Barcode No.: D184884
D186770
Record No. : S429777
S433551

FROM: Melba S. Morrow, D.V.M. *MSM 2/23/93*
Review Section II, Toxicology Branch I
Health Effects Division (H7509C)

TO: Robert Forrest/Dan Peacock PM 14
Registration Division (H7505C)

THRU: Karl P. Baetcke, Ph.D. *Karl P. Baetcke 3/1/93*
Chief,
Toxicology Branch I
Health Effects Division (H7509C)

CONCLUSIONS:

The data base for boric acid is adequate. Tox Branch I has no objection to granting an exemption from the requirements of a tolerance for pesticide residues pending evaluation and concurrence by Chemistry Branch. (See attached memo from Perfetti to Forrest dated 2/11/93). Registration should determine whether the revised labeling contains appropriate hazard signal words based on the results of acute studies. (Tox Branch has not reviewed the acute data base for the formulation and can not comment on the acceptability of the labeling text).

ACTION REQUESTED:

Review the request for an exemption from the requirements of a tolerance for the use of boric acid to control fire ants in food/feed areas. Also, review labels with the tolerance request.



RESIDUE CHEMISTRY

As indicated above, this petition is requesting that an exemption from the requirements of a tolerance be established as a result of the use of boric acid as a fire ant control bait in agricultural areas. The product is to be applied as a broadcast via ground or air at a rate of 0.5 lb ai/acre. A second application may be made 5 days after the initial treatment. The HED Metabolism Committee has concluded that it is appropriate to exempt boric acid and its salts from the requirements of a tolerance under Section 408 (racs) and to establish a food additive regulation for boric acid and its salts at food/feed handling sites under Section 409 of the FFD&CA. There are no remaining Residue Chemistry data requirements involved with this fire ant use.

RECOMMENDATIONS

CBRS recommends that the requested exemption be established. In addition, for the sake of expediency, CBRS also recommends that Registration Division revoke the tolerances for residues of boron under 40 CFR 180.271 and establish the following exemption and food and feed additive regulations under 40 CFR 180, 185 and 186 respectively.

CFR 40 180:

An exemption from the requirements of a tolerance for residues of boric acid, borax (sodium borate decahydrate), disodium octaborate tetrahydrate, boric oxide and sodium borate is established in raw agricultural commodities when used as insecticides, herbicides or fungicides pre- or postharvest in accordance with good agricultural practices.

CFR 40 185:

A food additive regulation is established permitting the use of boric acid, borax (sodium borate decahydrate), disodium octaborate tetrahydrate, boric oxide and sodium borate in food handling establishments in accordance with the following prescribed condition:

Application shall be limited solely to careful treatment in food handling establishments where food and food products are held, processed, prepared or served such that contamination of food or food contact surfaces shall be avoided.

CFR 40 186:

A feed additive regulation is established permitting the use of boric acid, borax (sodium borate decahydrate), disodium octaborate

tetrahydrate, boric oxide and sodium borate in animal feed handling establishments in accordance with the following prescribed condition:

Application shall be limited solely to careful treatment in animal feed handling establishments where feed and feed products are held, processed, prepared or sold such that contamination of feed or feed contact surfaces shall be avoided.

cc: RBP; SF; RF; L. Rossi RB/SRRD; Boric Acid Reg. Std. File; Petition File; and Circulation.