6-21-88 KF

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

JUN 21 1988

OFFICE OF
PESTICIDES AND TOXIC SUBSTANCES

MEMORANDUM

SUBJECT: PP#6F3419: Bayleton Residues In Or On Rotational Crops. Amendment of 5/23/88 (RCB #3918 and #3919).

FROM: W. T. Chin, Chemist
Tolerance Petition Section III
Residue Chemistry Branch
Hazard Evaluation Division (TS-769)

THRU: Philip V. Errico, Section Head
Tolerance Petition Section III
Residue Chemistry Branch
Hazard Evaluation Division (TS-769)

TO: Lois A. Rossi, PM #21
Fungicide-Herbicide Branch
Registration Division (TS-767)

and

Toxicology Branch
Hazard Evaluation Division (TS-769)

SUMMARY OF DEFICIENCIES REMAINING TO BE RESOLVED: None

RECOMMENDATION

TOX and EAB considerations permitting, RCB recommends for the establishment of the rotational crop tolerances for the combined residues of the fungicide bayleton, 1-(4-chlorophenoxy)-3,3-dimethyl-1-(1H-1,2,4-trizol-1-yl)-2-butanone, and its metabolites containing chlorophenoxy and triazole moieties (expressed as the fungicide) in or on the raw agricultrual commodities listed in the following revised Section F:

Rotational Crops (Section F Revised on 5/23/88)	Proposed Tolerance (ppm)
Legume vegetables group, (succulent or dried)	0.05
Foliage of legume vegetables group (succulent only)	1.0
Foliage of legume vegetables group (dried and straw only)	0.1
Corn, fresh (inc. sweet K + CWHR)	0.1
Corn, grain	0.01
Corn, forage	0.1
Corn, fodder	0.1
Cottonseed	0.02
Cotton, forage	0.5
Lettuce	0.01
Potatoes	0.05
Sorghum, grain	0.01
Sorghum, fodder	0.1
Sorghum, forage	0.1

NOTE TO PM: EAB should concur on the blanket label statement: "All crops may be planted 12 months or later after the last application of Bayleton without any restrictions."

BACKGROUND

Mobay Chemical Corp. has proposed amending 40 CFR 180.410 by establishing rotational crop tolerances for the combined residues of the fungicide bayleton and its metabolites containing chlorophenoxy and triazole moieties (expressed as the fungicide) in or on the following raw agricultrual commodities:

Rotational Crops	Proposed Tolerance (ppm)
Legume vegetables group, succulent (including pods) and dry	0.05
Foliage of legume vegetables group	
vines, green	1.0
hay	0.1
Corn forage, green	0.1
Corn kernel plus cob with husk removed	0.1
Corn, fodder, dry	0.05
Corn, kernel, dry	0.01
Cottonseed	0.02
Lettuce	0.01
Peanuts (meats)	0.01
Peanuts hulls	0.01
Peanuts vines, (dry)	0.01
Potatoes	0.05
Sorghum, grain	0.01
Sorghum, fodder and forage	0.1

RCB has recommended against the proposed tolerances because of the reasons identified in Conclusions "6a", "6c" and 7 of Sami Makak's 7/17/87 memo. These dificiences were further discussed in W. T. Chin's 4/13/88 memo.

PRESENT CONSIDERATIONS

In response to the deficiencies identified above, John S. Thornton of Mobay Chemical Corp. submitted an amendment which includes a cover letter dated 5/23/88 to Lois A. Rossi of EPA with revised Sections B and F. No new data were submitted. The deficiencies specified in Chin's 4/13/88 memo are restated below, followed by the petitioner's responses and RCB's comments/conclusions.

Deficiency "6a"

"The petitioner is requested to submit residue data on rotational crops reflecting 1.0 lb active bayleton/A/season and the minimum recommended plant back period; or limit a maximum bayleton rate to 0.5 lb active bayleton/A/season for grasses grown for seed."

The Petitioner's Response to Deficiency "6a"

The petitioner submitted a revised Section B by (1) limiting the maximum use rate to 1.0 lb of product (0.5 lb active ingredient) per acre per season on grasses grown for seeds; and (2) deleting the following seedgrass statement under the rotational crops section from the 11/20/87 revision: "In areas where grasses grown for seed were treated with more than one pound of Bayleton 50% wettable powder per acre per season, all crops may be planted 12 months or later after the last application of Bayleton without any restrictions."

RCB's Comment/Conclusion on the Petitioner's Response to Deficiency "6a"

RCB concludes that deficiency "6a" has been adeqately resolved.

Deficiency "6c"

"Depending on the resolution of deficiency "6a", deficiency "6c" is conditionally resolved."

The Petitioner's Response to Deficiency "6c"

See the response to deficiency "6a" above.

RCB's Comment/Conclusion on the Petitioner's Response to Deficiency "6c"

RCB concludes that deficiency "6c" has been adeqately resolved.

Deficiency 7

"Residue data on peanuts rotated 12 months after the purposeful use should be submitted for review. If no residues are found in peanuts planted back to fields having had exaggerated levels of active ingredient equal to the theoretical maximum concentration factor in a peanut processed product, then, no processing study is necessary. Otherwise, a processing study is still needed using peanuts bearing real residues. The residue field trial at exaggerated rates should be conducted in major peanut growing areas."

The Petitioner's Response to Deficiency 7

Instead of conducting an additional processing study on peanuts, the petitioner submitted a revised Section F (see the upper list on page 1 of this memo) by withdrawing the requested rotational crop tolerances for peanuts, peanut forage, peanut hay, and peanut hulls without prejudice to future filling.

RCB's Comment/Conclusion on the Petitioner's Response to Deficiency 7

RCB concludes that deficiency 7 has been adeqately resolved.

cc: W.T.Chin(RCB), PP#6F3419, E. Eldredge (ISB/PMSD), Circu. (7), RF, EAB

RDI: P.V.Errico(6/21/88):R.D.Schmitt(6/21/88)
TS-769: RCB: CM2: RM812:557-4352: W.T.Chin,wc(6/21/88)