

10-16-85



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

OCT 16 1985

OFFICE OF
PESTICIDES AND TOXIC SUBSTANCES

MEMORANDUM

SUBJECT: 54649-EUP-R. EUP application to use Scare Crow Corn Chips (Oleoresin Capsicum). RCB No. 1444.

FROM: Linda S. Propst, Chemist
Residue Chemistry Branch
Hazard Evaluation Division (TS-769) *Linda S. Propst*

THRU: Andrew R. Rathman, Section Head
Residue Chemistry Branch
Hazard Evaluation Division (TS-769) *ARR*

TO: William H. Miller, Product Manager #16
Insecticide-Rodenticide Branch
Registration Division (TS-767)

H.G.C., Inc. has applied for an Experimental Use Permit to ship and use their product, Scare Crow Corn Chips, whose active ingredient is oleoresin capsicum.

This Experimental Use Permit involves 25,000 lbs of product to be used on 5,000 acres of sunflowers in North Dakota for a period of one year. The target pests for this product are redwing, rusty, and yellow-headed blackbirds, common gackels and starlings.

The Confidential Statement of Formula is given in the Confidential Appendix (See attachment).

Dried ripe fruits of Capsicum frutescens L., are generally recognized as safe under 21 CFR 182.10 (spices and other natural seasonings and flavorings) and 21 CFR 182.20 (essential oils, oleoresins (solvent-free), and natural extractives (including distillates)).

The remaining components of this product have been cleared under 40 CFR 180.1001 (c) or (d).

The proposed use would allow for 1-3 lbs Scare Crow Corn Chips per acre to be applied by air with dry spreader attachment. Repeat in 10 days to 2 weeks if target birds return or if heavy rains occur.

There has been no submission of residue data. Since the active ingredient has been affirmed as GRAS and the remaining components have been cleared under 40 CFR 180.1001 (c) or (d), there is no need for residue data.

Recommendation

We have no objections to granting this EUP.

Confidential Appendix: Capsaicin S.F., Reviewer, Reading File, PMSD/ISB
PM #16

cc: Capsaicin S.F., Reviewer, Reading File, PMSD/ISB , PM #16,
Circulation

RDI: A. R. Rathman, 10/15/85; R. D. Schmitt, 10/15/85
TS-769:RCB:L.S.Propst:lsp:CM#2:Rm810:557-7324:10/16/85

Capsicum residue chemistry review

Page 3 is not included in this copy.

Pages _____ through _____ are not included in this copy.

The material not included contains the following type of information:

- Identity of product inert ingredients
 - Identity of product impurities
 - Description of the product manufacturing process
 - Description of product quality control procedures
 - Identity of the source of product ingredients
 - Sales or other commercial/financial information
 - A draft product label
 - The product confidential statement of formula
 - Information about a pending registration action
 - FIFRA registration data
 - The document is a duplicate of page(s) _____
 - The document is not responsive to the request
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* The information not included is generally considered confidential by product registrants. If you have any questions, please contact the individual who prepared the response to your request.
