

2,4-D/TOX

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Releasable

Highway, Arlington, VA 22202 (703-557-7123).

SUPPLEMENTARY INFORMATION: EPA issued a notice that published in the Federal Register of October 27, 1981 (46 FR 53395) that the Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, PO Box 231, Rutgers University, New Brunswick, NJ 08903, had submitted to EPA pesticide petitions number 2E1293 on behalf of the IR-4 Technical Committee and the Agricultural Experiment Station of California, and 7E1980 on behalf of the IR-4 Technical Committee and the Agricultural Experiment Stations of Colorado, Kansas, Minnesota, Nebraska, Nevada, and North Dakota.

The petitions requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act propose the establishment of a tolerance for residues of 2,4-D (2,4-dichlorophenoxyacetic acid) from application of its dimethylamine salt in or on the raw agricultural commodity apricots at 2 ppm (PP 2E1293) and the establishment of tolerances for residues of 2,4-D and its metabolite 2,4-dichlorophenol (2,4-DCP) in or on the raw agricultural commodities millet grain at 0.5 ppm and millet forage and straw at 20 ppm (PP 7E1980). Later PP 2E1293 was amended to propose a tolerance of 5 ppm in or on apricots. It was also later determined that tolerances in millet grain, straw and forage should be in terms of 2,4-D *per se* rather than in terms of parent plus metabolite.

No comments or requests for referral to an advisory committee were received in response to this notice of proposed rulemaking.

The data submitted in the petitions and all other relevant material have been evaluated. The pesticide is considered useful for the purposes for which the tolerances are sought.

Based on the information considered by the Agency, it is concluded that the tolerances established by amending 40 CFR Part 180 will protect the public health. Therefore, the tolerances are established as set forth below.

Any person adversely affected by this regulation may, on or before February 5, 1982, file written objections with the Hearing Clerk, Environmental Protection Agency, Rm. 3708 (A-110), 401 M St., SW, Washington, DC 20460. Such objections must be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A

hearing will be granted if the objections are legally sufficient to justify the relief sought.

As required by Executive Order 12291, EPA has determined that this rule is not a "Major" rule and therefore does not require a Regulatory Impact Analysis. In addition, the Office of Management and Budget (OMB) has exempted this regulation from the OMB review requirements of Executive Order 12291, pursuant to section 8(b) of that Order.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-534, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the Federal Register of May 4, 1981 (46 FR 24950).

Effective on January 6, 1982.
(Sec. 408(e), 68 Stat. 514; (21 U.S.C. 346a(e)))

Dated: December 15, 1981.

Edwin L. Johnson,
Director, Office of Pesticide Programs.

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Therefore, 40 CFR 180.142 is revised by reformatting the commodities in an alphabetized columnar listing, adding a new explanatory sentence relating to the apricot tolerance and alphabetically inserting the raw agricultural commodity apricots in paragraph (a), and alphabetically inserting the raw agricultural commodities millet forage, millet grain, and millet straw in paragraph (b).

Section 180.142 is revised to read as follows:

§ 180.142 2,4-D; tolerances for residues.

(a) Tolerances are established for residues of the herbicide, plant regulator, and fungicide 2,4-D (2,4-dichlorophenoxyacetic acid) in or on raw agricultural commodities as follows:

Commodity	Parts per million
Apples	5
Apricots	5
Citrus fruits	5
Pears	5
Potatoes	0.2
Quinces	5

(1) The tolerance on apricots also includes residues of 2,4-D (2,4-dichlorophenoxyacetic acid) from the preharvest application of 2,4-D

40 CFR Part 180

[PP 2E1293/7E1980/R377; PH-FRL-2019-5]

2,4-D; Tolerances and Exemptions From Tolerances for Pesticide Chemicals in or on Raw Agricultural Commodities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes tolerances for residues of the pesticide 2,4-D (2,4-dichlorophenoxyacetic acid). This regulation was requested by the Interregional Research Project No. 4 (IR-4). This regulation will establish a maximum permissible level for residues of 2,4-D on apricots at 5 parts per million (ppm), and millet grain at 0.5 ppm and millet forage and straw at 20 ppm.

EFFECTIVE DATE: Effective on January 6, 1982.

ADDRESS: Written objections may be submitted to the: Hearing Clerk, Environmental Protection Agency, Rm. 3708 (A-100), 401 M St., SW, Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Donald R. Stubbs, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 502B, CM-2, 1921 Jefferson Davis

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preharvest application of 2,4-D dimethylamine salt to apricots.

(2) The tolerance on citrus fruits also includes residues 2,4-D from the preharvest application of 2,4-D isopropyl ester and 2,4-D butoxyethyl ester and from the postharvest application of 2,4-D alkanolamine salts and 2,4-D isopropyl ester to citrus fruits.

(b) Tolerances are established for residues of 2,4-D at:

Commodity	Parts per million
Barley, grain	0.5
Barley, forage	20
Blueberries	0.1
Corn, fodder	20
Corn, forage	20
Corn, fresh, sweet (K+CWHR)	0.5
Corn, grain	0.5
Cranberries	0.5
Grapes	0.5
Grass hay	300
Grasses, pasture	1,000
Grasses, rangeland	1,000
Millet, forage	20
Millet, grain	0.5
Millet, straw	20
Oats, forage	20
Oats, grain	0.5
Rice	0.1
Rice, straw	20
Rye, forage	20
Rye, grain	0.5
Sorghum, fodder	20
Sorghum, forage	20
Sorghum, grain	0.5
Sugarcane	2
Sugarcane, forage	20
Wheat, forage	20
Wheat, grain	0.5

(1) **Salts.** Residues on all the above may result from application of 2,4-D in acid form, or in the form of one or more of the following salts:

(i) The inorganic salts: Ammonium, lithium, potassium, and sodium.

(ii) The amine salts: Alkanolamines of the ethanol and isopropanol series, alkyl (C-12), alkyl (C-13), alkyl (C-14), alkylamines derived from tall oil, amylamine, diethanolamine, diethylamine, diisopropanolamine, dimethylamine, N,N-dimethyl-linoleylamine, N,N-dimethylethylamine, ethanolamine, ethylamine, heptylamine, isopropanolamine, isopropylamine, linoleylamine, methylamine, morpholine, octylamine, oleylamine, N-oleyl-1,3-propylenediamine, propylamine, triethanolamine, triethylamine, triisopropanolamine, and trimethylamine.

(2) **Esters.** Residues on all the above may result from application of 2,4-D in acid form, or in the form of one or more of the following esters: amyl (pentyl), butoxyethoxypropyl, butoxyethyl, butoxypolyethylene glycol butyl ether, butoxypropyl, butyl, dipropylene glycol isobutyl ether, ethoxyethoxyethyl, ethoxyethoxypropyl, ethyl, ethoxypropyl, isobutyl, isoctyl (including, but not limited to, 2-

ethylhexyl, 2-ethyl-4-methylpentyl, and 2-octyl), isopropyl, methyl, polyethylene glycol 200, polypropoxybutyl, polypropylene glycol, propylene glycol, propylene glycol butyl ether, propylene glycol isobutyl ether, tetrahydrofurfuryl, and tripropylene glycol isobutyl ether.

(c) Tolerances are established for negligible residues of 2,4-D from application of its dimethylamine salt to irrigation ditch banks in the Western United States in programs of the Bureau of Reclamation, U.S. Department of Interior; cooperating water user organizations; the Bureau of Sport Fisheries, U.S. Department of Interior; Agricultural Research Service, U.S. Department of Agriculture; and the Corps of Engineers, U.S. Department of Defense. Where tolerances are established at higher levels from other uses of 2,4-D on the following crops, the higher tolerance applies also to residues from the irrigation ditch bank use cited in this paragraph.

The established tolerances follow:

Commodity	Parts per million
Avocados	0.1 (N)
Citrus fruits	0.1 (N)
Cottonseed	0.1 (N)
Cucurbits	0.1 (N)
Forage grasses	0.1 (N)
Forage legumes	0.1 (N)
Fruiting vegetables	0.1 (N)
Grain crops	0.1 (N)
Hops	0.1 (N)
Leafy vegetables	0.1 (N)
Nuts	0.1 (N)
Pome fruits	0.1 (N)
Root crop vegetables	0.1 (N)
Seed and pod vegetables	0.1 (N)
Small fruits	0.1 (N)
Stone fruits	0.1 (N)

(d) A tolerance is established for residues of 2,4-D sodium salt and alkanolamine salts (of the ethanol and isopropanol series), calculated as 2,4-D (2,4-dichlorophenoxyacetic acid) as follows:

Commodity	Parts per million
Asparagus	5

(e) A tolerance is established for residues of 2,4-D from application of its alkanolamine salts (of the ethanol and isopropanol series) as follows:

Commodity	Parts per million
Strawberries	0.05

(f) Tolerances are established for residues of 2,4-D from application of its dimethylamine salt for water hyacinth control in ponds, lakes, reservoirs,

marshes, bayous, drainage ditches, canals, rivers and streams that are quiescent or slow moving in programs conducted by the Corps of Engineers or other Federal, State, or local public agencies. Where tolerances are established at higher levels from other uses of the dimethylamine salt of 2,4-D on crops included within these commodity groups, the higher tolerances also apply to residues from the aquatic uses cited in this paragraph. The established tolerances follow:

Commodity	Parts per million
Crops in paragraph (c) of this section	1.0
Crop groupings in paragraph (c) of this section	1.0
Fish	1.0
Shellfish	1.0

(g) [Reserved]

(h) Tolerances are established for residues of 2,4-dichlorophenoxyacetic acid (2,4-d) and/or its metabolite, 2,4-dichlorophenol (2,4-DCP) in food products of animal origin as follows.

Commodity	Parts per million
Cattle, fat	0.2
Cattle, kidney	2
Cattle, meat	0.2
Cattle, mby (exc. kidney)	0.2
Eggs	0.05
Goats, fat	0.2
Goats, kidney	2
Goats, meat	0.2
Goats, mby (exc. kidney)	0.2
Hogs, fat	0.2
Hogs, kidney	2
Hogs, meat	0.2
Hogs, mby (exc. kidney)	0.2
Horses, fat	0.2
Horses, kidney	2
Horses, meat	0.2
Horses, mby (exc. kidney)	0.2
Milk	0.1
Poultry	0.05
Sheep, fat	0.2
Sheep, kidney	2
Sheep, meat	0.2
Sheep, mby (exc. kidney)	0.2

(i) A tolerance is established for residues of 2,4-D from applications of its dimethylamine salt or its butoxyethanol ester for Eurasian Watermilfoil control in programs conducted by the Tennessee Valley Authority in dams and reservoirs of the TVA system as follows:

Commodity	Parts per million
Fish	1.0

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